

**NB: Unofficial translation**  
**Legally binding only in Finnish and Swedish**

## **Animal Diseases Act** **(441/2013)**

### **Chapter 1 – General provisions**

#### *Section 1 – Purpose*

- (1) The purpose of this Act is to prevent and reduce the incidence of diseases and infections that may be transmitted from an animal to another animal or to a human being (*animal disease*) in order to promote animal health, protect human health, ensure food safety and secure the conditions for livestock farming.

#### *Section 2 – Scope of application*

- (1) This Act lays down provisions on the prevention of animal diseases, for the monitoring of animal health and of the occurrence of animal diseases, and for the measures required to eradicate and prevent the spread of animal diseases.
- (2) This Act applies to movements of animals, products of animal origin and other objects that spread animal diseases across the Finnish state borders, except where provisions on this are laid down in the Act on Veterinary Border Inspection (1192/1996).

#### *Section 3 – European Union legislation*

- (1) This Act applies to the implementation of the following European Union regulations on combating animal diseases and instruments issued pursuant to them, as far as provisions on their enforcement are not laid down under other legislation:
  - 1) Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies;
  - 2) Regulation (EC) No 998/2003 of the European Parliament and of the Council on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC (*Pet Regulation*);
  - 3) Regulation (EC) No 2160/2003 of the European Parliament and of the Council on the control of salmonella and other specified food-borne zoonotic agents (*Zoonosis Regulation*);
  - 4) Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (*Control Regulation*);
  - 5) Regulation (EC) No 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption; and
  - 6) Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002.
- (2) This Act also applies to the implementation of the following European Union directives and secondary instruments issued pursuant to them as far as provisions on their implementation are not issued under other legislation:

- 1) Council Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine;
- 2) Council Directive 82/894/EEC on the notification of animal diseases within the Community;
- 3) Council Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species;
- 4) Council Directive 89/556/EEC on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species;
- 5) Council Directive 89/662/EEC concerning veterinary checks in intra-Community trade with a view to the completion of the internal market;
- 6) Council Directive 90/425/EEC concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market;
- 7) Council Directive 90/429/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species;
- 8) Council Directive 91/68/EEC on animal health conditions governing intra-Community trade in ovine and caprine animals;
- 9) Council Directive 92/35/EEC laying down control rules and measures to combat African horse sickness;
- 10) Council Directive 92/65/EEC laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC;
- 11) Council Directive 92/66/EEC introducing Community measures for the control of Newcastle disease;
- 12) Council Directive 92/118/EEC laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC;
- 13) Council Directive 92/119/EEC introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease;
- 14) Council Directive 96/93/EC on the certification of animals and animal products;
- 15) Council Directive 2000/75/EC laying down specific provisions for the control and eradication of bluetongue;
- 16) Council Directive 2001/89/EEC on Community measures for the control of classical swine fever;
- 17) Council Directive 2002/60/EC laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever;
- 18) Council Directive 2002/99/EC laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption;
- 19) Council Directive 2003/85/EC on Community measures for the control of foot-and-mouth disease repealing Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC and amending Directive 92/46/EEC;

- 20) Directive 2003/99/EC of the European Parliament and of the Council on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC.;
- 21) Council Directive 2005/94/EC on Community measures for the control of avian influenza and repealing Directive 92/40/EEC;
- 22) Council Directive 2006/88/EC on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals;
- 23) Council Directive 2009/156/EC on animal health conditions governing the movement and importation from third countries of equidae; and
- 24) Council Directive 2009/158/EEC on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs.

#### Section 4 – *Relationship with other legislation*

- (1) Provisions on combating animal diseases that affect food safety are also laid down in the Food Act (23/2006).
- (2) Provisions on the protection of the population against diseases transmissible from animals to humans are also laid down in the Communicable Diseases Act (583/1986).
- (3) Provisions on the protection of wild animals and derogation from it are laid down in the Nature Conservation Act (1096/1996), Hunting Act (615/1993) and Fishing Act (286/1982).

#### Section 5 – *Categorisation of animal diseases*

- (1) In this Act, animal diseases are divided into *animal diseases to be combated*, *animal diseases to be reported* and *other animal diseases*.
- (2) Animal diseases to be combated are further divided into:
  - 1) *animal diseases to be controlled*, which cause such financial harm to animal keeping, damage to wild animal populations, a hazard to human health, or harm to the export of and trade in animals or goods that combating the disease is justified in order to protect these;
  - 2) *dangerous animal diseases*, which substantially hamper conditions for livestock farming, do substantial damage to animal populations, substantially prevent or hinder the export of and trade in animals or products, or may be transmitted from an animal to a human resulting in serious illness; and
  - 3) *diseases that spread easily*, which meet the criteria in paragraph 2 and which also spread particularly easily.
- (3) An animal disease may be designated as an animal disease to be combated if its occurrence can be influenced by combating animal diseases. If it is appropriate in terms of the harm caused by an animal disease or the effectiveness of measures taken to control the disease, an animal disease may be designated as an animal disease to be combated in a certain geographically restricted area or as regards certain animal species or types of production. An animal disease may be designated as an animal disease to be combated even if there is no certainty of its transmissibility, spreadability or the harm it causes, if the disease is considered to pose an immediate threat to animal or human health.
- (4) An animal disease may be designated as an animal disease to be reported if it is a disease other than one to be combated, and there is a need to monitor its occurrence in order to protect human or animal health or to secure the trade in or export of animals or products. A disease may be designated as an animal disease to be reported even if there is no full certainty of its transmissibility, if it is considered necessary to monitor the disease.

- (5) Animal diseases to be combated and animal diseases to be reported shall be designated and animal diseases to be combated divided into the categories referred to in subsection 2 by Decree of the Ministry of Agriculture and Forestry.

## Section 6 – Definitions

### (1) In this Act:

- 1) *emerging serious animal disease* means an exotic or very rare animal disease, comparable to an animal disease to be combated in terms of its harmful effects, which has not been designated as an animal disease to be combated or an animal disease to be reported;
- 2) *zoonoses* mean animal diseases which can be transmitted between an animal and a human;
- 3) *a species susceptible to a disease* means an animal species which based on a scientific study of the animal disease is known or assumed to be capable of being infected by the disease or which is defined as a species susceptible to the disease in European Union legislation;
- 4) *poultry* means birds which are kept for the production of meat, eggs for consumption or other products, the restocking of game birds, or rearing programmes aimed at the production of such birds;
- 5) *bovine animals* mean all domesticated cattle breeds, bison and water buffalo;
- 6) *apes and monkeys* mean simians and prosimians;
- 7) *pet animal* means a pet animal within the meaning of the Pet Regulation;
- 8) *aquatic animals* mean fish, molluscs and crustaceans living in water;
- 9) *aquaculture animals* mean aquatic animals at an aquaculture establishment, originating from an aquaculture establishment, or intended for delivery to an aquaculture establishment;
- 10) *vector* means an aquatic animal or invertebrate terrestrial animal that can transmit an animal disease from one animal to another, from an animal to a human or from a human to an animal without contracting it itself;
- 11) *gametes* means fertilised or unfertilised sex cells for animal reproduction;
- 12) *embryos* means the early development stages of mammals to be transferred to a host animal;
- 13) *product of animal origin* means any product derived from animals by which an animal disease may spread;
- 14) *operator responsible for animals* means an operator responsible for animals within the meaning of the Act on the Animal Identification System (238/2010);
- 15) *establishment* means a place where animals are kept within the meaning of the Act on the Animal Identification System;
- 16) *operator responsible for an establishment* means the owner or possessor of the establishment;
- 17) *veterinarian* means a person entitled to pursue the profession of veterinary surgeon in Finland under the Act on Access to and Pursuit of the Profession of Veterinary Surgeon (29/2000);
- 18) *control authority* means the Finnish Food Safety Authority, a Regional State Administrative Agency, or a municipal veterinary officer;
- 19) *killing of animals* means an action resulting in the death of an animal in which the meat obtained as a consequence is not intended to be used as food;
- 20) *animal slaughtering* means an action resulting in the death of an animal in which the meat obtained as a consequence is intended to be used as food;

- 21) *evisceration* means the removal of internal organs from fish with the purpose of using the fish as food;
- 22) *evisceration plant* means the food premises within the meaning of the Food Act where fish are eviscerated;
- 23) *placing on the market* means the offering for sale or sale or other transfer with or without compensation, but not a transfer within the same establishment;
- 24) *quarantine* means an establishment where animals are kept in isolation with the purpose of establishing if they have an animal disease
- 25) *Member State* means a Member State of the European Union or a state that is considered equivalent to a Member State of the European Union in the application of European Union legislation on the functioning of the internal market of the European Union and on the basis of an agreement between the European Union and the state concerned;
- 26) *animal collection centre* means an establishment where animals from several different establishments are brought together to form batches for trade;
- 27) *animal dealer* means an animal dealer within the meaning of the Act on the Animal Identification System;
- 28) *laboratory* means a research institute or a diagnostic or analytical laboratory or any other place where samples from animals or their environment are examined or analysed.

## Chapter 2 – Prevention and control of animal diseases

### Section 7 – Protection of an establishment against animal diseases

- (1) An operator responsible for an establishment is obliged to ensure that there are procedures in place for preventing the spread of animal diseases to be combated to the establishment that are adequate with regard to the activity of the establishment. If the establishment is a place of primary production within the meaning of the Food Act, the operator shall also draw up a written description of the procedures.
- (2) Further provisions may be issued by Government Decree on the procedures referred to in subsection 1 at establishments where, due to the number of animals or type of production, the risk of the occurrence of animal diseases to be combated is greater than usual or where the hazards or harm caused by animal diseases occurring in them to other establishments, human health or the environment is estimated as serious due to the number of animals or type of production. Further provisions are issued by Government Decree on the procedures referred to in subsection 1 if this is required for the implementation of European Union legislation on combating zoonoses.

### Section 8 – Compulsory health control

- (1) An operator responsible for an establishment shall control the occurrence of a specific animal disease to be combated, if the establishment is associated with a special risk of the occurrence or spread of the disease and if regular control of the occurrence of the disease is necessary for the implementation of European Union legislation or to manage the risk of spreading the disease (*compulsory health control*). Compulsory health control shall include the monitoring of the health of the animals, taking samples from the animals necessary with regard to a disease or having them taken, submission of samples to a laboratory for examination and keeping a record of samples taken and submitted. Where necessary, the operator shall submit information on the results of the examination of the samples to the control authority and notify of the occurrence of an animal disease at the establishment, the number of animals at the establishment, and the introduction of new animals into the establishment.

- (2) The municipal veterinary officer shall carry out inspections at the establishments covered by compulsory health control on a regular basis and at intervals that are appropriate for the control of the disease, with a view to check whether the obligations associated with compulsory health control have been complied with and whether an animal disease covered by the compulsory health control occurs at the establishment.
- (3) Provisions on the establishments and animal diseases to be covered by compulsory health control and further provisions on the obligations are issued by Government Decree. Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the number of samples, how frequently samples are to be taken, the way in which they are taken and submitted for examination, the examination of samples at a laboratory and keeping records on samples. Further provisions may also be issued by Decree of the Ministry of Agriculture and Forestry on the frequency and content of the official inspections referred to in subsection 2.

#### Section 9 – *Voluntary health control and the health categorisation of establishments*

- (1) An operator responsible for an establishment shall be entitled to obtain a health category for the establishment with reference to a categorisation reflecting the risk of the spread of the animal disease from the establishment concerned, if the operator gives a commitment to control the animal disease in question at the establishment and meets the requirements for the control of the animal disease (*voluntary health control*).
- (2) An operator giving a commitment to carry out voluntary health control shall arrange for the animals to have regular health checks, take samples from the animals for examination of the disease, submit samples to a laboratory for examination, keep a record of samples taken and submitted and, where necessary, notify the control authority of the occurrence of the animal disease at the establishment. An operator shall also comply with the prohibitions, conditions and restrictions associated with the health control and concerning the introduction of animals of susceptible animal species or their gametes or embryos from an establishment not covered by the health control or from an establishment in a lower health category, and with the obligations relating to the marking of animals and the keeping of records on animals, gametes and embryos.
- (3) Establishments covered by voluntary health control are divided into health categories according to how likely it is that the animal disease being controlled does not occur there. The categorisation takes account of suspected or confirmed animal diseases in animals kept at the establishment and in animals having been in contact with them, the results of the examinations referred to in subsection 2, and for how long voluntary health control has been carried out at the establishment. The provisions in section 8(2) shall apply to the control of the establishments.
- (4) Provisions are issued by Government Decree on the types of establishments and the animal diseases to be covered by voluntary health control, the prohibitions, conditions, restrictions and obligations referred to in subsection 2 to be included the health control, how often the health checks included in the health control are to be carried out, and how the establishments are to be divided into the health categories referred to in subsection 3. Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the health checks, taking of samples, submission of samples and keeping records on samples referred to in subsection 2, and on the frequency and content of the inspections carried out by the control authority.

#### Section 10 – *Commitment to voluntary health control and the decision on the health category*

- (1) An operator responsible for an establishment who wishes to give a commitment voluntary health control must notify the control authority of this. The Regional State Administrative Agency decides on the health category of the establishment.
- (2) The Regional State Administrative Agency may withdraw its decision on a health category, if the establishment does not comply with the prohibitions, conditions, restrictions and obligations referred to in subsection 2. The Regional State Administrative Agency shall withdraw a decision

on a health category, if the operator responsible for the establishment notifies of the intention to discontinue the health control at the establishment in question.

- (3) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the content of the notifications referred to in subsections 1 and 2 and on the procedure to be followed when making them.

#### Section 11 – *Vaccinations and other treatments*

- (1) To prevent an animal disease to be combated, vaccination or other treatment of animals may be required, if the occurrence of the animal disease cannot be prevented or restricted without undue cost or loss and the occurrence of the disease would cause serious harm to the keeping of animals or human health, or if this is required by European Union legislation. The obligation to vaccinate or treat animals may be extended to all animals of species susceptible to an animal disease for which a vaccine is available or a treatment can be carried out, or only to the animals or establishments associated with a special risk of occurrence or spread of the disease or where the outbreak of a disease would be likely to cause special harm to the keeping of animals or human health.
- (2) An operator responsible for animals is obliged to ensure that animals covered by the vaccination or treatment obligation are vaccinated or treated as required. The operator is also obliged to mark the vaccinated and treated animals and keep a record of vaccinations and treatments if this is required to combat the animal disease, and to compile the necessary reports on vaccinations and treatments for the control authority. The control authorities shall carry out the necessary examinations to monitor the effects of vaccinations and treatments.
- (3) Provisions are issued by Decree of the Ministry of Agriculture and Forestry on the carrying out of compulsory vaccinations and treatments, animals and establishments concerned by the vaccination or treatment obligation, the vaccines and treatments to be used, the method of vaccination and treatment, the frequency of vaccinations and treatments, and the marking, recording and notification obligation relating to vaccinations and treatments. Further provisions may also be issued by Decree of the Ministry of Agriculture and Forestry on the examinations carried out by the authorities relating to vaccinations and treatments.
- (4) In addition to the provisions in this section, the Finnish Food Safety Authority may carry out bait vaccinations of wild animals in order to prevent a disease to be combated.

#### Section 12 – *Organisation of animal shows and other similar events*

- (1) Anyone who organises a show of bovine animals, sheep, goats, pigs or poultry, or other similar event at which these animals are gathered on a temporary basis from several different establishments shall ensure that no animals are brought to the event that are known to spread or suspected of being capable of spreading an animal disease. At an event, bovine animals, sheep, goats, pigs and poultry shall be kept separate from any other animal species that might have animal diseases that could be transmitted to these animals.
- (2) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the requirements for the health of bovine animals, sheep, goats, pigs and poultry brought to the events referred to in subsection 1.

#### Section 13 – *Release of animals into the wild*

- (1) Animals may not be released into the wild if the person so doing knows or suspects that the animals may be spreading an animal disease that may cause harm to other animals or to humans.
- (2) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the requirements for the health of animals to be released into the wild.

