

## **Translation from Finnish**

### **Legally binding only in Finnish and Swedish**

### **Ministry of Agriculture and Forestry, Finland**

## **Animal Diseases Act**

**(76/2021)**

By decision of Parliament, the following is enacted:

### **Chapter 1**

#### **General provisions**

#### **Section 1**

##### **Scope of application**

This Act lays down provisions on the implementation of the following legal acts of the European Union on combating animal diseases and statutes issued pursuant to them, in so far as provisions on their implementation are not laid down under other legislation:

- 1) Regulation (EU) 2016/429 of the European Parliament and of the Council on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law'), hereinafter *Animal Health Law*;
- 2) Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation), hereinafter *Official Controls Regulation*;
- 3) 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, hereinafter *TSE Regulation*;

4) 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, hereinafter *Zoonoses Regulation*;

5) 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, hereinafter *Zoonoses Directive*;

6) Regulation (EU) No 576/2013 of the European Parliament and of the Council on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003, hereinafter *Pets Regulation*

7) 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, hereinafter *Animal By-Products Regulation*;

In addition, this Act lays down provisions on the national measures, additional measures and more stringent measures to combat animal diseases permitted by the Regulations mentioned in subsection 1.

## **Section 2**

### **Relationship with other legislation**

Provisions on combating animal diseases that affect food safety are also laid down in the Food Act (23/2006).

Provisions on protecting the population from zoonotic diseases are also laid down in the Communicable Diseases Act (1227/2016).

## **Section 3**

### **Definitions**

For the purposes of this Act:

1) *animal health provisions* mean this Act, any provisions issued pursuant to this Act and any legal act of the European Union implemented by this Act;

2) *animal disease* means a disease defined in Article 4, paragraph 16 of the Animal Health Law;

3) *category A disease* means a disease referred to in Article 9, paragraph 1, point a of the Animal Health Law;

- 4) *category B disease* means a disease referred to in Article 9, paragraph 1, point b of the Animal Health Law;
- 5) *category C disease* means a disease referred to in Article 9, paragraph 1, point c of the Animal Health Law;
- 6) *category D disease* means a disease referred to in Article 9, paragraph 1, point d of the Animal Health Law;
- 7) *category E disease* means a disease referred to in Article 9, paragraph 1, point e of the Animal Health Law;
- 8) *operator* means an operator referred to in Article 4, paragraph 24 of the Animal Health Law;
- 9) *susceptible species* means an animal species which, based on scientific evidence, is known or presumed to be capable of being infected with an animal disease other than a listed disease referred to in the Animal Health Law;
- 10) *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);
- 11) *animal health authority* means the Finnish Food Authority, the Regional State Administrative Agency and the municipal veterinary officer;
- 12) *Member State* means a Member State of the European Union or a state which for the purpose of applying European Union legislation on the functioning of the internal market is treated in the same way as a Member State of the European Union on the basis of an agreement concluded between the European Union and the state concerned.

Provisions on the definitions used in this Act other than those mentioned in subsection 1 are laid down in Article 4 of the Animal Health Law and Article 3 of the Official Controls Regulation.

## **Section 4**

### **Categorisation of animal diseases**

Provisions on listed diseases and listed species as well as the breakdown of listed diseases into categories A–E diseases are laid down in and pursuant to the Animal Health Law. Provisions on emerging diseases are laid down in Article 6 of the Animal Health Law.

An animal disease other than a category A–C disease may be designated as:

- 1) an animal disease to be combated other than a category A–C disease, hereinafter *other animal disease to be combated*, if the animal disease substantially hampers the conditions for livestock

production, does substantial damage to wild animal populations, substantially prevents or hinders the export of and trade in animals or products, or may be transmitted from an animal to a human resulting in serious illness; or

2) *an animal disease to be controlled* if the animal disease does not meet the criteria laid down in paragraph 1 but causes such financial harm to animal keeping, damage to wild animal populations, a risk to human health, or harm to the export of and trade in animals or goods that preventing the spread of the disease is justified in order to protect these.

An animal disease may be designated as another animal disease to be combated or as an animal disease to be controlled if its occurrence can be influenced by combating animal diseases. Where appropriate in terms of the harm caused by an animal disease or the effectiveness of measures taken to combat the disease, an animal disease may be designated as another animal disease to be combated or as an animal disease to be controlled in a certain geographically restricted area or as regards certain animal species or types of production. An animal disease may be designated as another animal disease to be combated or as an animal disease to be controlled even in the absence of certainty as to its infectiveness or spread or the harm caused by it if the disease is deemed to pose an imminent threat to the health of humans or animals.

In addition, an animal disease other than a category E disease may be designated as an animal disease to be reported other than category E disease, hereinafter *other animal disease to be reported*, if monitoring of the occurrence of the disease is necessary to protect the health of humans or animals or to safeguard the export of or trade in animals or goods. An animal disease may be designated as another animal disease to be reported even in the absence of absolute certainty of its infectiveness if monitoring of the disease is deemed necessary. Other animal diseases to be combated and animal diseases to be controlled not belonging to category E shall also be designated as other animal diseases to be reported.

Other animal diseases to be combated, animal diseases to be controlled and other animal diseases to be reported shall be designated by decree of the Ministry of Agriculture and Forestry.

## **Section 5**

### **Official confirmation of occurrence of animal disease**

The occurrence of a listed and emerging animal disease shall be confirmed by the animal health authority as set out in the Animal Health Law. Another animal disease to be combated or an animal disease to be controlled shall be found to have occurred when the animal health authority detects the said animal disease in an animal on generally accepted veterinary grounds.

## **Chapter 2**

### **Disease-free status, eradication programmes and compartments**

#### **Section 6**

##### **Disease-free areas**

In accordance with Part II, chapter 4 of the Animal Health Law, the Ministry of Agriculture and Forestry decides on the disease-free status for category A–C diseases for the entire country or for a zone, or on applying for approval of such status from the European Commission.

#### **Section 7**

##### **Compartments**

The approval of compartments for the movement of animals and goods in accordance with Article 37, paragraph 1, point c, and paragraph 2, point d shall be decided by the Finnish Food Authority. A compartment shall be approved upon application.

By way of derogation from the provisions of subsection 1, the decision on establishing a compartment for aquatic animals and products thereof shall be taken by the Ministry of Agriculture and Forestry.

The decision on the disease-free status for category A–C diseases of a compartment or on applying for such status from the European Commission shall be taken by the Ministry of Agriculture and Forestry in accordance with Article 37 of the Animal Health Law.

#### **Section 8**

##### **Eradication programmes**

In accordance with Part II, chapter 3 of the Animal Health Law, the decision to establish an eradication programme for a category B or C disease in respect of the entire country or a zone or a compartment and on submitting the programme to the Commission for approval shall be taken by the Ministry of Agriculture and Forestry.

#### **Section 9**

##### **Application of the provisions on category C diseases**

Deciding on or applying for a disease-free status for a category C disease and establishing an eradication programme for the said animal disease requires the disease to be of relevance for Finland and disease-free status for the disease to be appropriate with regard to the harm caused by the disease and the effectiveness of combat measures.

Unless otherwise required by European Union law, the provisions laid down below in this Act on combating category C diseases shall apply only to those areas and compartments which have disease-free status for the category C disease or in which an eradication programme is being implemented to combat the said animal disease.

## **Section 10**

### **Publication of information on the status of areas and compartments**

The provisions on areas and the compartments referred to in section 7, subsection 2 that have disease-free status or in which an eradication programme is being implemented are laid down by decree of the Ministry of Agriculture and Forestry.

The Finnish Food Authority shall publish on its website a list of the areas and compartments referred to in subsection 1 as well as of the compartments approved by it to hold disease-free status.