## Chapter 3 – Notification of animal diseases and monitoring of the animal disease situation

### Section 14 – *Obligation to report animal diseases*

- (1) If an operator responsible for animals or other person involved in the examination, care, treatment, transport, kill, slaughter, hunting, fishing, evisceration or observation of an animal suspects or finds that an animal has an animal disease to be combated or an emerging serious animal disease, the operator shall notify the municipal veterinary officer or Regional State Administrative Agency of the matter without delay. An operator responsible for animals shall also notify the above authority of any major disease event or mass death among animals or any essential change in the behaviour or productivity of animals that may indicate the occurrence of an animal disease to be combated or an emerging serious animal disease.
- (2) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the content of the notification, the procedure to be followed when making a notification, and the change in the behaviour or productivity of animals on which a notification is required.

### Section 15 – *Notification obligation of a veterinarian and laboratory*

- (1) If a veterinarian suspects or confirms an animal disease to be combated, an animal disease to be reported or an emerging serious animal disease in an animal, the veterinarian shall, the obligation of secrecy notwithstanding, report the matter to the municipal veterinary officer or Regional State Administrative Agency. Notification of an animal disease to be combated or an emerging serious animal disease shall be made without delay.
- (2) The provisions in subsection 1 concerning a veterinarian also applies to a laboratory regardless of whether a sample has been submitted for examination relating to the disease in question or for another examination.

### Section 16 – *Notification obligation of a control authority*

- (1) If a municipal veterinary officer suspects or finds that an animal has an animal disease to be combated, an animal disease to be reported or an emerging serious animal disease or if he or she receives a notification referred to in section 14 or 15, he or she shall notify the Regional State Administrative Agency of the matter. Furthermore, a municipal veterinary officer shall submit a summary of all animal diseases to be combated, animal diseases to be reported, and emerging serious animal diseases confirmed in his or her area to the Regional State Administrative Agency on a monthly basis.
- (2) The Regional State Administrative Agency shall bring the reports and notifications referred to in subsection 1 and in sections 14 and 15 to the attention of the Finnish Food Safety Authority. Furthermore, the Regional State Administrative Agency shall submit a compilation of the summaries referred to in subsection 1 to the Finnish Food Safety Authority on a monthly basis. The Finnish Food Safety Authority shall notify the Ministry of Agriculture and Forestry of the occurrence of animal diseases to be combated and emerging serious animal diseases.
- (3) The municipal veterinary officer and the Regional State Administrative Agency shall notify the relevant physician responsible for contagious diseases at a health centre of any animal diseases that could pose a risk to human health.
- (4) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the content of the notifications and summaries referred to in this section, the time limits for making them, and the procedure to be followed when making them.

### Section 17 – *Disease monitoring programmes*

- (1) The Finnish Food Safety Authority shall monitor the general health of animals and the occurrence of animal diseases based on the notifications referred to in this Chapter, laboratory examinations carried out by it, information and microbial and parasite strains sent by other

laboratories, and statistical information on the cases of disease treated by veterinarians referred to in section 12(1) of the Act on Access to and Pursuit of the Profession of Veterinary Surgeon.

- (2) The Finnish Food Safety Authority may, in order to monitor the health of animals and the occurrence of animal diseases, carry out a compulsory screening of animals (*disease monitoring programme*) where animals may be examined to establish their health status and the necessary samples may be taken from the animals and products derived from them and from the establishment. Operators responsible for animals and establishments and processing establishments receiving products derived from animals are obliged to allow the examination of and taking of samples from animals relating to the disease monitoring programme. A disease monitoring programme shall be carried out if this is required by European Union legislation.
- (3) The Finnish Food Safety Authority may carry out a disease monitoring programme or have it carried out by another control authority. An operator or establishment referred to in subsection 2 may also be commissioned to take samples relating to the programme and submit them for examination, if this is feasible considering the nature of the samples and the knowledge and skills required for the task. The Finnish Food Safety Authority may also conclude an agreement with a body administering the national animal health assurance programme referred to in section 12 of the Act on Veterinary Services (765/2009) on the taking of samples relating to a disease monitoring programme in connection with the veterinary visits included in the programme.
- (4) The Finnish Food Safety Authority may also conduct disease monitoring programmes on wild animals and on samples sent to it for other examinations.
- (5) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the carrying out of a disease monitoring programme required under European Union legislation.

#### Section 18 – *Disease surveillance plan*

- (1) The Finnish Food Safety Authority shall draw up a plan for the surveillance of the general health status of animals and the occurrence of animal diseases. The plan shall indicate the disease monitoring programmes referred to in section 17 that are to be carried out and how and to what extent samples sent to the Authority other than those for disease monitoring programmes are to be used for the surveillance of the general health status of animals and the occurrence of animal diseases. The plan shall be updated on an annual basis.

### Chapter 4 – **Measures to be taken in the event of outbreaks of a disease**

#### Section 19 – *First measures to be taken to prevent the spread of a disease*

- (1) An operator responsible for animals who suspects that an animal has an animal disease to be combated or an emerging serious animal disease shall take action to keep the animal separate from the other animals at the establishment and avoid the movement of animals, products, goods and substances that could spread an infection until the Regional State Administrative Agency has decided on the further action to be taken.
- (2) A veterinarian who suspects that an animal has a disease to be combated or an emerging serious animal disease shall immediately provide the operator responsible for the animals with advice on the measures to be taken referred to in subsection 1.

#### Section 20 – *Official suspicion of the presence of an animal disease*

- (1) A control authority that suspects that an animal has a disease to be combated or an emerging serious animal disease or receives a notification of an animal disease to be combated or an emerging serious animal disease referred to in section 14 or section 15 shall examine the animal and take the necessary samples from it without delay. The control authority shall also examine the conditions at the establishment, other animals, feed and bedding and take the necessary

samples from the establishment. In the case of a wild animal, the control authority shall ensure that the necessary samples are taken from the environment of the animal. The control authority shall send the samples to a laboratory for examination to confirm or rule out the presence of the disease.

- (2) If on the basis of examinations conducted at an establishment, the results of laboratory examinations, contact between an animal and the source of an infection, or for any other comparable reason the Regional State Administrative Agency suspects the presence of an animal disease to be combated or an emerging serious animal disease (*official suspicion of the presence of an animal disease*) and the presence of the disease cannot be confirmed or suspicion of its presence ruled out without killing the animal, the Regional State Administrative Agency may order the animal to be killed. However, it cannot order the animal to be killed if the official suspicion of the presence of an animal disease relates to an animal disease to be controlled.
- (3) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the examination of an animal and establishment, the type and number of samples to be taken, the procedure to be followed in submitting samples, and the examination of samples in a laboratory.

#### Section 21 – *Confirming the presence of an animal disease to be combated and an emerging serious animal disease*

- (1) The presence of an animal disease to be combated or an emerging serious animal disease is confirmed if the control authority can show, on commonly approved veterinary medical grounds, that an animal has the illness or infection concerned.

#### Section 22 – *Investigation of the origin and spread of an animal disease*

- (1) If there is an official suspicion of the presence of an animal disease or if the presence of an animal disease to be combated or an emerging serious animal disease has been confirmed, the Regional State Administrative Agency shall carry out an investigation into the origin and spread of the animal disease. The Regional State Administrative Agency may seek the assistance of a municipal veterinary officer in carrying out the investigation. The investigation shall provide adequate details of:
  - 1) the time when the disease probably entered the establishment;
  - 2) possible sources of infection;
  - 3) products of animal origin and other substances and goods to which the disease could have been transmitted; and
  - 4) other establishments from which the disease could have been transmitted to the establishment or to which the disease could have spread from the establishment, or in which the animals kept could have been infected from the same source of infection.
- (2) A municipal veterinary officer shall carry out the necessary examinations at the other establishments referred to in subsection 1, paragraph 4, and take the necessary samples from them.
- (3) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on carrying out an investigation into the origin and spread of an animal disease and on the examinations and taking of samples referred to in subsection 2.

#### Section 23 – *Decision to prevent the spread of a disease*

- (1) If there is an official suspicion of the presence of an animal disease or if the presence of an animal disease to be combated or an emerging serious animal disease is confirmed, the Regional State Administrative Agency shall take the necessary measures to prevent the disease from spreading without delay. In such a case, the Regional State Administrative Agency may serve a decision on the operator responsible for an establishment which, taking account of the transmissibility and spreadability of the disease and the harm it causes, may include:

- 1) an order for the animals at the establishment to be isolated or kept indoors and to prohibit movements of the animals the different animal keeping units of the establishment or restrict them;
  - 2) an order for the health of the animals to be monitored and regarding an obligation to keep a record of it;
  - 3) a prohibition on the movement of animals, products of animal origin and other substances and goods that could spread the infection away from or into the establishment, a restriction on such movements or conditions on them, and orders regarding the keeping and handling of such products, substances and goods;
  - 4) an order regarding examination of the animals at the establishment, products of animal origin and the environment of the animals and the vaccination, medicating or other treatment of the animals at the establishment;
  - 5) an order regarding obligations of an operator to keep records of vaccinations, medicating or other treatment, mark animals and products, or submit notifications to the authorities;
  - 6) restrictions on all but the necessary movements of people to and from the establishment;
  - 7) orders on the use of tools, equipment and protective clothing at the establishment and on the cleaning and disinfection of these, animal housing facilities, surfaces in contact with animals and vehicles visiting the establishment;
  - 8) measures to be taken to prevent wild animals and vectors from coming into contact with animals at the establishment or pet animals from coming into contact with other animals;
  - 9) order on the cleaning and disinfection of wastewater at the establishment or evisceration plant; and
  - 10) an obligation to keep records on animals, products of animal origin and other products and feed that could spread an infection as far as provisions on the matter have not been laid down elsewhere in the legislation.
- (2) The Regional State Administrative Agency shall order a municipal veterinary officer to see to the examination, vaccination, medicating or other treatment of animals referred to in subsection 1, paragraph 4, where the measures can only be carried out by a veterinarian. The Regional State Administrative Agency shall bring the decision taken pursuant to subsection 1 immediately to the attention of the control authorities whose tasks are affected by the decision.
- (3) The Regional State Administrative Agency may, on application and in individual cases, grant a permit to derogate from the decision referred to in subsection 1, if derogation is justified and if it does not pose a risk of spreading the disease. Conditions necessary for preventing the spread of the disease may be imposed in the permit.
- (4) Provisions on the specific measures which a control authority shall take to combat each animal disease may be laid down by Decree of the Ministry of Agriculture and Forestry. Further provisions may also be issued by Decree of the Ministry of Agriculture and Forestry on the conditions for granting the permit referred to in subsection 3.

#### Section 24 – *Validity of a decision to prevent the spread of a disease*

- (1) The Regional State Administrative Agency shall repeal a decision pursuant to section 23(1) immediately when the presence of an animal disease is no longer suspected. The decision shall also be repealed if it has been possible to verify through laboratory examinations or in some other adequate manner, that the animal disease is no longer present at the establishment or that the animal disease no longer poses a risk to human or animal health as a consequence of the measures taken at the establishment. A decision taken to prevent the spread of an emerging serious animal disease shall be repealed no later than one month following the issue of the decision, unless the disease has by that time been designated as an animal disease to be combated.

- (2) Other control authorities shall notify the Regional State Administrative Agency immediately of any factors affecting the validity of a decision that have come to their attention.
- (3) An operator responsible for an establishment who takes measures to eradicate an animal disease to be controlled shall notify a municipal veterinary officer in advance of the measures to be taken if this is necessary to ensure freedom from the animal disease. The municipal veterinary officer shall control the carrying out of the measures.
- (4) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on what is an adequate way, in the case of each animal disease, to ensure that it is no longer present at the establishment or that the animal disease no longer poses a risk.
- (5) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on animal diseases for which a notification referred to in subsection 3 shall be made with regard to measures to eradicate them. Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the content of the notification.

#### Section 25 – *Temporary decision in urgent situations*

- (1) In an urgent situation where a municipal veterinary officer suspects that an animal has an animal disease to be combated or an emerging serious animal disease or this is confirmed and where immediate measures are required to prevent the disease from spreading and the Regional State Administrative Agency has not yet taken measures to deal with the situation, the municipal veterinary officer may take the decision referred to in section 23(1), to remain in effect until further notice. The decision shall be immediately submitted for decision to the Regional State Administrative Agency. The Regional State Administrative Agency shall take its own decision on the matter without delay, but no later than 14 days after the issue of the temporary decision.

#### Section 26 – *Decision to eradicate an animal disease at an establishment*

- (1) If the presence of a dangerous animal disease, one that spreads easily or an emerging serious animal disease is confirmed, the Finnish Food Safety Authority may take immediate measures to eradicate the animal disease at an establishment. In such a case, it may serve a decision on the operator responsible for an establishment which may include:
  - 1) an order for animals to be killed, slaughtered or eviscerated;
  - 2) orders on the handling, use and disposal of products of animal origin and other substances and goods that could spread an infection;
  - 3) an order for the establishment to be cleaned and disinfected thoroughly;
  - 4) an order for pastures and other outdoor areas to be treated with a view to eradicate the infection or a prohibition on their use;
  - 5) an order to dispose of any objects and structures that cannot be cleaned or disinfected, or where the cost of cleaning or disinfection would be unreasonable considering the value of the objects and structures;
  - 6) a prohibition on the introduction of new animals at an establishment before sufficient time has passed since it was cleaned and disinfected or structures were replaced; and
  - 7) an order to examine animals at an establishment or being introduced there.
- (2) The Finnish Food Safety Authority may also take a decision within the meaning of subsection 1 on the basis of an official suspicion of the presence of a dangerous animal disease, one that spreads easily or an emerging serious animal disease, if it is necessary for the prevention of the disease from spreading and if the presence of the disease cannot be confirmed or suspicion of its presence ruled out in a reasonable time considering the transmissibility and spreadability of the disease and the harm it causes.
- (3) The Regional State Administrative Agency is responsible for implementing the decision referred to in subsection 1. Where necessary, it may seek the assistance of a municipal veterinary officer in the implementation. The operator affected by the decision is obliged to

assist in the implementation to an extent that is reasonable, taking account of his or her education, work experience, state of health and other personal characteristics and circumstances.

- (4) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the necessary measures required for the eradication of each animal disease.

*Section 27 – Decision on the application of an animal owner*

- (1) If there is an official suspicion of the presence of an animal disease to be controlled or of an emerging serious animal disease or the presence of such an animal disease is confirmed, the Finnish Food Safety Authority may, on application by the owner of the animal, take a decision to kill or slaughter one or more animals kept at the establishment, or to eviscerate fish there. A decision may only be taken in a case in which the prohibitions, conditions, restrictions or measures referred to in section 23(1)(1-3) substantially harm the keeping of animals for financial or animal welfare reasons and where the killing or slaughter of animals or the evisceration of fish is necessary to eradicate an animal disease at the establishment. The owner of the animal shall be responsible for implementing the decision.
- (2) Provisions are issued by Decree of the Ministry of Agriculture and Forestry on animal diseases regarding which a decision to kill or slaughter an animal or eviscerate fish cannot be taken in case they should occur or be suspected.

*Section 28 – Measures to be taken in connection with zoonoses other than those designated as animal diseases to be combated*

- (1) If the presence of a zoonosis other than one designated as an animal disease to be combated is suspected or confirmed at an establishment where animals are sold to consumers or displayed or animal-related leisure pursuits take place on a professional basis, the operator responsible for the establishment shall be obliged to communicate the matter to buyers of animals and persons visiting the establishment and to take the necessary measures to protect them from infection.
- (2) If it is necessary for the prevention of a risk to human health, the Regional State Administrative Agency may serve a decision on the operator responsible for an establishment which may include:
- 1) an order for the equipment and tools used at the establishment to be cleaned and disinfected;
  - 2) an order on the keeping and use of products, substances and goods which may carry the infection at the establishment;
  - 3) an order for the cleaning and disinfection of animal housing facilities and surfaces that are in contact with animals;
  - 4) instructions on the control and monitoring of vermin;
  - 5) an order on how buyers of animals and persons visiting the establishment shall be advised to protect themselves from infection; and
  - 6) an order for animals kept at the establishment to be medicated.