## **Chapter 3**

### **Animal health responsibilities**

## **Section 11**

### **Compulsory zoonosis control**

The operator shall control the occurrence of a zoonotic disease designated as another animal disease to be combated or as an animal disease to be controlled 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 on combating or for managing the risk of spread of the disease (*compulsory zoonosis control*). Compulsory zoonosis control shall include the monitoring of the health of the animals, taking samples from the animals necessary with regard to the disease or having them taken, submitting the samples to a laboratory for examination and keeping a record of the samples taken and submitted. Where necessary, the operator shall submit information on the results of the examination of the samples to the animal health authority and notify of the occurrence of the animal disease at the establishment, the number of animals at the establishment, and the introduction of new animals into the establishment.

Provisions on the establishments and animal diseases to be covered by compulsory zoonosis control, and further provisions on the obligations included in the control and on the laboratory examination of samples, are laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 12**

### **Voluntary health control and health categorisation of establishments**

Operators shall be entitled to obtain a health category for their establishments in accordance with a categorisation reflecting the risk of spread of an animal disease from the establishment concerned if they undertake to control the animal disease in question at the establishment and meet the requirements for the control of the animal disease (*voluntary health control*).

An operator that has given an undertaking of voluntary health control shall arrange for the animals to have regular health checks, take samples from the animals for examination of the disease or have such samples taken, submit the samples to a laboratory for examination, keep a record of the samples taken and submitted and, where necessary, notify the authority of the occurrence of the animal disease at the establishment. Voluntary health control may also include prohibitions, conditions and restrictions concerning the introduction of listed animals or animals of susceptible species or their germinal products from an establishment not covered by the health control or from an establishment in a lower health category or from the wild, as well as obligations relating to the marking of animals and the keeping of records on animals and germinal products.

Establishments subject to voluntary health control shall be divided into health categories based on the probability of the non-occurrence of the animal disease that is being controlled. The categorisation shall take into account the 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 the length of time for which the establishment has carried out voluntary health control.

Provisions on the types of establishments and the animal diseases to be covered by voluntary health control are laid down by decree of the Ministry of Agriculture and Forestry. Further provisions shall also be laid down by decree of the Ministry of Agriculture and Forestry on the obligations, prohibitions, conditions and restrictions included in voluntary health control and on the division of establishments into the health categories referred to in subsection 3.

## **Section 13**

### **Undertaking for voluntary health control and decision on health category**

An operator that wishes to undertake voluntary health control shall notify the Regional State Administrative Agency accordingly. The Regional State Administrative Agency shall decide on the health category of the establishment.

The Regional State Administrative Agency may withdraw its decision on the health category if the establishment fails to comply with the prohibitions, conditions, restrictions and obligations referred to in section 12, subsection 2. The Regional State Administrative Agency shall withdraw its decision on the health category if the operator notifies that it will cease to carry out health control at the establishment concerned.

Further provisions on the content of the notifications referred to in subsections 1 and 2 and on the notification procedure are laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 14**

### **Categorisation of establishments included in an eradication programme for a category B or C disease**

Establishments that keep listed species may, in the manner set out in Articles 31 and 32 of the Animal Health Law, be categorised based on the disease-free status or vector protection of the establishment in an area where an eradication programme referred to in section 8 to combat a category B or C disease is being implemented. The decisions concerning the status of an establishment shall be taken by the Regional State Administrative Agency.

Further provisions on the categorisation of establishments included in an eradication programme and on decision-making thereon are laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 15**

### **Vaccinations and other treatments**

To prevent category A–C diseases or other animal diseases to be combated or animal diseases to be controlled, vaccination or other treatment of animals may be ordered 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 to human health, or if this is required by the Animal Health Law or a provision issued pursuant thereto. The obligation to vaccinate or treat may be extended to apply to all animals of a listed or susceptible species 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 is capable of causing special harm to the keeping of animals or to human health.