*Section 29 – Tracing, handling and disposal of products*

- (1) In connection with the investigation referred to in section 22, the Regional State Administrative Agency shall, as far as possible, trace products that pose a risk of spreading an animal disease that spreads easily or a dangerous animal disease which have been derived from animals of susceptible animal species kept at the establishment after the disease is likely to have entered the establishment on the basis of the investigation.
- (2) The Finnish Food Safety Authority may serve a decision on the owner or holder of products which includes an order for the products referred to in subsection 1 and products that have come into contact with them to be kept and treated to eliminate the risk of infection and for products to be labelled with information on their origin and treatment. If the risk of infection cannot be

eliminated by the treatment, the Finnish Food Safety Authority may order the products to be disposed of. The party on which the decision of the Finnish Food Safety Authority has been served shall be responsible for implementing the decision.

- (3) Provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the measures referred to in subsections 1 and 2 required to combat each animal disease, and further provisions may be issued on the measures to be taken.

#### Section 30 – *Cases of animal diseases in wild animals*

- (1) If the presence of an animal disease to be combated or an emerging serious animal disease is suspected or confirmed in wild animals, the Regional State Administrative Agency may order a municipal veterinary officer to organise the monitoring of the health of wild animals that are susceptible to the disease and the taking of samples from them. Furthermore, the Regional State Administrative Agency may order a municipal veterinary officer to arrange for the disposal of dead wild animals in a way that does not pose a risk of spreading a disease.
- (2) If the measures described in subsection 1 can only be taken with a permit referred to in the Nature Conservation Act, Hunting Act and Fishing Act, the Regional State Administrative Agency shall be responsible for applying for the permit.
- (3) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the monitoring of the health of wild animals, the taking of samples and the disposal of dead wild animals.

#### Section 31 – *Obligation of the control authority to provide information*

- (1) The control authority shall provide information on the official suspicion of the presence of an animal disease, the occurrence of an animal disease to be combated or an emerging serious animal disease and the measures taken to prevent the disease from spreading. If it is sufficient to combat the disease, the provision of information may be limited to apply only to certain persons or operators or groups comprised of these.
- (2) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the provision of information.

### Chapter 5 – **Regional measures to be taken to prevent the spread of animal diseases**

#### Section 32 – *Infected area*

- (1) If an animal disease that spreads easily is confirmed in an animal or it is a question of an official suspicion of the presence of such an animal disease, an infected area may be established in the area that immediately surrounds the place where the disease occurs and in which the disease is thought to be highly likely to occur, taking into account the way it spreads, geographical features of the area and animal species and animal density in the area. In the case of an animal disease transmitted by insects, an infected area may extend up to 20 kilometres and, in the case of another animal disease, up to three kilometres from the place where the disease occurs, unless otherwise provided in European Union legislation. An infected area may also be established where an animal disease that spreads easily is confirmed outside the national borders.
- (2) Operators responsible for establishments located in an infected area may be ordered to comply with the necessary prohibitions, conditions, restrictions and obligations referred to in section 23(1) in order to prevent the disease from spreading.
- (3) The decision to establish an infected area or repealing the designation of an area as such and on compliance with the relevant prohibitions, conditions, restrictions and obligations in the area shall be taken by the Finnish Food Safety Authority. The provisions in section 23(2) apply to

the implementation of the decision. The designation as an infected area shall be repealed immediately if the requirements laid down for establishing it no longer exist.

- (4) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on establishing an infected area and repealing the designation as one, specifying the boundaries of the area, and compliance with the necessary prohibitions, conditions, restrictions and obligations in an infected area established to combat each animal disease, as required for the implementation of European Union legislation.

### Section 33 – *Restricted zone*

- (1) If an animal disease that spreads easily is confirmed in an animal or in the case of an official suspicion of the presence of such an animal disease, a restricted zone may be established in the area surrounding the place where the disease occurs. The infected area shall be contained in the restricted zone. The restricted zone may be divided into parts, where required by European Union legislation. A restricted zone may also be established in connection with an outbreak of an animal disease that spreads easily confirmed outside the national borders.
- (2) The decision to establish a restricted zone or repeal a designation of such a zone shall be taken by the Finnish Food Safety Authority. When the boundaries of a restricted zone and its parts are being determined, account shall be taken of the geographical, administrative, ecological and epidemiological factors and how the boundaries can be controlled. Designation as restricted zone shall be repealed immediately if the requirements laid down for establishing it no longer exist.
- (3) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on establishing a restricted zone and repealing the designation as one, specifying the boundaries of the zone and dividing it into parts, as required for the implementation of European Union legislation.

### Section 34 – *Measures in a restricted zone*

- (1) If it is necessary for the prevention of a disease from spreading or to protect human health, the Finnish Food Safety Authority may by its decision:
- 1) order a municipal veterinary officer or Regional State Administrative Agency to inspect establishments located in a restricted zone in which animals of susceptible animal species are kept and the animals that are kept in these establishments and to take the necessary samples relating to the disease;
  - 2) order the operator responsible for an establishment located in the zone to isolate the animals kept in the zone or keep them indoors, or prohibit movements of the animals between the different animal keeping units of the establishment, restrict the movements or impose conditions on them;
  - 3) order operators responsible for animals to monitor the health of the animals kept in the zone, treat the animals and the embryos and gametes in the zone or medicate the animals, and keep a record of the health monitoring, treatment and medicating of the animals;
  - 4) prohibit the transport of animals, products of animal origin, animal transport equipment and vehicles and other substances and goods that may spread an animal disease or other movements in the zone, across its boundaries or through it, restrict them or impose conditions on them;
  - 5) prohibit the placing on the market of animals originating in the zone and products derived from them or the use of these for human or animal consumption, restrict such activities, and specify the way in which operators responsible for animals and those in possession of products are to keep these animals and products and used bedding or treat them;

- 6) decide on the obligation of operators responsible for animals and those in possession of products to mark animals originating in the zone and products of animal origin in a way that shows their origin, freedom from animal diseases and treatment, or to make an entry in the documents that accompany the animals and products;
  - 7) restrict movements of persons at establishments and in animal housing facilities in the zone and decide on the obligation of persons in contact with animals to wear protective clothing, wash properly, and clean and disinfect their clothing and equipment;
  - 8) order an operator responsible for an establishment in the zone to prevent the spread of the infection by wild animals, vectors, pet animals or vehicles visiting the establishment;
  - 9) order the Regional State Administrative Agency to implement measures to clean and disinfect the clothing and footwear of persons and the vehicles and goods crossing the boundary between different parts of the zone or its external boundary and within the zone to prevent the animal disease from being spread by wild animals or vectors;
  - 10) prohibit the artificial insemination and servicing of animals and embryo transfers in the zone, restrict these or impose conditions on them;
  - 11) prohibit the release into the wild of animal species susceptible to the animal disease and the feeding of wild animal species susceptible to the animal disease in the zone;
  - 12) prohibit the vaccination of animals in the zone; and
  - 13) decide on the obligation of operators responsible for animals and those in possession of products to keep a record of animals, products of animal origin, and products and feed that could spread an infection in the zone, unless provisions on the matter are laid down elsewhere in the legislation.
- (2) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the prohibitions, conditions, restrictions and measures referred to in subsection 1 which shall be ordered to be complied in a restricted zone established on account of each animal disease and, if the zone is divided into parts, those to be complied with in these parts and to what extent they are to be complied with, as required for the implementation of European Union legislation.

#### Section 35 – *Restricted area*

- (1) A restricted area may be established in an area where:
- 1) an animal disease that spreads easily occurs which threatens to spread elsewhere despite the measures referred to in Chapter 4 and in sections 32–34; or
  - 2) an animal disease to be combated occurs which cannot be eradicated quickly owing to geographical, ecological or epidemiological factors or on account of the wide spread of the disease or an animal disease occurs which is being combated in other areas in the country and the establishment of a restricted area is justified to safeguard the favourable animal disease situation in the other areas.
- (2) The decision to establish a restricted area or repeal the designation as such shall be taken by the Ministry of Agriculture and Forestry. When a restricted area is being established and its boundaries determined, account shall be taken of the geographical, administrative, ecological and epidemiological factors and how the boundaries can be controlled. Designation as a restricted area shall be repealed immediately if the requirements laid down for establishing it no longer exist.

#### Section 36 – *Measures in a restricted area*

- (1) If it is necessary for the prevention of an animal disease that spreads easily or to safeguard a favourable animal disease situation in other areas in the country or if required by European Union legislation, the Ministry of Agriculture and Forestry may by its decision:

- 1) prohibit the transport or other movement of animals, products of animal origin, means of animal transport and other substances and goods that may spread an animal disease in the restricted area and away from it, restrict them or impose conditions on them;
  - 2) order that animals or products may not be moved out of the restricted area unless they have been treated so as to eliminate possible infection or unless the animals have been placed in quarantine, and decide how the animals or products are to be used;
  - 3) order operators responsible for animals to provide the Regional State Administrative Agency with information on the species, numbers and identification marks of animals introduced in an establishment in the restricted area and moved out of it;
  - 4) order animal transporters and dealers to provide the Regional State Administrative Agency with information on the animals transported within, out of, and to the restricted area or traded there, their transport and the purchase and sales transactions with respect to traded animals;
  - 5) decide on the obligation of operators responsible for animals and those in possession of products to mark animals originating in the restricted area and products of animal origin in a way that shows their origin, freedom from animal diseases and treatment or order them to make an entry in the documents that accompany the animals and products; and
  - 6) order one that moves animals or products of animal origin out of the restricted area to prove the origin of the animals and products and their freedom from an animal disease by means of an official health certificate issued by a municipal veterinary officer.
- (2) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the prohibitions, conditions, restrictions and measures referred to in subsection 1 and to what extent they have to be applied in the case of each animal disease.

*Section 37 – Publication of a decision on an infected area, restricted zone and restricted area and communicating the decision*

- (1) The provisions in Chapters 9 and 10 of the Administrative Procedure Act (434/2003) on the service of an administrative decision shall not apply to a decision concerning the establishment of an infected area, restricted zone or restricted area or repealing the designation as one, or the prohibitions, conditions or restrictions to be complied with or the measures to be implemented in the area or zone.
- (2) The decision referred to in subsection 1 above shall be published in the Statute Book of Finland. The control authority shall duly and adequately communicate the decision in the municipalities where the area or zone is located. In addition, the operators responsible for establishments who are known to the control authority and who are affected by the decision shall be informed separately of a decision on an infected area or restricted zone.

*Section 38 – Derogation from a regional measure*

- (1) The Regional State Administrative Agency may, on application and in individual cases, grant a permit to derogate from a prohibition, condition, restriction or measure to be complied with an infected area, restricted zone, or restricted area if derogation does not pose a risk of spreading a disease. Conditions necessary for combating the diseases are imposed in the permit.
- (2) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the prohibitions, conditions, restrictions and measures regarding which a permit may be granted and on the conditions for granting a permit.

*Section 39 – Killing of animals in an infected area, restricted zone and restricted area*

- (1) The Finnish Food Safety Authority may by its decision order animals of species susceptible to a disease kept at establishments in an infected area, restricted zone or restricted area to be killed, if an animal disease that spreads easily occurs there which threatens to spread to other parts of

the country, despite the measures referred to in Chapter 4 and sections 32–46, the area or zone has a large number of animals of species susceptible to the disease which cannot be protected from infection and killing the animal is necessary to prevent the disease from spreading. The Finnish Food Safety Authority may also order the animals to be vaccinated before killing if they cannot be killed sufficiently quickly to prevent the disease from spreading.

- (2) The Finnish Food Safety Authority may by its decision and on application by the animal owner order animals to be killed in an infected area, restricted zone or restricted area, if the prohibitions, conditions or restrictions referred to in sections 32, 34 and 36 on moving animals have been in force for more than 14 days and cause considerable difficulties to keeping of animals for financial reasons or for animal welfare reasons.
- (3) The Regional State Administrative Agency shall be responsible for implementing the decision referred to in subsections 1 and 2. The operator responsible for the animals shall be obliged to assist in implementing the decision to an extent that is reasonable, taking account of his or her education, work experience, state of health and other personal characteristics and circumstances.
- (4) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the measures referred to in this section and the conditions for and extent of their application with regard to each animal disease.

#### Section 40 – *Emergency vaccination*

- (1) If an animal disease cannot be eradicated in an infected area or restricted zone through reasonable measures or if required by European Union legislation, compulsory emergency vaccination of animals may be carried out in the area or zone. Emergency vaccination may be extended to all animals of species susceptible to the animal disease for which a vaccine is available, or to animals or establishments associated with a special risk regarding the occurrence of the disease and its further spreading.
- (2) The Regional State Administrative Agency shall be responsible for carrying out the emergency vaccination of animals. The operator responsible for the animals shall be obliged to permit the animals to be vaccinated and the vaccinated animals to be marked accordingly. The operator responsible for the animals or the person carrying out the vaccinations shall enter the necessary details of the vaccination in certificates, registers and other documents relating to the animals. The control authorities must carry out the necessary examinations to monitor the occurrence of the animal disease.
- (3) If emergency vaccination is carried out in an infected area or restricted zone, the transport and other movement of animals and products derived from them may be prohibited or restricted or conditions may be imposed on it for reasons necessary to prevent the animal disease from spreading. On the same grounds, it may be decided that products derived from vaccinated animals may not be used or placed on the market, unless they have been properly treated and marked, and orders may be issued on the allowable use of the products.
- (4) Provisions on the implementation of emergency vaccination and the animals and establishments covered by it are laid down by Decree of the Ministry of Agriculture and Forestry. Furthermore, provisions on the vaccines used and the method and frequency of vaccination are issued by Decree of the Ministry of Agriculture and Forestry. Provisions on the prohibitions, conditions and restrictions referred to in subsection 3 are also laid down by Decree of the Ministry of Agriculture and Forestry.
- (5) Further provisions may also be issued by Decree of the Ministry of Agriculture and Forestry on the entries in certificates, lists and documents with regard to the vaccination.

#### Section 41 – *Categorisation of areas to prevent the spread of diseases in aquatic animals*

- (1) Regardless of the implementation of other regional measures, areas of Finland may be classified for each disease to prevent the spread of animal diseases to be combated and transmissible to aquatic animals as follows:
  - 1) disease-free areas;
  - 2) areas where surveillance is carried out to achieve a disease-free status;
  - 3) areas whose status regarding the disease is undetermined;
  - 4) areas where the disease occurs and where efforts are being made to eradicate it; and
  - 5) areas where the disease occurs and no efforts are being made to eradicate it.
- (2) No aquatic animals or their gametes or non-eviscerated dead fish of a species susceptible to an animal disease or vector species may be moved to an area in category 1 or 3 from one in a lower category. No aquatic animals or their gametes or non-eviscerated dead fish of a species susceptible to an animal disease or vector species may be moved to an area in category 2 or 4 from an area other than one in category 1. However, the prohibitions do not apply to movements that only pose a negligible risk of spreading an animal disease.
- (3) If aquatic animals or their gametes or non-eviscerated dead fish of a species susceptible to an animal disease or vector species are moved to or from a classified area referred to in subsection 1, the operator responsible for the animals shall, if required by European Union legislation, prove the origin of the aquatic animals and gametes being moved and their freedom from the disease in question by means of an official health certificate issued by a municipal veterinary officer.
- (4) Areas shall be classified by Decree of the Ministry of Agriculture and Forestry. The categorisation shall take account of the geographical, administrative, ecological and epidemiological factors. Provisions on the movements referred to in subsection 2 to which the prohibitions referred to in the subsection do not apply and movements which require the certificate referred to in subsection 3 are issued by Decree of the Ministry of Agriculture and Forestry. In addition, further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on these certificates.

#### Section 42 – *Compartment*

- (1) The Finnish Food Safety Authority may, on application, approve an establishment where the risks associated with its activity of the spread of a certain animal disease to be combated are exceptionally well under control or a network comprised of such establishments as a unit (compartment), to which not all the regional prohibitions, conditions, restrictions and measures to prevent the spread of an animal disease referred to in this Chapter apply. An establishment in a compartment shall be covered by regular monitoring by a municipal veterinary officer.
- (2) An application for the approval of a compartment shall state the contact details of the applicant and of the establishment or establishments. The application shall be accompanied by a description of the activities of the compartment, the animal disease risks associated with the activities, and the measures taken to control the risks.
- (3) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the regional prohibitions, conditions, restrictions and measures that do not apply to compartments, as required for the implementation of European Union legislation. Further provisions may also be issued by Decree of the Ministry of Agriculture and Forestry on the requirements for approving a compartment, the procedure to be followed when giving approval and the frequency and content of inspections carried out by the authority monitoring the compartment, as required for the implementation of European Union legislation.

### Chapter 6 – **Measures to prevent the spread of a dangerous animal disease and one that spreads easily**

### Section 43 – *Contingency plan*

- (1) A slaughterhouse referred to in the Food Act, a zoo referred to in section 20 of the Animal Welfare Act (247/1996), a semen collection station referred to in this Act and a veterinary border inspection post shall draw up a contingency plan for dangerous animal diseases and those that spread easily, if they handle animal species susceptible to the animal diseases referred to. The plan shall include a description of the measures to be taken in the event of the suspected or confirmed presence of an animal disease. The plan shall also describe the education and training of the staff in combating animal diseases and their internal information and communication. A contingency plan relating to a slaughterhouse may be included in the own-check plan referred to in section 20 of the Food Act.
- (2) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the animal diseases for which a contingency plan is to be drawn up. Further provisions may also be issued by Decree of the Ministry of Agriculture and Forestry on the content of the contingency plan.

### Section 44 – *Measures at establishments and animal shows and contests*

- (1) If an animal disease that spreads easily or a dangerous animal disease occurs in Finland or if one is suspected with respect to wild animals or is suspected to have been spread to Finland by wild animals or vectors or in some other similar manner, the necessary measures may be taken to prevent the animal disease from spreading. For this purpose:
  - 1) operators responsible for the animals may be obliged to monitor the health of animals belonging to the species susceptible to the disease;
  - 2) operators responsible for the animals may be obliged to keep animals belonging to the species susceptible to the disease indoors;
  - 3) feeding wild animals that pose a risk of spreading the animal disease may be prohibited;
  - 4) operators responsible for the animals may be obliged to protect the feeding places of animals kept outdoors and to implement other measures to prevent animals that are kept at establishments from being infected by wild animals;
  - 5) operators responsible for establishments may be obliged to ensure that clothing and footwear worn in animal housing facilities at establishments are cleaned and disinfected;
  - 6) the control authorities may be obliged to combat and monitor the occurrence of vectors;
  - 7) operators responsible for establishments and persons visiting establishments may be obliged to implement measures to prevent the spread of an infection via vehicles visiting the establishments; and
  - 8) taking animals of species susceptible to the disease to animal shows, animal contests or other similar events may be prohibited.
- (2) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the obligations and prohibitions referred to in subsection 1.
- (3) A municipal veterinary officer shall carry out inspections at establishments to ensure that the obligations and prohibitions referred to in subsection 1, paragraphs 1-7, are being complied with and shall report back on the inspections to the Regional State Administrative Agency.

### Section 45 – *Temporary prohibition of transport*

- (1) If the presence of an animal disease that spreads easily is confirmed in Finland whose distribution is unknown or which threatens to spread onward despite the measures referred to in Chapter 4 and sections 32-36 or if there is an official suspicion of the presence of such an animal disease, the Finnish Food Safety Authority may, if required by European Union legislation and for the reasons necessary to prevent the disease from spreading and to investigate the disease situation, by its decision prohibit the transport of animals throughout the country or

restrict it. The decision may remain in force for a maximum of 14 days in the case of the transport of animals of species susceptible to the disease and a maximum of three days for the transport of animals belonging to other species. The decision shall be repealed immediately after the preconditions laid down for the prohibition or restriction no longer exist.

- (2) If, owing to the wide distribution of a disease or its significant risk of spreading, it is necessary to keep in force a prohibition or restriction on the transport of animals of species susceptible to the disease for a longer period than allowed under subsection 1, the Ministry of Agriculture and Forestry may by its decision extend the time for which the prohibition or restriction remains in force. When these requirements are met, the Finnish Food Safety Authority shall propose to the Ministry of Agriculture and Forestry that the validity of the prohibition or restriction should be extended. The decision of the Ministry of Agriculture and Forestry shall be repealed immediately after the preconditions laid down for the prohibition or restriction no longer exist.
- (3) The decision referred to in subsections 1 and 2 above and the decision to repeal it shall be published in the Statute Book of Finland. The Finnish Food Safety Authority shall duly and adequately communicate its decision.
- (4) The Regional State Administrative Agency may, in individual cases and on application, grant a permit to derogate from the prohibition or restriction referred to in this section, provided that granting the permit does not pose a risk of spreading the disease.

## Chapter 7 – Approval and control of the artificial reproduction of animals

### Section 46 – *Approval of activities connected with the artificial reproduction of animals*

- (1) Animal semen that could pose a risk of spreading animal diseases to be combated may only be collected and handled to make semen batches at an approved semen collection station, with the exception of semen that is used to inseminate one's own animals at the establishment where it is collected.
- (2) Embryos that could pose a risk of spreading animal diseases to be combated may only be collected from donor animals by an approved embryo collection team. The embryos may only be produced from collected oocytes by in vitro fertilisation by an approved embryo production team.
- (3) The semen referred to in subsection 1 above may only be kept at an approved semen collection station, at an approved semen storage facility, or on the premises of an approved embryo production team. The embryos referred to in subsection 2 above may only be kept on the premises of an approved embryo collection or production team, at an approved semen collection station, or at an approved semen storage facility. These requirements, however, do not apply to semen and embryos that are kept for the artificial reproduction of one's own animals or of animals in one's possession.
- (4) Provisions are laid down by Government Decree on animal species to which the requirements for the collection, handling and storage of semen or embryos and the production of embryos in this section apply.

### Section 47 – *Approval of a semen collection station*

- (1) The Regional State Administrative Agency approves a semen collection station on application. The conditions for approval are that:
  - 1) the facilities at the station are suitable for keeping and isolating animals, the collection, handling and storage of semen and the maintenance of equipment, and the facilities are designed and built and they can be maintained in a way that the spread of animal diseases may be effectively prevented;

- 2) a designated veterinarian is responsible for preventing animal diseases from spreading at the station; and
  - 3) the staff at the station have adequate knowledge and skills for managing their duties.
- (2) An application for approval shall state the contact details of the operator and the semen collection station, and the application shall be accompanied by a description of the activities carried out at the station and an account of matters referred to in subsection 1, paragraphs 1–3. A decision on approval may impose conditions necessary to prevent the spread of animal diseases. The Finnish Food Safety Authority shall provide an approved semen collection station with an approval number, as required by European Union legislation.
- (3) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the conditions for approval and the procedure to be followed when granting approval, as required for the implementation of European Union legislation.

#### Section 48 – *Requirements for operations at a semen collection station*

- (1) Animals may only be introduced at a semen collection station from establishments where it has been possible to adequately ensure that the animals kept there are free from animal diseases spread by semen. Animals brought to a station may not have access to the animal housing facilities of the station and no semen may be collected from them until the health of the animals has been confirmed as being sufficiently good for the collection of semen and the necessary inspections and examinations for animal diseases have been performed on them. If required by European Union legislation, before having access to the animal housing facilities and collecting of semen the animals shall be kept in isolation at the establishment of origin or semen collection station or in quarantine in order to ensure their state of health. The health of animals kept at a station shall be monitored continuously for the presence of any animal diseases in the animals.
- (2) The collection, handling and storage of semen and other operations at a semen collection station shall be organised in a way that the good hygienic quality of the semen and freedom from animal diseases can be secured and that animal diseases do not spread to the station. Only the semen of one animal species may be handled at a station, unless otherwise provided in European Union legislation. Semen collected, handled and kept at a station shall be properly marked and the station shall keep a record of animals, their health status and the semen batches kept.
- (3) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the requirements regarding the health status of animals introduced at a semen collection station and kept at the station and of the inspections and examinations carried out on an animal or at its establishment or previous establishments to establish its health status, the isolation or keeping in quarantine of animals that are to be or have been introduced at the station, the organisation of operations at a semen collection station to ensure the quality of the semen and to prevent the spread of animal diseases, and the duties of a veterinarian relating to this referred to in section 47(1)(2), the marking of semen and keeping records on the animals, their health status and semen batches.

#### Section 49 – *Approval of an embryo collection team and of an embryo production team*

- (1) The Regional State Administrative Agency approves an embryo collection team and an embryo production team on application.
- (2) Approval of an embryo collection team requires that:
- 1) the collection team has at its disposal properly equipped facilities for the examination, handling, storage and packing of embryos and for the maintenance of equipment;
  - 2) a designated veterinarian belonging to the team is responsible for the work of the collection team; and
  - 3) the members of the collection team have adequate knowledge and skills for managing their duties.

- (3) Approval of an embryo production team requires that the applicant is an approved embryo collection team whose members have adequate knowledge and skills relating to the methods used for the production of embryos, the hygiene requirements associated with production and combating animal diseases. The production team shall also have at its disposal permanent facilities meeting the requirements in subsection 2, paragraph 1, for the collection of oocytes, storage and handling of gametes used in embryo production and production and storage of embryos.
- (4) An application for the approval of an embryo collection team and embryo production team shall state the contact details of the team members and, if the team has permanent facilities for its work, the contact details for the relevant premises. The application shall be accompanied by a description of the team's operations and evidence that the requirements for approval have been met. A decision on approval may impose conditions necessary to prevent the spread of animal diseases.
- (5) The Finnish Food Safety Authority shall provide an approved semen collection team and embryo production team with an approval number, as required under European Union legislation.
- (6) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the conditions for approval and the procedure to be followed when granting approval, as required for the implementation of European Union legislation.

*Section 50 – Requirements for the activity of an embryo collection team and an embryo production team*

- (1) Embryos and oocytes used for their production shall be derived from healthy animals, and it must have been possible to adequately ensure that their establishment is free from animal diseases. Only embryos produced by means of artificial insemination or reproduction may be collected from bovine animals, and the embryos shall be collected in suitable premises at the animal establishment.
- (2) The collection of embryos and oocytes, the detachment of oocytes, the examination and production of embryos and the handling and storage of embryos and the gametes used for their production shall be conducted in a way that the good hygienic quality of the embryos and freedom from animal diseases can be ensured. Embryos to be collected, produced, handled and stored shall be properly marked, and a record shall be kept of them and of the origin of the gametes used for their production, of the embryo and gamete donor animals and of the health status of the animals. Only products and substances suitable for the purpose may be used for the handling and storage of embryos. Samples of the materials and substances used in embryo production, of unfertilised oocytes and of rejected embryos shall be submitted for examination at a laboratory.
- (3) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the requirements relating to the health status of the donor animals of embryos and gametes used in the production of embryos and of the examinations conducted to establish the health status, on the measures necessary to ensure the hygienic quality of embryos and to prevent the spread of animal diseases in connection with collecting and producing embryos and produced and related operations, on the marking of embryos, on keeping records on embryos, their donor animals and the donor animals of gametes and the health of donor animals, on the tanks and liquids used to store embryos and on submitting samples for examination at a laboratory.

*Section 51 – Approval of a semen collection station and embryo collection team for domestic trade*

- (1) By derogation from sections 47 and 49, a semen collection station and embryo collection team may be approved even if not all the requirements for approval in the sections referred to are met if the collection of semen or embryos is necessary to ensure the breeding of a certain animal

species or breed or to conserve genetic resources of native breeds and if failing to meet the conditions poses no risk of spreading animal diseases. Semen and embryos collected pursuant to this subsection may not be placed on the market outside the borders of Finland. The Finnish Food Safety Authority shall provide a semen collection station and team approved under this subsection with a national approval code.

- (2) A semen collection station approved pursuant to subsection 1 above may engage in the collection of semen and an embryo collection team approved pursuant to subsection 1 above may operate even if not all the requirements in sections 48 and 50 are met if derogation from the requirements does not pose a risk of spreading animal diseases.
- (3) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the animal species and breeds which the derogation referred to in subsection 1 may apply to and to what extent derogation may be allowed from the requirements for approval and activity.

#### Section 52 – *Approval of a semen storage facility*

- (1) The Regional State Administrative Agency approves a semen storage facility on application. The conditions for approval are that:
  - 1) the storage facility has suitable premises and equipment and that it is built and insulated and it can be maintained in a way that the hygienic quality of the semen is not compromised and the spread of animal diseases may be effectively prevented; and
  - 2) the staff at the storage facility have the adequate knowledge and skills for managing their duties.
- (2) An application for approval shall state the contact details of the operator and of the semen storage facility, and the application shall be accompanied by a description of the activities carried out at the facility and evidence of the circumstances referred to in subsection 1, paragraphs 1 and 2. A decision on approval may impose conditions necessary to prevent the spread of animal diseases. The Finnish Food Safety Authority shall provide an approved semen storage facility with an approval number, as required under European Union legislation.
- (3) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the conditions for approval and the procedure to be followed when granting approval, as required for the implementation of European Union legislation.

#### Section 53 – *Requirements for operations at a semen storage facility*

- (1) Semen kept at a semen storage facility shall have been collected at an approved semen collection station or imported into Finland in accordance with this Act, the provisions issued under it, European Union legislation and the Act on Veterinary Border Inspection. The operations at a storage facility shall be organised in a way that the good hygienic quality of the semen and freedom from animal diseases can be ensured, and that semen batches of different origin can be kept sufficiently separate from each other and from embryos kept at the storage facility. Only the semen of one animal species may be kept at a storage facility, unless otherwise provided in European Union legislation. Semen batches for storage shall be properly marked, and the semen storage facility shall keep a record of the semen batches arriving, being kept and leaving there, and of the origin of the batches. Only suitable tanks and liquids may be used to store semen.
- (2) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on arrangements at a semen storage facility to ensure the hygienic quality of the semen, prevent the spread of animal diseases and keep semen batches separate, the marking of semen batches for storage, on keeping a record of semen batches, and the tanks and liquids used for the storage of semen.

#### Section 54 – *Changes to approved activities and control of activities*

- (1) The Regional State Administrative Agency shall be notified without delay of any significant changes to the activities of a semen collection station, an embryo collection team, an embryo production team or a semen storage facility.
- (2) A municipal veterinary officer shall control semen collection stations, embryo collection teams, embryo production teams and semen storage facilities and conduct regular inspections of them to ensure that they meet the requirements laid down for approval and that the requirements for operations and the conditions set in the approval decision are complied with. Furthermore, a municipal veterinary officer shall control the isolation of animals at an establishment that are to be sent to a semen collection station and shall be responsible for the inspections and examinations relating to the health status of animals to be brought to a semen collection station and the other animals kept with them at the same establishment.
- (3) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the control referred to in this section and on the frequency and content of the inspections and examinations connected with it.