Operators and pet keepers shall be obliged to ensure that the animals covered by the obligation to vaccinate or treat are vaccinated or treated in the manner required. Operators and pet keepers

shall also be obliged to mark the vaccinated and treated animals and to keep a record of vaccinations and treatments if this is required to combat the animal disease, and to submit the necessary notifications on vaccinations and treatments to the animal health authority. The animal health authorities shall conduct the necessary examinations to monitor the effects of vaccinations and treatments.

Provisions are laid down by decree of the Ministry of Agriculture and Forestry on the implementation of compulsory vaccinations and treatments, the animals and establishments subject to the obligation to vaccinate or treat, the vaccines and treatments to be used, the manner of vaccination and treatment, the frequency of vaccinations and treatments, and the obligation to mark, keep records and notify associated with the vaccinations and treatments. Further provisions may also be laid down by decree of the Ministry of Agriculture and Forestry on the examinations carried out by the authorities relating to vaccinations and treatments

Besides the provisions of this section, the Finnish Food Authority may carry out bait vaccinations of wild animals in order to combat category A–C diseases, other animal diseases to be combated or animal diseases to be controlled.

## **Section 16**

### **Organisation of animal exhibitions and other similar events**

Anyone who organises an exhibition of bovine animals, sheep, goats, pigs or poultry, or another similar event at which these animals are gathered on a temporary basis from several different establishments, shall ensure that the event does not give rise to a risk of spread of animal diseases or a risk to human health and 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 in a way that does not jeopardise the health category of the establishment or the disease-free status or vector protection referred to in section 14 and shall also be kept separate from any other animal species that might have animal diseases that could be transmitted to the said animals.

Further provisions on the health requirements applicable to the bovine animals, sheep, goats, pigs and poultry to be brought to events referred to in subsection 1 may be laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 17**

### **Precautions due to increased risk of spread of diseases**

Where a category A–C disease or an emerging disease or another animal disease to be combated occurs in Finland or is suspected to occur in wild animals or to spread to Finland via wild animals or vectors or by other similar means, the necessary measures to prevent the spread of the animal disease may be taken in respect of the entire country or a given risk area.

For this purpose:

- 1) operators may be obliged to monitor the health of animals of listed or susceptible species;
- 2) operators may be obliged to keep animals of listed or susceptible species indoors;
- 3) operators may be obliged to keep animals of different species separate from each other at the establishment;
- 4) releasing animals of listed or susceptible species into the wild or moving them to the establishment from the wild may be prohibited;
- 5) feeding wild animals that pose a risk of spread of an animal disease may be prohibited;
- 6) operators 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;
- 7) operators may be obliged to ensure that clothing and footwear worn in animal housing facilities at establishments are cleaned and disinfected;
- 8) animal health authorities may be obliged to combat and monitor the occurrence of vectors;
- 9) operators and visitors to establishments may be obliged to implement measures to prevent the spread of infection via vehicles visiting establishments;
- 10) taking animals of listed or susceptible species to animal exhibitions, animal contests and other similar events may be prohibited.

Further provisions on the obligations and prohibitions referred to in subsection 2 are laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 18**

### **Contingency plan**

A slaughterhouse referred to in the Food Act, a zoo referred to in the Animal Welfare Act (247/1996), and a germinal product establishment subject to approval under the Animal Health Law or this Act shall draw up a contingency plan for category A diseases if they handle animals of

listed species. 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 as well as internal information dissemination and communications.

Further provisions on the animal diseases for which a contingency plan shall be prepared are laid down by decree of the Ministry of Agriculture and Forestry. Further provisions on the content of the contingency plan may also be laid down by decree of the Ministry of Agriculture and Forestry.