## Chapter 8 – **The approval and control of certain other activities.**

### Section 55 – *Approval to rear and eviscerate aquaculture animals*

- (1) Aquaculture animals or their gametes may only be reared for food, for sale or for being moved for further rearing or for re-stocking in the sea or freshwater areas with approval from the Finnish Food Safety Authority. Approval is not required, however, if the purpose of the activity is only:
  - 1) to rear aquaculture animals as food for one's own personal use or for delivery in small quantities directly to consumers or to local retailers for delivery to consumers;
  - 2) to rear aquaculture animals for ornamental purposes in an artificial pond, aquarium or tank from which there is no direct contact to and no untreated water is discharged to the sea or freshwater areas;
  - 3) to rear fish or crustaceans in artificial ponds for the purpose of recreational fishing without them being moved from the pond for further rearing or re-stocking; or
  - 4) to rear molluscs for the purpose of cleaning water.
- (2) An operator shall have approval from the Finnish Food Safety Authority to eviscerate fish at an evisceration plant, if the fish have been reared at an aquaculture establishment that has been subject to the prohibitions, conditions or restrictions referred to in section 23 to prevent the spread of an animal disease that spreads easily or that is located in a restricted zone established on account of the disease in question or in an area referred to in section 41(1)(4) or (5), and if the fish to be eviscerated are susceptible to the disease in question.

### Section 56 – *Application for approval and control of activities*

- (1) An application for approval referred to in section 55 shall state the domicile and contact details of the operator and of the establishments whose activities the approval concerns. The application shall be accompanied by a description of the operations and a written description with regard to each establishment and evisceration plant of how animal diseases at the establishment or evisceration plant are prevented, monitored and controlled (*description of own controls*). The description of own controls relating to operations at an evisceration plant shall also be accompanied by a detailed description of the treatment of waste and wastewater generated by the activity.
- (2) Approval shall be granted if:
  - 1) the measures set out in the description of own controls are sufficient to detect and monitor animal diseases and to prevent or reduce their spread;

- 2) the activity meets the requirements in section 21 of the Act on the Animal Identification System on the keeping of a register; and
  - 3) the activity does not pose a serious risk of spreading animal diseases.
- (3) If some of the establishments or evisceration plants mentioned in an application do not meet the requirements for granting the approval, the approval may be restricted to apply only to those meeting the requirements. The approval may include conditions necessary for combating animal diseases. An operator shall be obliged to inform the Finnish Food Safety Authority without delay of any essential changes in the activity and to keep the description of own controls up-to-date. A municipal veterinary officer shall control the activities by means of regular inspections, the frequency of which shall be decided by the Finnish Food Safety Authority on the basis of a risk assessment.
- (4) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the requirements for approval, the content of the description of own controls, the procedure to be followed in applying for approval, and the control of activities.

#### Section 57 – *Approval and operations of a quarantine*

- (1) A quarantine under this Act and European Union legislation shall be approved by the Regional State Administrative Agency. A condition of the approval of a quarantine is that, considering the requirements for animals to be kept in quarantine, the quarantine has been planned, located, constructed, equipped and maintained and its activities and control organised in a way that animal diseases are not capable of spreading outside the quarantine area or to the animals kept in quarantine.
- (2) An application for the approval of a quarantine shall state the contact details for the applicant and the quarantine, and the application shall be accompanied by a description of the activities associated with the quarantine and evidence of the main factors for preventing the spread of animal diseases relating to the activities, facilities and control of activities. A decision on approval may impose conditions necessary to prevent the spread of animal diseases. The Regional State Administrative Agency shall be notified without delay of any essential changes in the activity of the quarantine.
- (3) A municipal veterinary officer shall conduct regular inspections of the quarantine to ensure that it meets the requirements laid down for approval and that the conditions set in the approval decision are complied with.
- (4) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the conditions for approving a quarantine, the procedure to be followed in granting approval and the control of the quarantine.

### **Chapter 9 – Movements of animals and products between Member States of the European Union**

#### Section 58 – *Requirements for animals and products of animal origin*

- (1) Only animals and products of animal origin that fulfil the requirements for combating animal diseases laid down in European Union legislation may be moved from Finland to another Member State or through another Member State to a state other than a Member State, or from another Member State to Finland or through Finland to a third Member State or to a state other than a Member State. A further requirement is that animals or products moved from Finland do not pose a risk of spreading an animal disease to be combated.
- (2) Animals and products of animal shall be accompanied by the necessary official health certificates and other documents to show that the animals or products concerned are eligible for movement between Member States. Animals and products shall be marked or labelled so that

they can be identified. Anyone moving animals or products of animal origin between Member States shall be responsible for meeting the requirements relating to their eligibility for movement.

- (3) A certificate under the Pet Regulation for the movement of pets between Member States of the European Union may be issued by a veterinarian.
- (4) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the conditions and restrictions relating to eligibility for movement, health certificates and other documents, and the marking and labelling of animals and products, as required for the implementation of European Union legislation.

#### Section 59 – *Prohibition on movement owing to a sudden outbreak of a disease*

- (1) The Ministry of Agriculture and Forestry may by its decision prohibit the movement of animals of species susceptible to a disease, products derived from them and means of transport, other objects and substances or materials that have been in contact with the animals and products to the areas referred to in section 58(1) or restrict it or impose conditions on it if:
  - 1) an animal disease that spreads easily, a dangerous animal disease or an emerging serious animal disease occurs in another Member State; and
  - 2) the requirements laid down in section 58 and in European Union legislation and the measures taken by the Member State in question are insufficient to prevent the spread of an animal disease, or it is required by European Union legislation;
- (2) The Ministry of Agriculture and Forestry may by its decision prohibit the movement of the animals, products, objects, substances and materials referred to in subsection 1 to another Member State or through another Member State to a state other than a Member State or restrict it or impose conditions on it if:
  - 1) an animal disease that spreads easily, a dangerous animal disease or an emerging serious animal disease occurs in Finland; and
  - 2) the measures laid down in Chapter 4, 5 and 6 and the requirements laid down in section 58 and in European Union legislation are insufficient to prevent the spread of an animal disease or to safeguard the preconditions for trade between Member States or if it is required by European Union legislation.
- (3) The provisions in Chapters 9 and 10 of the Administrative Procedure Act (434/2003) concerning the service of an administrative decision shall not apply to the decision referred to in subsections 1 and 2 above. The decision shall be published in the Statute Book of Finland, and the Finnish Food Safety Authority shall communicate its decision to the operators known to it and who are affected by the decision.

#### Section 60 – *Obligation of an operator to apply for registration and the registration procedure*

- (1) Animals, embryos and gametes that could cause more than a negligible risk of spreading an animal disease to be combated or an emerging serious animal disease may only be moved to or received from another Member State by an operator entered in the register kept by the Finnish Food Safety Authority. However, registration is not required for sending embryos or gametes from an approved semen collection station, approved semen storage facility, approved embryo collection team or approved embryo production team from Finland.
- (2) Registration shall be applied for from the Finnish Food Safety Authority. An operator receiving animals, embryos or gametes shall be recorded in a register if the operator has premises available where animals may, if necessary, be kept in isolation. An operator receiving aquatic animals must have at its disposal a quarantine facility, if the aquatic animals are to be placed in quarantine when entering the country.
- (3) An application for registration shall state the contact details for the operator and any establishment code or approval number, details of which animal species the registration for

movement of animals or their embryos or gametes applies to and evidence that the requirements laid down in subsection 2 have been met. Registration shall remain in force for three years and shall be renewed on application.

- (4) By derogation from the provisions in subsections 1–3, the Finnish Food Safety Authority shall register circuses within the meaning of Commission Regulation (EC) No 1739/2005 laying down animal health requirements for the movement of circus animals between Member States in accordance with Article 4 of the Regulation. However, the provisions of subsection 3 shall apply to the content of an application for registration.
- (5) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the animal species, embryos and gametes whose transport between Member States requires the registration of the operator, as required for the implementation of European Union legislation.

#### Section 61 – *Movements of animals and gametes requiring approval*

- (1) Poultry and poultry hatching eggs may only be moved to another Member State from a poultry establishment approved for this purpose, with the exception of birds other than ratite birds and their hatching eggs in consignments of fewer than 20 and poultry for immediate slaughter or game stocking.
- (2) An animal assembly centre or animal dealer that assembles animals on the premises of the dealer may only move bovine animals, pigs, sheep and goats to another Member State or receive them from another Member State if the centre or dealer has been approved for this purpose.
- (3) Apes and monkeys may only be moved to or received from another Member State by a zoo or laboratory animal establishment approved for this purpose.
- (4) A zoo or laboratory animal establishment may derogate from the requirements concerning the eligibility of animals for movement in a way allowed under European Union legislation if:
  - 1) it moves animals other than apes or monkeys to an approved body, establishment or centre within the meaning of Article 2(2) of Council Directive 92/65/EEC or receives them from such a body, establishment or centre; and
  - 2) it has been approved for this purpose.
- (5) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the derogations referred to in subsection 4.
- (6) The provisions in section 60 concerning the obligation of an operator to apply for registration shall not apply to an approved operator referred to in this section.

#### Section 62 – *Requirements for approval and the approval procedure*

- (1) The Regional State Administrative Agency approves the establishments and operators referred to in section 61 on application. Approval requires that the freedom of animals in question of animal diseases and traceability can be adequately ensured. A further condition is that the operation is organised in a way that allows the continuous monitoring of the health status of the animals and maintenance of good standards of hygiene and that the spread of animal diseases can be effectively prevented. The approval of a poultry establishment, animal assembly centre and animal dealer requires that the operator has facilities suitable for the operations that are appropriately located, constructed and equipped and that can be maintained in a way that the spread of animal diseases is prevented.
- (2) An application for approval shall state the contact details of the operator and the facilities to be used, and the application shall be accompanied by a description of the activities carried out and evidence that the requirements for approval have been met. A decision on approval may impose conditions necessary to prevent the spread of animal diseases. The Regional State Administrative Agency shall be notified without delay of any essential changes in the activities.

- (3) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the requirements for the approval of establishments and operators and the procedure to be followed when granting approval.
- (4) The Finnish Food Safety Authority shall provide an approved establishment and operator with an approval number, as required under European Union legislation.

Section 63 – *License for the movement of wild animals and microbes, parasites and consignments of samples from another Member State*

- (1) The following animals, their embryos and gametes and products may only be moved from another Member State to Finland with a licence from the Finnish Food Safety Authority:
  - 1) wild mammals and birds and wild aquatic animals for re-stocking or scientific purposes;
  - 2) microbes and parasites that cause animal diseases and cultures, tissues, secretions and other similar products that contain them: and
  - 3) consignments of samples of live animals, embryos or gametes imported for scientific purposes that do not meet the requirements laid down in section 58 or issued under it or in European Union legislation to be implemented by means of this Act and that are destroyed after the scientific study has been completed.
- (2) The Finnish Food Safety Authority grants the licence on application. The application shall state the contact details of the operator and details of the animals, embryos, gametes and products to be moved. The application shall be accompanied by a description of the activity for which animals, embryos, gametes or products are to be moved to Finland and the evidence necessary to assess the risk of spreading animal diseases. A licence shall be granted if the animals, embryos, gametes or products do not pose a risk of spreading animal diseases. The licence sets the necessary conditions for preventing animal diseases.
- (3) The provisions in section 60 concerning the obligation of an operator to apply for registration shall not apply to an activity for which a licence referred to in subsection 1 has been obtained.
- (4) In order to perform its duties, the Finnish Food Safety Authority shall have the right to move animals and products referred to in subsection 1, paragraphs 2 and 3, to Finland provided that they do not pose a risk of spreading animal diseases.
- (5) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the procedure to be followed in applying for the licence referred to in subsection 1.

Section 64 – *Inspections of animals, embryos and gametes moved between Member States*

- (1) An operator shall inspect the animals, embryos and gametes received from another Member State that may pose a risk of spreading an animal disease to be combated or an emerging serious animal disease and the documents concerning such animals, embryos and gametes immediately on arrival at their destination to ensure that the animals, embryos and gametes are eligible for movement. If, however, the destination is an assembly centre or slaughterhouse that is subject to control by a control authority on a daily basis, the inspection referred to above shall be carried out by that control authority. The operator shall immediately inform a municipal veterinary officer of any deficiencies observed in the inspection, and shall keep the animals, embryos and gametes to which the deficiencies relate at the destination until the Regional State Administrative Agency or Finnish Food Safety Authority has decided on any further action to be taken.
- (2) In addition to the provisions in subsection 1, the control authorities may carry out spot checks and take the appropriate samples to ensure that the requirements concerning the eligibility of the animals, embryos and gametes for movement are being met. An inspection may be carried out at the destination of the animal or product, during transport or, in the case of live animals, also at the establishment to which the animals have been moved from the place of destination.

- (3) The operator shall inspect the animals, embryos and gametes for movement to another Member State that may pose a risk of spreading an animal disease to be combated or an emerging serious animal disease to ensure that they are eligible for movement. However, where a consignment for movement is required to be accompanied by an official health certificate to document eligibility for movement, the inspection shall be carried out and the certificate issued by a municipal veterinary officer at the operator's request.
- (4) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the animals and products of animal origin that must be inspected in the manner laid down in subsections 1 or 3, as required for the implementation of European Union legislation. Further provisions may also be issued by Decree of the Ministry of Agriculture and Forestry on the performance of an inspection.

*Section 65 – Keeping of data and documents relating to animals, embryos and gametes*

- (1) An operator shall keep for a period of five years the following data on the animals, embryos and gametes that have been moved from or to another Member State which may pose a risk of spreading an animal disease to be combated or an emerging serious animal disease:
  - 1) details of the animals, embryos and gametes transported and their identifiers;
  - 2) quantities of animals, embryos and gametes;
  - 3) details of the consignor, place of departure, consignee and place of destination and, if the animals, embryos and gametes received are sent forward, the subsequent consignees that are known;
  - 4) date of the movement; and
  - 5) details of documents which accompanied the consignment.
- (2) A consignee shall also keep for a period of five years the official health certificates relating to the animals, embryos and gametes referred to in subsection 1.
- (3) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the animals, embryos and gametes for which data and health certificates are to be kept as referred to in subsections 1 and 2, as required for the implementation of European Union legislation. Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the data referred to in subsection 1.

*Section 66 – Entering the information on an official health certificate into the Traces information system*

- (1) Official health certificates relating to animals, embryos and gametes moved to another Member State shall be produced and sent using the Traces information system maintained by the European Commission, unless otherwise provided in European Union legislation. The operator shall be responsible for providing the basic information needed to produce a health certificate and, if required, entering the data into the information system. The operator who is obliged to enter data into the Traces information system or the representative of such an operator is entitled to obtain the necessary access rights to the system from the control authority free of charge.
- (2) If official health certificates relating to animals, embryos or gametes moved to Finland have been sent using the Traces information system, the control authority carrying out the inspection referred to in section 64(1) or (2) shall enter the data relating to the inspection into the information system.
- (3) Provisions on certificates that must be produced and sent using the Traces information system are issued by Decree of the Ministry of Agriculture and Forestry. Further provisions may also be issued by Decree of the Ministry of Agriculture and Forestry on the use of the system.

*Section 67 – Control of activities*

- (1) A municipal veterinary officer shall control the operators registered under section 60, the operators and establishments approved under section 62, and the activities subject to licence referred to in section 63. A municipal veterinary officer shall carry out inspections to ensure that the approved operators and establishments meet the requirements for approval and that the conditions set forth in the approval decisions or licence are being complied with.
- (2) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the frequency and content of the inspections.