## **Chapter 4**

### **Notification of animal diseases and monitoring of animal disease situation**

#### **Section 19**

##### **Obligation to notify of animal diseases**

An operator or pet keeper shall notify the municipal veterinary officer or the Regional State Administrative Agency of any animal that is suspected or confirmed to have a listed or emerging disease or another animal disease to be combated or an animal disease to be controlled. The same notification obligation applies to other natural or legal persons taking part in the examination, care, treatment, transport, kill, slaughter, hunting, catching or observation of animals. Suspicion shall also be notified in the event of unusual mortality or other sign of serious animal disease, an animal disease confirmed from a sample taken from the immediate environment of the animal, and significant decrease of production rates with an undetermined cause. The notification shall be made without delay if it concerns a category A disease and in the event of signs indicative of the occurrence of such a disease. The notification shall be made as soon as practicable if it concerns another listed disease, an emerging disease or another animal disease to be combated or an animal disease to be controlled, and in the event of signs indicative of the occurrence of such a disease.

Further provisions may be laid down by decree of the Ministry of Agriculture and Forestry on the content of the notification and the notification procedure and, in respect of other animal diseases to be combated and animal diseases to be controlled, also on such signs of an animal disease that require notification.

#### **Section 20**

##### **Notification obligation of a veterinarian and laboratory**

Any confidentiality obligation notwithstanding, veterinarians shall notify the municipal veterinary officer or the Regional State Administrative Agency of any animal that is suspected or confirmed to

have a listed or emerging disease or another animal disease to be reported. The notification shall be made without delay if it concerns a category A disease and as soon as practicable if it concerns another listed disease, an emerging disease or another animal disease to be combated or an animal disease to be controlled.

The provisions laid down in subsection 1 concerning veterinarians shall also apply to laboratories irrespective of whether the sample was submitted for examination relating to the disease in question or other examination. The notification referred to in Article 17, paragraph 4 of the Animal Health Law of the analysis of a sample examined in another Member State shall be made to the Finnish Food Authority.

Further provisions on the content of the notifications referred to in this section and the notification procedure may be laid down by decree of the Ministry of Agriculture and Forestry. Further provisions may also be laid down by decree of the Ministry of Agriculture and Forestry on the deadlines applicable to notifying of animal diseases to be reported that have not been categorised as other animal diseases to be combated or as animal diseases to be controlled.

## **Section 21**

### **Priority measures**

An operator or pet keeper who suspects an animal to have a category A–C disease, an emerging disease or another animal disease to be combated or an animal disease to be controlled shall seek to keep the animal separate from the other animals at the establishment or in the household and refrain from moving any animals, products, goods and materials that may spread infection until the animal health authority has decided on further measures.

A veterinarian who suspects an animal to have a disease mentioned in subsection 1 shall provide the operator or pet keeper without delay with advice on the measures referred to in subsection 1.

## **Section 22**

### **Notification obligation of an animal health authority**

A municipal veterinary officer shall notify the Regional State Administrative Agency of any animal that is suspected or confirmed to have a listed disease, an emerging disease or another animal disease to be reported and of receipt of the notification referred to in section 19 or 20. In addition, a municipal veterinary officer shall submit to the Regional State Administrative Agency on a monthly basis a summary of all listed diseases, emerging diseases and other animal diseases to be reported confirmed in their area. However, information recorded in the information system used by the Finnish Food Authority need not be entered in the summary.

The Regional State Administrative Agency shall bring the notifications referred to in subsection 1 and in sections 19 and 20 to the attention of the Finnish Food Authority when the animal disease has not been confirmed from a sample examined by the Finnish Food Authority. In addition, the Regional State Administrative Agency shall submit to the Finnish Food Authority on a monthly basis a compilation of the summaries referred to in subsection 1. The Finnish Food Authority shall notify the Ministry of Agriculture and Forestry of the occurrence of listed diseases, emerging diseases and other animal diseases to be combated and animal diseases to be controlled.

The municipal veterinary officer and the Regional State Administrative Agency shall notify the relevant physician responsible for infectious diseases in the municipality of animal diseases that may pose a risk to human health.

Further provisions on the content of the notifications and summaries referred to in this section, the deadlines for their compilation and the compilation procedure may be laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 23**

### **Monitoring of animal diseases**

The Finnish Food Authority shall be the competent authority referred to in Article 26 of the Animal Health Law to conduct monitoring to detect the presence of animal diseases.

In addition to the monitoring referred to in subsection 1, the Finnish Food Authority shall monitor the general health of animals and the occurrence of other animal diseases to be reported based on the notifications referred to in this chapter, laboratory examinations carried out by it, data and microbial and parasite strains provided by other laboratories, and statistical data on the cases of disease treated by veterinarians referred to in section 12, subsection 1 of the Act on Access to and Pursuit of the Profession of Veterinary Surgeon.

For the purposes of monitoring of animal health and the occurrence of animal diseases, the Finnish Food Authority may carry out compulsory screening of animals (*monitoring survey*) 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, pet keepers and hunters and catchers of wild animals are obliged to allow any examination and sampling of animals relating to the monitoring survey to take place.

The Finnish Food Authority may carry out the monitoring survey itself or order it to be carried out by another animal health authority. The sampling related to the programme and the submission of samples for examination may also be ordered to be carried out by an operator or a pet keeper or,

in the case of an examination required under European Union law for a category A–C disease or another animal disease to be combated, by a hunter or catcher of wild animals, where this is possible taking into account the nature of the samples and the skills and knowledge required for the task. Sampling related to the survey may be carried out in the context of the animal health visits referred to in Article 25 of the Animal Health Law in so far as this is permitted by the authority which implements the survey.

The Finnish Food Authority may also include wild animals and samples submitted to it for the purpose of other examinations in its monitoring survey.

Further provisions on implementing the monitoring of animal diseases required under European Union law may be laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 24**

### **Monitoring plan**

The Finnish Food Authority shall draw up a plan for the monitoring of general animal health and the occurrence of animal diseases. In respect of the monitoring set out in the Animal Health Law, the plan shall meet the design requirements laid down in Part II, chapters 2 and 3 of the said regulation. In addition, the plan shall indicate the monitoring surveys referred to in section 23 that are to be carried out and the extent and manner in which samples submitted to the Finnish Food Authority for purposes other than monitoring surveys are to be utilised in the monitoring of general animal health and the occurrence of animal diseases.

## **Chapter 5**

### **Measures in the event of suspicion or confirmation of a category A–C disease**

#### **Section 25**

##### **Measures concerning a category A–C disease**

The Regional State Administrative Agency shall attend to the epidemiological enquiry set out in Part III, Title II of the Animal Health Law and provisions laid down pursuant to it as well as to the preliminary disease combat measures and other disease combat measures laid down in the said Title and the said provisions to prevent the spread of a category A–C disease. The Regional State Administrative Agency shall without delay bring to the attention of the Finnish Food Authority any decision on preventing the spread of a disease issued to a natural or legal person.

Where suspicion of an animal disease cannot be ruled out or the disease cannot be confirmed without killing the animal, the Regional State Administrative Agency may order a kept animal to be killed.

The Regional State Administrative Agency may grant the person to whom the decision on preventing the spread of a disease has been issued an exemption from the decision in some respect where this is possible under the Animal Health Law and the provisions issued pursuant to it and there is a justified need for the exemption and the exemption does not pose a risk of spread of the disease. Conditions necessary to prevent the spread of the disease may be imposed in the exemption.

Unless otherwise provided in this Act, the Finnish Food Authority shall decide on the disease combat measures set out in Part III, Title II of the Animal Health Law and the provisions issued pursuant to it other than those referred to in subsection 1 implemented for a category A–C disease. The Finnish Food Authority shall without delay bring to the attention of the Regional State Administrative Agency a decision on disease combat measures issued to a natural or legal person.

By way of derogation from the provisions of subsections 1 and 4, provisions on authority in respect of zones are laid down below in this chapter.