#### Section 68 – *Measures in the event of outbreaks of disease*

- (1) If an animal disease to be combated or an emerging serious animal disease is confirmed in an animal being moved from another Member State or through Finland or such a disease is suspected owing to the prevailing animal disease situation at the place of departure or for any other justifiable reason, the Finnish Food Safety Authority may by its decision order the animal to be killed, kept isolated at the place of destination, placed in quarantine, or returned to the Member State from which the animal was moved if the competent authority in that other Member State agrees to the return. Taking such measures requires that the samples to check for the animal disease have been taken within four weeks of arrival. The decision of the Finnish Food Safety Authority may impose conditions necessary for implementing the measures and rule about the necessary examinations to be carried out on the animals when in isolation or quarantine.
- (2) The provisions in subsection 1 shall also apply to a bird that has hatched from a hatching egg moved to Finland, but in a way that the samples for undertaking measures shall be taken within four months of arrival of the egg.
- (3) If an animal disease to be combated or an emerging serious animal disease occurs in an area of another Member State and there is a threat that the disease may spread to Finland via a product of animal origin moved from that area or through Finland, the Finnish Food Safety Authority may order the product to be destroyed, treated in a way that the risk of spreading an animal disease is eliminated, stored until the risk of spreading an animal disease associated with the product has been investigated, or returned to the Member State from which the product was moved if the competent authority in that other Member State agrees to the return.
- (4) An operator shall be responsible for carrying out the measures referred to in subsections 1 and 3. The Regional State Administrative Authority shall control the carrying out of the measures. The provisions in Chapter 4 concerning action to be taken in the event of outbreaks of disease shall apply in the situations referred to in subsections 1 and 2 above.
- (5) The Finnish Food Safety Authority shall notify the Ministry of Agriculture and Forestry of its decision referred to in subsections 1 and 3 without delay. Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the measures referred to in subsections 1 and 3, as required for the implementation of European Union legislation.

### Chapter 10 – **Export of animals and products of animal origin to states other than Member States**

#### Section 69 – *Eligibility for export of animals and products of animal origin*

- (1) Only animals and products of animal origin whose origin may be adequately verified may be moved from Finland to a state other than a Member State. Animals and products shall be marked or labelled in a way that they can be identified. Animals and products for whose export to states other than Member States requirements have been set in European Union legislation relating to the combating of animal diseases shall also meet these requirements.

- (2) The operator shall be responsible for meeting the requirements laid down in subsection 1 and for examining and meeting the requirements for imports in force in the state of destination and, if the consignment is being transported via a state other than a Member State, those for transit through that state.
- (3) Provisions on eligibility for export are laid down by Decree of the Ministry of Agriculture and Forestry, as required for the implementation of European Union legislation.

*Section 70 – Obligation of an exporter to register and the registration procedure*

- (1) Animals and products of animal origin that may cause more than a negligible risk of spreading animal diseases may only be moved to a state other than a Member State by an operator that is registered in the register kept by the Finnish Food Safety Authority.
- (2) A notification concerning registration shall be submitted to the Finnish Food Safety Authority. The notification shall state the contact details of the operator, an establishment code when animals are exported, an approval number of the processing establishment when products are exported, details of animals or products the registration applies to and the state to which the animals or products are to be exported. Registration shall remain valid for three years from the time the notification is made, and it may be renewed.
- (3) Further provisions are issued by Decree of the Ministry of Agriculture and Forestry on the animal species and products whose export the obligation to register applies to.

*Section 71 – Veterinary certificates, export inspections and the use of the Traces information system*

- (1) The official veterinary certificate required to accompany animals and products of animal origin for export to a state other than a Member State shall be issued by a municipal veterinary officer at the request of the operator. Before granting a certificate, the municipal veterinary officer shall inspect the animals and their establishment and the products, unless the eligibility of the animals and products for export and the fulfilment of the import requirements in place in the state of destination and any requirements relating to transit can be verified otherwise.
- (2) The Traces information system referred to in section 66 may be used to produce and send veterinary certificates, if permitted under European Union legislation. The information system shall be used to produce and send the certificates if required by European Union legislation or if this is agreed between the European Union and the state of destination. An operator shall be responsible for providing the basic information needed to produce a veterinary certificate and, if required, entering the data into the information system. The operator who is obliged to enter data into the Traces information system or the representative of such an operator shall be entitled to obtain the necessary access rights to the system from the control authority free of charge.
- (3) If, after the issue of the certificate, the control authority that issued the veterinary certificate receives information concerning a suspected or confirmed outbreak of a disease that would have prevented the certificate from being granted, the control authority shall notify the Finnish Food Safety Authority of the matter, which must bring the matter to the attention of the competent authority in the state of destination.
- (4) Provisions are issued by Decree of the Ministry of Agriculture and Forestry on the use of the Traces information system for the production and sending of veterinary certificates. Further provisions may also be issued by Decree of the Ministry of Agriculture and Forestry on the performance of an export inspection, the format for a veterinary certificate, and the procedure for granting it.

*Section 72 – Keeping of data and documents relating to animals and products*

- (1) An operator shall keep for a period of five years the following data on the animals and products of animal origin moved to a state other than a Member State and whose export requires registration pursuant to section 70:
  - 1) details of the animals and products and their identifiers;
  - 2) numbers of animals and amounts of products;
  - 3) place of departure and place of destination of the movement;
  - 4) date of the movement; and
  - 5) details of the documents issued by an authority and accompanying the consignment.
- (2) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the data to be kept.

## Chapter 11 – Transport of animals and products of animal origin

### Section 73 – *Transport of mammals and birds*

- (1) In the transport of mammals and birds, means of transport shall be used that do not allow animal secretions or bedding or feed to leak or otherwise escape during transport. Between transports the compartment in the means of transport where animals have been kept shall be cleaned and, where necessary, disinfected with a disinfectant that is suitable for the purpose.
- (2) A vehicle used for the transport of ungulates and poultry across Finland's borders shall be cleaned and disinfected at an approved transport vehicle disinfection site before animals are loaded and, after having returned to Finland, before it is used again. During transport, animals may not come into contact with animals whose health status is poorer than that of those being transported. Anyone transporting bovine animals, pigs, sheep or goats to another Member State shall keep a separate register of animals transported for each vehicle. The register shall be kept for at least three years.
- (3) If an animal disease to be combated or an emerging serious animal disease is suspected or confirmed in mammals or birds being transported, the Regional State Administrative Agency may by its decision order the animals to be moved to a site specified in its decision. Animals may be ordered to be killed if this is necessary to combat a dangerous animal disease or an animal disease that spreads easily.
- (4) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the cleaning and disinfection of the means of transport used, disinfectants, keeping animals being transported apart, the register referred to in subsection 2 and the measures referred to in subsection 3, as required for the implementation of European Union legislation.

### Section 74 – *Transport of aquatic animals*

- (1) Aquaculture animals may only be transported from an establishment if their health status and the freedom from animal diseases of the establishment are sufficient for the intended use of the animals and the documentation for the recipient has sufficient information on the animals being transported and on the transport.
- (2) Anyone transporting aquatic animals between the areas listed in section 41 or across Finland's borders shall ensure that the health status of the animals does not change during transport and that the transport does not jeopardise the health status of the aquatic animals at the place of departure, at places of transit or at the place of destination. Exchange of water in transport containers must not impair the health of the aquatic animals being transported or pose a risk of spreading animal diseases. In transport of aquatic animals across Finland's borders exchange of water in a transport container may only be carried out at an approved site for transport container water exchange.

- (3) If an animal disease to be combated or an emerging serious animal disease is suspected or confirmed in aquatic animals being transported, the Regional State Administrative Agency may by its decision order the animals to be moved to a site specified in its decision. Animals may be ordered to be killed if this is necessary to combat a dangerous animal disease or an animal disease that spreads easily.
- (4) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the requirements for the transport of aquatic animals, changing of water during transport and the measures referred to in subsection 3, as required for the implementation of European Union legislation.

#### Section 75 – *Transport of products of animal origin*

- (1) In the transport of products of animal origin or other goods, objects, substances or materials that may pose a risk of spreading an animal disease to be combated, the compartment where these are transported shall be cleaned and disinfected after unloading.
- (2) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the cleaning and disinfection of the means of transport used referred to in subsection 1 and the disinfectants to be used.

#### Section 76 – *Approval of transport vehicle disinfection sites and of sites for transport container water exchange*

- (1) The Regional State Administrative Agency approves a transport vehicle disinfection site and a site for transport container water exchange on application. A condition for the approval of a disinfection site is that it has been located, constructed, equipped and maintained and the treatment of wastewater and waste generated there and its other activities have been organised in a way that the transport vehicles can be washed and disinfected effectively and animal diseases cannot spread outside the disinfection site. A condition for the approval of a site for transport container water exchange is that it is located and the water intake and treatment of released water as well as other activities are organised in a way that does not jeopardise animal health.
- (2) The application shall state the contact details for the applicant and the disinfection site and site for water exchange, and the application shall be accompanied by a description of the activities at the site and information on activities and facilities relevant for preventing the spread of animal diseases. A decision on approval may impose conditions necessary for preventing the spread of animal diseases. The Regional State Administrative Agency shall be notified of any significant changes in activities without delay.
- (3) A municipal veterinary officer shall control the disinfection sites and sites for water exchange and may carry out inspections in them to ensure that they meet the requirements laid down for approval and that the conditions set forth in the approval decision are complied with.
- (4) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the requirements for the approval of a disinfection site and of a site for water exchange and the procedure to be followed when granting approval.

## Chapter 12 – **Laboratories**

#### Section 77 – *Examination of samples and handling disease agents at laboratories*

- (1) Samples for the presence of animal diseases to be combated may only be examined by the Finnish Food Safety Authority, a national reference laboratory or a laboratory approved by the Finnish Food Safety Authority. This requirement shall not, however, apply to samples referred to in the Food Act or the Feed Act (86/2008).

- (2) If an animal disease to be combated is suspected in a sample that has been sent to a laboratory that is not authorised to examine such samples, the sample or the microbe isolated from the sample shall be sent to a laboratory referred to in subsection 1 for further examination without delay.
- (3) Only the Finnish Food Safety Authority or a laboratory approved by the Finnish Food Safety Authority for such purpose may handle microbial or parasitic disease agents associated with an animal disease that spreads easily or a dangerous animal disease in connection with a scientific study.

Section 78 – *National reference laboratory for animal diseases to be combated*

- (1) The Finnish Food Safety Authority functions as the national reference laboratory for animal diseases to be combated.
- (2) Regarding animal diseases whose occurrence in Finland is very unlikely and with respect to which the organisation of work at a reference laboratory in Finland is not feasible in view of the costs involved or other requirements, a suitable foreign laboratory designated by the Ministry of Agriculture and Forestry after having consulted the Finnish Food Safety Authority shall function as the national reference laboratory.
- (3) Provisions on the requirements for national reference laboratories and their tasks are laid down in Article 33 of the Control Regulation.

Section 79 – *Requirements for the approval of a laboratory*

- (1) The approval of a laboratory for the examination of samples to check for the presence of animal diseases to be combated requires that the laboratory has a written quality system in place and is technically qualified and capable of producing reliable results. A further requirement is that the laboratory staff is suitably educated and qualified and that the person responsible for the examination of the sample has an appropriate university degree or equivalent qualification. A laboratory that is approved for the examination of samples to check for the presence of animal diseases that spread easily or dangerous animal diseases shall have a written description of the procedures and measures in place for preventing a disease agent from being transmitted outside the laboratory (*disease protection system*). If a laboratory is approved for the examination of samples that a control authority takes or arranges to be taken for official purposes under this Act or for compulsory health control, it must meet the requirements under Article 12(2) of the Control Regulation. A laboratory examining samples for compulsory health control to check for the presence of zoonoses must also meet the requirements in Article 12(2) of the Zoonosis Regulation.
- (2) The approval of a laboratory for the handling of microbial disease agents associated with animal diseases that spread easily or dangerous animal diseases in connection with a scientific study requires the laboratory staff to be suitably educated and qualified and that the person responsible for the handling of the microbial disease agents has an appropriate university degree or an equivalent qualification. The laboratory shall also have a disease protection system referred to in subsection 1 in place.
- (3) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the qualification requirements of staff at approved laboratories and the requirements for the quality and disease prevention systems at the laboratories.

Section 80 – *Approval procedure and monitoring of laboratories*

- (1) The Finnish Food Safety Authority approves laboratories on application, which shall state the contact details for the operator and laboratory and the disease that is to be examined or the microbial disease agents that are to be handled in the activity for which approval is being sought. An application for the approval of a laboratory examining samples shall also indicate

whether the samples to be examined at the laboratory have been taken for official purposes or for compulsory health control. The application shall be accompanied by evidence that the requirements for approval have been met. A decision on approval shall state the diseases to be examined or microbial disease agents to be handled which the approval relates to.

- (2) The Finnish Food Safety Authority shall control the approved laboratories and, where necessary, assess whether a laboratory meets the requirements laid down for it. The Finnish Food Safety Authority shall be notified of any essential changes in the activities of an approved laboratory without delay.
- (3) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the procedure to be followed in granting approval and on the control of approved laboratories.

#### Section 81 – *Laboratories examining animal diseases to be reported*

- (1) A laboratory where samples are examined to check for the presence of animal diseases to be reported shall employ scientifically valid methods of analysis, be technically qualified and produce reliable results. The laboratory staff shall be suitably educated and qualified.
- (2) A notification of the activity of the laboratory shall be made in advance to the Finnish Food Safety Authority. The notification shall state the contact details for the operator and laboratory and provide details of the animal diseases to be reported examined at the laboratory. The laboratories shall be controlled by the Finnish Food Safety Authority.
- (3) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the content of the notification and the procedure to be followed in making the notification.

#### Section 82 – *Submission of data, isolated microbe and parasite strains and samples*

- (1) An approved laboratory and one referred to in section 81 shall submit microbe and parasite strains that cause animal diseases to be combated or to be reported or the sample in which the microbe or parasite has been detected to the national reference laboratory for further examinations or storage.
- (2) An approved laboratory and one referred to in section 81 shall also provide the Finnish Food Safety Authority regularly with the details of the numbers of samples examined to check for the presence of animal diseases to be combated or to be reported and the results of the examinations by animal group.
- (3) The national reference laboratory shall provide the National Institute for Health and Welfare with the details necessary for epidemiological surveys of the microbe and parasite strains examined and of samples in which the microbe or parasite has been detected. These details shall not include identification information of objects of control.
- (4) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the animal diseases for the presence of which examinations under the obligation referred to in subsections 1 or 2 have been carried out, the content of the details to be submitted, and the duty to notify referred to in subsection 3. The Finnish Food Safety Authority may issue regulations on the timetables and method for submitting the microbe and parasite strains, samples and details referred to in subsections 1 and 2.

### Chapter 13 – **Authorities and their tasks**

#### Section 83 – *Ministry of Agriculture and Forestry*

The Ministry of Agriculture and Forestry steers the implementation of the provisions of this Act and issued under it and the European Union legislation to be implemented by means of this Act and controls the compliance with these.

#### Section 84 – *Finnish Food Safety Authority*

- (1) The Finnish Food Safety Authority plans, steers, develops and controls nationally the combating of animal diseases.
- (2) In addition to the provisions elsewhere in this Act concerning the tasks of the Finnish Food Safety Authority, the Authority:
  - 1) is responsible for maintaining animal disease preparedness and draws up national contingency plans for animal diseases;
  - 2) organises the management of urgent tasks in respect of diagnostics of animal diseases that spread easily and dangerous animal diseases outside the regular working hours;
  - 3) is responsible for statistics and reporting on animal diseases;
  - 4) is responsible for organising training for municipal veterinary officers on the implementation of this Act and keeps a register of the municipal veterinary officers who have received special contingency training in the event of outbreaks of disease; and
  - 5) is responsible, as the competent authority, for the tasks pursuant to the legislation of the European Union to be implemented by means of this Act that it is tasked with under this Act.
- (3) The Finnish Food Safety Authority is responsible for combating animal diseases at slaughterhouses, game handling establishments and establishments connected to these referred to in the Food Act with the exception of slaughterhouses and establishments whose control under the Food Act has been transferred to a municipality, as referred to in section 15(2) of the Act on Veterinary Services. The Finnish Food Safety Authority shall perform all the tasks in respect of the slaughterhouses and establishments it controls that would under this Act otherwise be the responsibility of a municipal veterinary officer.
- (4) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on statistics and reports and the content of national contingency plans.

#### Section 85 – *Regional State Administrative Agency*

- 1) The Regional State Administrative Agency plans, steers, controls and implements the combating of animal diseases in its area of operation.
- 2) In addition to the provisions elsewhere in this Act concerning the tasks of the Regional State Administrative Agency, the Agency:
  - 1) maintains animal disease preparedness in its area of operation and draws up national contingency plans for its area in the event of animal diseases;
  - 2) organises training for municipal veterinary officers;
  - 3) is responsible, as the competent authority, for the tasks pursuant to the legislation of the European Union to be implemented by means of this Act, where those tasks do not fall within the competence of the Finnish Food Safety Authority or a municipal veterinary officer.
- 3) A Regional State Administrative Agency shall organise the management of urgent tasks for the prevention of animal diseases that spread easily and dangerous animal diseases and investigation of the disease situation outside the regular working hours in collaboration with other Regional State Administrative Agencies. In such cases, the Regional State Administrative Agency on standby duty shall be the competent authority for the tasks laid down for a Regional State Administrative Agency in this Act for the entire area for which it is on standby duty. The Finnish Food Safety Authority shall confirm the standby duties for the Regional State Administrative Agencies.
- 4) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the content of contingency plans.

### Section 86 – *Municipal veterinary officer*

- (1) In addition to the provisions elsewhere in this Act concerning the tasks of a municipal veterinary officer, a municipal veterinary officer shall be responsible, as the competent authority, for the tasks pursuant to the legislation of the European Union to be implemented by means of this Act that it is tasked with under this Act.
- (2) The Regional State Administrative Agency may, where necessary, order a municipal veterinary officer to perform separately specified tasks laid down for a municipal veterinary officer in this Act outside his or her area of operation if it is a question of an animal disease that spreads easily, a dangerous animal disease or an emerging serious disease, or if the prevalence of an animal disease to be controlled is exceptionally high. The Regional State Administrative Agency shall, in the first instance, order a municipal veterinary officer who has received contingency training to perform the task. In issuing the order, account shall be taken of the capability of the municipality to carry out its statutory and other tasks. The Regional State Administrative Agency may also order a municipal veterinary officer to perform tasks in the area of operation of another Regional State Administrative Agency, if the order is based on a request by the latter Agency.

### Section 87 – *Authorised inspector*

- (1) The Finnish Food Safety Authority may for a specific period and task grant the right to carry out the inspections and examinations referred to in this Act as authorised inspector instead of or as an assistant to a municipal veterinary officer and to take the samples as necessary in that context to a person who has adequate professional skills relating to the animal species inspected or examined, animal diseases and the combating of animal diseases to perform the task. The right to perform inspections and examinations and to take samples may be restricted to apply to certain animal species or specific inspections and examinations. An authorised inspector shall not have the right to enter premises used as a permanent place of residence to perform the tasks.
- (2) In addition to the provisions in subsection 1, an authorised inspector may perform tasks relating to the implementation of this Act designated to him or her by a control authority.
- (3) In performing the tasks the authorised inspector shall act subject to control by the Finnish Food Safety Authority. The Finnish Food Safety Authority may withdraw the right it has granted if the authorised inspector fails to comply with the conditions imposed by the Finnish Food Safety Authority or is otherwise essentially in breach of his or her obligations with respect to the tasks even after having been advised of the deficiencies.
- (4) The provisions on criminal liability shall apply to an authorised inspector. Liability for damages is provided for in the Tort Liability Act (412/1974).
- (5) If required, an authorised inspector shall show written authorisation.

### Section 88 – *Work obligation in the event of a widespread animal disease epidemic*

- (1) If an animal disease that spreads easily has spread over a wide area of the country and the resources of the control authorities are insufficient to combat it as laid down in this Act, licensed veterinarians permanently resident in Finland and students of veterinary medicine with the right to temporarily practise the profession of veterinarian shall be obliged, by a decision of the Finnish Food Safety Authority, to carry out veterinary tasks referred to in section 87(1) and (2) necessary on account of the animal disease situation which they are reasonably capable of performing, taking into account their education, work experience, state of health and family relationships. Work obligation may last for a maximum of two weeks at a time, but not more than two months in total. Reasonable remuneration and compensation for the costs incurred established by the Finnish Food Safety Authority shall be paid out of state funds to the person

performing such tasks. The regular employment relationship of a person obliged to work is not be disrupted by the work order.

- (2) The provisions in section 87(4) concerning an authorised inspector shall apply to a person ordered to undertake the task referred to above. In addition, the Working Hours Act (605/1996), the Annual Holidays Act (162/2005), the Occupational Safety and Health Act (738/2002), the Occupational Health Care Act (1383/2001), the Employment Accidents Act (608/1948), the Act on Occupational Diseases (1343/1988), the State Employees' Pensions Act (1295/2006) and, where applicable, the provisions in the Employment Contracts Act (55/2001) on the rights and obligations of the employee and employer shall also apply to the tasks. A person obliged to work shall not have the right to enter premises used as a permanent place of residence to perform the tasks.
- (3) In his or her tasks the person obliged to work shall act subject to control by the Regional State Administrative Agency. The Regional State Administrative Agency shall ensure that a person obliged to work is aware of the obligations and responsibilities associated with performing the task. If required when performing the tasks a person obliged to work shall present the relevant work order,

#### Section 89 – *Management and steering of disease prevention*

- (1) In outbreaks of animal diseases to be combated or emerging serious animal diseases, the Regional State Administrative Agency shall manage the prevention of the disease and its spread in its area of operation. The Regional State Administrative Agency functions as the local disease prevention centre referred to in European Union legislation in connection with an animal disease that spreads easily.
- (2) The Finnish Food Safety Authority shall steer and control the action of the Regional State Administrative Agency to eradicate an animal disease to be combated or an emerging serious animal disease and to prevent its spread. If an outbreak of a disease requires measures in the area of operation of several Regional State Administrative Agencies, the Finnish Food Safety Authority shall be responsible for maintaining progress reports and for the coordination of activities. Where necessary, the Finnish Food Safety Authority shall have the right to give orders to the Regional State Administrative Agency relating to the prevention of the spread of an animal disease to be combated or an emerging serious animal disease and by its decision relieve a Regional State Administrative Agency of its managerial responsibility referred to in subsection 1 if the effective prevention of the disease and its spread would otherwise be compromised. The Finnish Food Safety Authority also functions as the national disease prevention centre referred to in European Union legislation in connection with an animal disease that spreads easily.
- (3) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the tasks of both the local and the national disease control centre, as required for the implementation of European Union legislation.

### Chapter 14 – **Monitoring, inspections and publication of data**

#### Section 90 – *The right to carry out inspections and take samples*

- (1) In addition to the provisions in this Act and in European Union legislation concerning inspections and examinations carried out to control animal diseases and to investigate the disease situation, a control authority and authorised inspector shall have the right to perform an inspection, if there are grounds to suspect a breach of this Act, provisions, regulations or administrative decisions issued under it, or the European Union regulations referred to in section 3 or administrative decisions issued under them. Even in the absence of any suspicion, a control

authority, authorised inspector or a person obliged to work may perform an inspection to control the compliance with the obligations, prohibitions, conditions or restrictions laid down in Chapters 2, 4–6 or 11.

- (2) A person performing an inspection or examination for the purposes referred to in this Act shall have the right to enter premises where animals, products of animal origin and documents relating to them are handled, used, transported or kept. The inspection or examination may concern the premises, animals, products of animal origin, documents and other factors relevant to control. In connection with an inspection or examination samples necessary for the control may be taken free of charge.
- (3) For the purposes of an inspection, a control authority shall have the right to enter a laboratory where animal diseases are examined or analysed or the microbes that cause animal diseases are processed. The inspection may concern the premises and research equipment of the laboratory, records and archives concerning the research results, quality and disease protection systems of the laboratory, and other factors relevant to the monitoring of compliance with the provisions of this Act and issued under it.
- (4) An inspection or examination on premises used as a permanent place of residence may only be performed by an authority, and the inspection or examination may only be performed if there are grounds to suspect that an operator responsible for animals or other operator referred to in this Act is guilty of a crime that could result in a prison sentence or of an animal disease offence referred to in section 115 that may pose a serious risk to human or animal health and the inspection or examination is necessary to solve the crime or offence.

#### Section 91 – *Right of access to information*

- (1) A control authority, authorised inspector and person obliged to work shall, provisions on confidentiality notwithstanding, have the right of access to the information and documents necessary for the performance of the tasks laid down in this Act or in European Union legislation from operators responsible for animals and establishments and other parties subject to the obligations laid down in this Act or in European Union legislation.
- (2) A control authority shall, provisions on confidentiality notwithstanding, also have the right of access to the information necessary for the performance of the tasks referred to in subsection 1 or connected with any other activity laid down in this Act from state or municipal authorities.

#### Section 92 – *Right of inspection of international authorities*

- (1) The provisions in this Act concerning the right of control authorities to perform inspections, take samples, enter premises as required for control and have access to information and documents required for control, shall also apply to inspectors referred to in European Union legislation and international agreements binding on Finland, when required by the relevant provisions. Where necessary, the control authority shall cooperate with the inspectors of international authorities.

#### Section 93 – *Obligation of the operator to assist the authorities*

- (1) An operator responsible for animals shall be obliged to assist an authority in the examination, vaccination, medicating, and taking of samples of an animal performed pursuant to this Act or European Union legislation. An operator responsible for animals shall be obliged to arrange circumstances in a way that the measure can be performed safely, taking account of the normal behaviour of the animal, unless otherwise necessary due to the urgency of the matter.
- (2) An operator responsible for animals or other operator referred to in this Act shall be obliged to provide the control authority with the necessary information to investigate the origin, nature and spread of an animal disease.

### Section 94 – *Executive assistance*

- (1) Where necessary, the police shall provide a control authority, authorised inspector or person obliged to work executive assistance to perform the tasks laid down in this Act or in European Union legislation, if performing the tasks is resisted or if the exercise of police powers is otherwise required.
- (2) The rescue authorities shall provide the control authority with executive assistance to perform tasks referred to in subsection 1 as laid down on the matter in section 50 of the Rescue Act (379/2011).
- (3) The customs authority may, where necessary, provide a control authority with executive assistance relating to its field of operations for the performance of an inspection referred to in this Act. Furthermore, the customs authority may inform the control authority of any consignments of animals or products derived from them for which a request for executive assistance from the customs authority may be necessary.

## Chapter 15 – **Registers**

### Section 95 – *Registrar*

- (1) The Finnish Food Safety Authority shall keep the registers referred to in this Chapter. Other control authorities shall use and be obliged to update the data in registers to the extent required by the tasks laid down for them. They shall be responsible for the accuracy of the information they enter into a register and for the legitimacy of its use in performing their tasks.
- (2) The registers laid down in this Chapter are part of the information system of the rural business administration referred to in the Act on the Information System of the Rural Business Administration (284/2008), hereinafter the *Information System Act*. This Act shall apply to the registers and documents laid down in this Chapter, unless otherwise provided in this Chapter.

### Section 96 – *Registers on approved operators, establishments, places of business and laboratories*

- (1) A register shall be kept on compartments, semen collection stations, embryo collection teams, embryo production teams, semen storage facilities, places of quarantine, operators and establishments referred to in section 61, transport vehicle disinfection sites, sites for transport container water exchange and laboratories as well as operators approved for rearing and evisceration of aquaculture animals pursuant to this Act.
- (2) The contact details of an operator and premises and any establishment code, details of activities the approval relates to, details of the restrictions and conditions relating to approval, any veterinarian responsible for the operation, the approval number required under European Union legislation, if one has been issued, and details of the cessation of activities or the withdrawal of approval shall be entered into the registers. In addition, the details for each establishment or evisceration plant of its location, rearing facilities, the disease situation in that area, type of production and the species of aquaculture animals being reared or eviscerated are entered into the register on operators approved for rearing and eviscerating aquaculture animals.
- (3) The Finnish Food Safety Authority shall publish in electronic form a register of the operators, establishments and places of business referred to in section 1 which may contain the information required under European Union legislation referred to in subsection 2.
- (4) By derogation from the provisions in section 12 of the Information System Act concerning the deletion of information from the information system of the rural business administration, the information referred to in this section shall be deleted from the register three years after an operator has notified of the cessation of operations or the approval has been withdrawn.
- (5) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the procedure to be followed in entering information into registers and in the publication of a register.

Section 97– *Other registers relating to operators and laboratories*

- (1) A register shall be kept on the operators referred to in sections 60 and 70 and the laboratories that examine diseases to be reported. The contact details of an operator and the premises and any establishment code or establishment approval number, details of the activities the registration relates to, and details of the cessation of activities or the withdrawal of registration shall be entered into the register.
- (2) By derogation from the provisions in section 12 of the Information System Act concerning the deletion of information from the information system of the rural business administration, the information referred to in subsection 1 shall be deleted from the register three years after:
  - 1) the validity of a registration relating to an operator has expired or registration has been withdrawn; or
  - 2) activities at a laboratory subject to notification have ceased.
- (3) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the procedure to be followed in entering information into registers.

Section 98 – *Information to be recorded in a register for the control of animal diseases*

- (1) The following shall be recorded in a register for the control of animal diseases:
  - 1) confirmed cases of animal diseases to be combated and emerging serious animal diseases;
  - 2) prohibitions, conditions, restrictions and measures issued to an establishment by an administrative decision referred to in Chapter 4 or a regional decision referred to in Chapter 5, and the exemptions that relate to them;
  - 3) establishments referred to in section 22(1)(4) above;
  - 4) prohibitions and restrictions issued pursuant to section 111;
  - 5) establishments where voluntary health control is implemented and where it has ended and the health categorisation of establishments;
  - 6) compulsory vaccinations administered to animals;
  - 7) powers granted to authorised inspectors; and
  - 8) inspections performed, samples taken and results of the examinations performed on the samples.
- (2) The Finnish Food Safety Authority shall publish, in an electronic form, a list on the health categorisation of establishments on the basis of the register referred to in subsection 1, paragraph 5, intended for the use of operators.
- (3) By derogation from the provisions in section 12 of the Information System Act concerning the deletion of information from the information system of the rural business administration, the information in the register referred to in the subsection 1, paragraph 1, shall be kept permanently.
- (4) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the procedure to be followed in entering information into registers.

**Chapter 16 – Charges and fees**

Section 99 – *Charges collected to the state for services provided by authorities*

- (1) The provisions in the Act on Criteria for Charges Payable to the State (150/1992) shall apply to the charges collected to the state for the services of a state authority and authorised inspector.
- (2) The Regional State Administrative Agency shall determine and collect charges to the state for the services of a municipal veterinary officer under this Act. Provisions on the amount of the charges for the services of a municipal veterinary officer are issued by Decree of the Ministry of

Agriculture and Forestry in compliance with, where applicable, the provisions in the Act on Criteria for Charges Payable to the State on the general criteria and other criteria concerning charges for services by state authorities and the amount of the charges. Provisions are also issued by Decree of the Ministry of Agriculture and Forestry on the procedure to be followed in invoicing for services by a municipal veterinary officer.

- (3) By derogation from the provisions in subsection 2, no charge shall be collected for an official veterinary certificate for products of animal origin delivered to states other than Member States, if the municipality collects a charge for the same certificate.
- (4) In addition, provisions on the obligation of an authority to collect a charge for additional official controls resulting from non-compliance are laid down in Article 28 of the Control Regulation.

#### Section 100 – *Remuneration and compensations paid to authorised inspectors*

- (1) The Finnish Food Safety Authority shall pay authorised inspectors remuneration for the inspections, taking of samples and other measures under this Act and compensate them for the costs they incur.

#### Section 101 – *Compensations paid by the state to municipalities*

- (1) Provisions on the right of a municipality to receive compensation from the state funds for the performance of tasks that are the responsibility of a municipal veterinary officer under this Act are laid down in section 23 of the Act on Veterinary Services.

### Chapter 17 – **The payment of certain costs and compensation out of state funds**

#### Section 102 – *The payment out of state funds of costs incurred in the eradication of an animal disease*

- (1) The costs incurred from work relating to the implementation of an order concerning the killing of animals, destruction of property and associated cleaning and disinfection measures, from the use of devices and equipment and from supplies and materials are paid out of state funds, except for situations where the responsibility for the implementation of the order lies with the operator.

#### Section 103 – *Compensation for an animal killed on the order of an authority*

- (1) An owner shall have the right to receive compensation out of state funds for an animal which has been ordered to be killed, slaughtered or eviscerated pursuant to section 20(2), section 26(1), section 39(1), section 73(3) or section 74(3), or which has died as a result of any treatment or other measure ordered pursuant to this Act. The compensation paid is the current value of the animal, determined by the value which the animal would have had without the animal disease the order was based on. If an animal for which compensation is payable can be utilised entirely or in part, its residual use value shall be deducted from the compensation paid.
- (2) By derogation from the provisions in subsection 1, standard compensation for a particular animal species may be confirmed for the purpose of paying compensation which corresponds to the average current value of the animals in question, taking account of the age, size, expected yield and other similar factors. The residual use value of an animal for which compensation is payable shall be deducted from the standard compensation. However, an owner shall have the right to have the amount of the compensation determined based on its current value instead of standard compensation, if for reasons related to breeding or for other similar reasons the value of the animal considerably exceeds the average current value.
- (3) With regard to an animal which has been ordered to be killed, slaughtered or eviscerated pursuant to section 27 or 39(2), an owner shall have the right to receive compensation out of state funds equal to no more than three-quarters of its current value or the standard

compensation referred to in subsection 2 of this section from which its residual value has been deducted. If there are many cases for which compensation is to be paid, the amount of compensation may be reduced. Payment of compensation in a case referred to in section 27 also requires that the cleaning and disinfection measures required to repeal a decision referred to in section 23(1) are performed at the establishment.

- (4) No compensation shall be paid for an animal whose value is minimal, unless there are compelling reasons for doing so.
- (5) Standard compensations referred to in subsection 2 above are laid down by Government Decree.

#### Section 104 – *Compensation for property disposed of on the order of an authority*

- (1) An owner shall have the right to receive compensation out of state funds for products of animal origin and other materials, goods, objects or structures disposed of in accordance with an order referred to in section 26(1)(2–5) or treated in a way that they have been damaged or have become unusable. The compensation paid is the current value of the property. No compensation shall be paid for property whose value is minimal, unless there are compelling reasons for doing so.

#### Section 105 – *Compensation for loss of production*

- (1) If a prohibition, condition, restriction or measure ordered pursuant to section 23, 25, 26, 32, 34, 36 or 39(1) to control or to prevent the spread of an animal disease that spreads easily, a dangerous animal disease or an emerging serious animal disease prevents or hampers animal production, compensation may be paid to the operator out of state funds for financial loss incurred which has a significant adverse effect on the operator's livelihood.
- (2) Compensation shall be paid to cover a maximum of three-quarters of the loss.

#### Section 106 – *Activities excluded from compensation*

- (1) No compensation shall be paid to cover costs or losses referred to in sections 102–105 above if they were incurred in the processing of food, the production of other products of animal origin or feed, or the placing on the market of food or other products.

#### Section 107 – *Applying for compensation and advance payments*

- (1) Compensation referred to in this Chapter shall be applied for from the Finnish Food Safety Authority, which decides on granting them. Compensation referred to in section 103(1) above shall be applied for within two months of the time an animal was killed, slaughtered or eviscerated. Other compensations shall be applied for within three months of the time when the measures entitling to compensation were performed or the validity of a prohibition, condition or restriction has expired. The application shall be accompanied by sufficient evidence of the costs and damages incurred.
- (2) If it is obvious that the applicant is entitled to compensation, the Finnish Food Safety Authority may make an advance payment to the applicant.
- (3) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the content of the evidence accompanying the application.

#### Section 108 – *Grounds for refusing compensation*

- (1) The right to compensation referred to in this Chapter shall be forfeited entirely or partly if the party entitled to compensation has violated this Act, the Act on the Animal Identification System, the Act on Veterinary Border Inspection, provisions issued under them, or legislation of the European Union to be implemented by means of this Act, or has not complied with an administrative decision taken pursuant to these acts or statutes. The right to compensation shall also be forfeited if the party entitled to compensation, when acquiring an animal or other

property, knew or given the circumstances should have known, that the animal was infected with or a carrier of a disease based on which the compensation was payable or that the property was contaminated.

- (2) Compensation referred to in this Chapter out of state funds shall also not be paid if a party entitled to compensation has received or is entitled to receive compensation for the same damage from a fund established by the European Union.

#### Section 109 – *Recovery of compensation and right of recourse of the state*

- (1) Those to whom an advance payment has made under section 107(2) equal to a value in excess of what they are entitled to shall be obliged to repay the difference within a month of the time of being informed about the final amount of the compensation.
- (2) The Finnish Food Safety Authority shall order compensation to be recovered in full or in part, if the beneficiary has given false or misleading information or withheld information when applying for the compensation and this has had an effect on granting the compensation.
- (3) The Finnish Food Safety Authority shall also oblige one who has intentionally or through negligence caused the spread of a disease based on which the compensation was payable to the animals of another party to compensate the state for the costs and compensations, entirely or in part, that were paid out of state funds as a consequence of the action.
- (4) If advance compensation paid in excess is not repaid within the time referred to in subsection 1 or any other amount to be repaid or compensated for is not paid by the due date set by the Finnish Food Safety Authority, annual interest on arrears at the rate referred to in section 4(1) of the Interest Act (633/1982) shall be paid to the state. Provisions on the collection of costs and compensations are laid down in the Act on the Enforcement of Taxes and Charges (706/2007).

### Chapter 18 – **Administrative enforcement measures**

#### Section 110 – *Order*

- (1) A control authority may order one who violates this Act, provisions issued under it or European Union legislation to be implemented by means of this Act or who fails to comply with an administrative decision taken pursuant to the said Act or provision to fulfil the obligation immediately or within a time limit that is sufficiently long in view of the nature of the case.

#### Section 111 – *Prohibition and restriction*

- (1) The Regional State Administrative Agency may prohibit the movement of animals of a species susceptible to a disease or products derived from them to or away from an establishment for an indefinite period or restrict it for an indefinite period if the operation in question requires approval under this Act and it has not been granted or if, with respect to the establishment and the animals kept there, there is non-compliance with:
- 1) obligations provided pursuant to section 7(2)
  - 2) obligations associated with compulsory health control referred to in section 8
  - 3) obligations associated with compulsory vaccination or treatment referred to in section 11; or
  - 4) obligations or prohibitions referred to in section 44(1) to prevent the spread of an animal disease that spreads easily.
- (2) The imposition of a prohibition or restriction shall also require that an operator has not corrected a defect within the time limit set despite a request by an authority and that such action poses a serious risk of spreading a disease to be combated or a risk to human health. A prohibition or restriction may only be imposed to the extent necessary to control the risk of spreading an animal disease. A prohibition or restriction shall be revoked if an inspection reveals that the

obligations referred to in subsection 1 are being complied with and if the results of an examination show that an animal disease the spread of which the obligations aim to prevent is not present at the establishment.

- (3) In processing a matter referred to in subsection 1, the Regional State Administrative Agency may impose a prohibition or restriction referred to in the subsection temporarily, if this is necessary owing to an immediate risk posed to animal or public health. A temporary prohibition or restriction shall remain in force until the Regional State Administrative Agency gives its final decision on the matter. The Regional State Administrative Agency shall ensure that the necessary examinations relevant to the matter are performed without delay.

#### Section 112 – *Withdrawal of approval and registration*

- (1) A control authority deciding on approval or registration may withdraw the approval of a compartment, semen collection station, embryo collection team, embryo production team, semen storage facility, quarantine, operator or establishment referred to in section 61, transport vehicle disinfection site, site for transport container water exchange, or laboratory, approval granted for rearing and eviscerating aquaculture animals or the registration of an operator referred to in section 60 or 70, if the requirements laid down for granting approval or registration are no longer met or the operation is essentially in breach of this Act or the provisions or decisions issued under it. Approval may also be withdrawn if the activity poses a serious risk of spreading an animal disease to be combated or a risk to human health, and this risk cannot otherwise be prevented. A further condition of the withdrawal of approval or registration in such cases is that the operator has not corrected a deficiency within the time limit set despite a request by an authority.
- (2) Approval shall be withdrawn if an operation has ceased in a way that is not just temporary. Approval of a compartment shall also be withdrawn if an animal disease concerned by the derogation allowed to the compartment relating to requirements laid down or ordered to prevent the spreading of an animal disease is found in the compartment.
- (3) A control authority may prohibit an operator from engaging in an activity subject to approval or registration during the processing of a matter referred to in this section, if the deficiency or operation is such that human or animal health is endangered. A prohibition may be imposed for the maximum period of two weeks. If no decision is made within this time, the time limit may be extended. However, a prohibition may remain in force for more than a month only if the delay in making the decision is due to the operator's own actions or neglect.

#### Section 113 – *Measures in the absence of eligibility for movement*

- (1) If an examination referred to in section 64 reveals that an animal or product of animal origin moved from one Member State to another or the documents accompanying the animal or product do not meet the requirements provided for them in Chapter 9, the Regional State Administrative Agency may order the animal to be placed in quarantine or kept isolated at the place of destination or some other place indicated or the product to be kept at the place of destination or some other place indicated until the operator has corrected the deficiencies.
- (2) If it is not possible to correct deficiencies or they have not been corrected within the time limit set, the Regional State Administrative Agency may order the animal to be killed or the product to be disposed of. An animal or product may, with the consent of the operator, be ordered to be returned to the Member State it was moved from if the competent authority in the Member State concerned approves the return, or to be treated or the animal to be placed in quarantine, if this makes it possible to eliminate the risk of spreading an animal disease associated with the animal or product.
- (3) A decision on the measures referred to in subsection 1 or 2 above may impose conditions necessary to prevent the spread of animal diseases concerning the measures. The operator shall

be responsible for ensuring that the measures are carried out. The Regional State Administrative Agency shall control that the measures are carried out.

- (4) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry on the measures referred to in subsections 1 and 2, in accordance with the provisions in European Union legislation concerning animal health.

Section 114 – *Notice of a conditional fine and enforced compliance*

- (1) The Regional State Administrative Agency or Finnish Food Safety Authority may enforce a prohibition, restriction or order referred to in section 110, 111 or 113 with the notice of a conditional fine or notice of enforced compliance at the defaulter's expense.
- (2) Provisions on the notice of a conditional fine, notice of enforced compliance and compliance at defaulter's expense are laid down in the Act on Conditional Fines (1113/1990).

Chapter 19 – **Penal provisions**

Section 115 – *Penal provisions*

- (1) Provisions on the penalty for causing a risk of spreading an animal disease are laid down in Chapter 44, section 4 of the Criminal Code of Finland (39/1889).
- (2) Anyone who intentionally or through negligence
- 1) violates the obligation relating to compulsory health control laid down in section 8(1), the obligation to vaccinate or treat animals laid down in section 11(2) or the obligation relating to the organisation of an animal show or other similar event laid down in section 12(1),
  - 2) releases an animal into the wild contrary to section 13(1),
  - 3) neglects to make the notification referred to in section 14 concerning an animal disease suspected in an animal owned or in possession in a way that is not temporary or neglects to make the notification referred to in section 15,
  - 4) fails to comply with a prohibition, condition or restriction ordered in a decision referred to in section 23(1), 25, 26(1) or (2), section 28(2), section 29(2), section 32(3), section 34(1), section 36(1) or section 45, or laid down pursuant to section 40(3), section 41 or section 44(2) to prevent the spread of or eradicate an animal disease to be combated, or fails to carry out a measure ordered or laid down pursuant to a provision referred to in this paragraph,
  - 5) neglects the obligation to provide assistance laid down in section 26(3) or section 39(3),
  - 6) fails to draw up a contingency plan referred to in section 43,
  - 7) engages in an activity requiring approval, registration or advance notification referred to in this Act contrary to sections 46, 55, 60, 61, 63, 70, 77 or 81,
  - 8) moves animals or products derived from them that do not meet the requirements concerning the eligibility for movement of animals or products pursuant to section 58 or section 69 into the country or out of the country, or moves animals or products of animal origin contrary to the provisions in sections 73–75;
  - 9) neglects the obligation relating to the keeping of documents laid down in section 65 or section 72, or
  - 10) violates a prohibition or restriction ordered pursuant to section 59 or section 111 or fails to carry out the measures ordered pursuant to section 68 or 113,

shall be sentenced to a fine for an *animal disease offence*, unless a more severe penalty is laid down for the act elsewhere in the law.

- (3) A control authority may choose not to report an offence to the criminal investigation authorities, if the act or neglect is minor and it is not a question of defying prohibitions or orders issued by the authorities.
- (4) For anyone violating a prohibition or obligation imposed under this Act and enforced by a notice of a conditional fine the sentence may be waived for the same act.

## Chapter 20 – **Appeal**

### Section 116 – *Appeal*

- (1) A decision of an authority pursuant to this Act or European Union legislation implemented by means of this Act shall be appealed as laid down in the Administrative Judicial Procedure Act (586/1996). However, a temporary decision referred to in section 25 and 111(3) of this Act may not be appealed separately.
- (2) In a decision made under this Act or European Union legislation implemented by means of this Act it may be ordered that the decision shall be complied with an appeal notwithstanding, unless otherwise provided by the appellate authority, if:
  - 1) the decision is such that it must be implemented without delay; or
  - 2) the implementation cannot be postponed on account of a reason associated with the protection of animal or human health or ensuring food safety.

### Section 117 – *Appeal against a decision on charges*

- (1) Provisions on appeal against a charge payable to the state for a measure taken under this Act are laid down in section 11 b of the Act on Criteria for Charges Payable to the State.

## Chapter 21 – **Entry into force and transitional provisions**

### Section 118 – *Entry into force*

- (1) This Act shall enter into force on 1 January 2014.
- (2) This Act repeals the Animal Diseases Act (55/1980) and the Act on the Combating of Animal Diseases that Spread Easily (488/1960). However, the introductory paragraph and paragraph 9 of section 12(1), subsections 2–4 of the same section, section 12 f and section 15(5) of the repealed Animal Diseases Act shall remain in force until they are repealed separately.
- (3) If elsewhere in the law there is a reference to the Acts referred to in subsection 2, the provisions of this Act shall apply instead after the entry into force of this Act.
- (4) The Decrees issued by the Ministry of Agriculture and Forestry pursuant to the Acts referred to in subsection 2 above and the decisions of the Ministry of Agriculture and Forestry Veterinary and Food Department shall, where they are not inconsistent with this Act, remain in force until otherwise provided.
- (5) Measures necessary for the implementation of the Act may be taken before the entry into force of the Act.

### Section 119 – *Transitional provisions*

- (1) The semen collection stations, embryo collection teams, embryo production teams, semen storage facilities, places of quarantine, operators with approval for rearing or eviscerating aquaculture animals, operators registered for movements of animals, embryos or gametes within the European Union and laboratories approved or registered under provisions issued under the Animal Diseases Act or under it before the entry into force of this Act may continue to operate in accordance with the decisions concerning them without separate approval or notification. A

laboratory requiring approval under section 77 but not under the provisions in force upon the entry into force of this Act must apply for approval within a year of the entry into force of the Act.

- (2) An operator exporting animals or products of animal origin shall be registered in accordance with section 70 and a laboratory examining animal diseases to be reported shall make notification in accordance with section 81 within a year of the entry into force of this Act. Within the same time limit, an operator responsible for an establishment shall draw up a written description of the procedures for protecting against animal diseases to be followed at a place of primary production. A slaughterhouse, zoo, semen collection station and veterinary border inspection post referred to in section 43(1) of this Act shall draw up a contingency plan referred to in that provision within a year of the entry into force of this Act. The Finnish Food Safety Authority shall draw up a disease surveillance plan referred to in section 18 within a year of the entry into force of this Act.
- (3) Appeals against the decisions taken pursuant to the Act to be repealed that are pending with the Appeals Board for Rural Industries when this Act enters into force shall be referred to the competent administrative court for resolution.