## **Section 26**

### **Zones to combat a category A disease**

The Finnish Food Authority shall decide on establishing and repealing the designation of the following zones as well as on ordering the necessary prohibitions, conditions, restrictions and measures to be complied with therein:

- 1) restricted zone referred to in Part III, Title II, chapter 1, section 4 of the Animal Health Law;
- 2) infected zone referred to in Articles 63 and 103 of Commission Delegated Regulation (EU) 2020/687 supplementing Regulation (EU) 2016/429 of the European Parliament and the Council, as regards rules for the prevention and combating of certain listed diseases, determined as a measure in accordance with Part III, Title II, chapter 1, section 5 of the Animal Health Law;
- 3) temporary restricted zone referred to in Articles 9 and 75 of the Regulation mentioned in paragraph 2.

By way of derogation from subsection 1, paragraph 1, the Ministry of Agriculture and Forestry shall decide on establishing and repealing the designation of a further restricted zone referred to in Article 21, paragraph 1, point c and Article 85, paragraph 1, point c of the Regulation mentioned in subsection 1, paragraph 2 and on ordering the necessary prohibitions, conditions, restrictions and measures to be complied with therein.

In addition, for the purpose of carrying out emergency vaccinations, the Ministry of Agriculture and Forestry may by its decision establish a vaccination zone referred to in Article 69 of the Animal Health Law. In the zone, the Ministry may order the implementation of vaccinations, the animals to be vaccinated and the establishments where vaccinations are to be carried out, the vaccines to be used, the manner and frequency of vaccination, the protection area in which vaccinations are prohibited, and compliance with the necessary prohibitions, conditions, restrictions and measures laid down pursuant to Article 47 of the Animal Health Law. In addition, in the zone it may order the necessary prohibitions, conditions, restrictions and measures referred to in Article 65 of the Animal Health Law necessary to prevent the spread of animal disease. The Ministry of Agriculture and Forestry shall repeal the designation of the vaccination zone when the requirements laid down for its establishment are no longer fulfilled.

## **Section 27**

### **Restricted zone to combat a category B or C disease**

By its decision, the Finnish Food Authority may establish a restricted zone around the location where a category B or C disease occurs and order compliance within the zone with the prohibitions, conditions, restrictions and measures referred to in Article 65 of the Animal Health Law and in the provisions issued pursuant to Article 32 of the Animal Health Law that are necessary to prevent the spread of disease. The matters set out in Article 64 of the Animal Health Law and in the provisions issued pursuant to Article 32 of the Animal Health Law shall be taken into account when establishing a restricted zone and determining the boundaries of the zone. The Finnish Food Authority shall decide on repealing the designation of a restricted zone in compliance with the provisions in Article 68 of the Animal Health Law on repealing the designation of a zone established due to a category A disease.

## **Section 28**

### **Publication and communication of a decision on a zone**

The provisions laid down in chapters 9 and 10 of the Administrative Procedure Act (434/2003) on service of administrative decisions shall not apply to a decision on establishing or repealing the designation of a zone referred to in section 25 or 26 or on the prohibitions, conditions and restrictions to be complied with or measures to be implemented in the zone. The decision shall be published in the Statutes of Finland. The animal health authority shall appropriately and sufficiently communicate the decision in the municipalities where the zone is located. In addition, the decision shall be separately communicated to the operators whom the decision concerns known to the animal health authority.

## **Section 29**

### **Exemptions from a decision on a zone**

Exemptions from the prohibitions, conditions and restrictions to be complied with and measures to be implemented in a zone established by the Finnish Food Authority that are permitted under European Union law, applicable to individual cases and requiring case-by-case risk assessment, may be granted by the Regional State Administrative Agency if the exemption does not pose a risk of spread of an animal disease. An exemption is granted upon application. The conditions necessary to combat the animal disease shall be imposed in the exemption.

Upon application, the Regional State Administrative Agency may in an individual case grant an exemption from the prohibitions, conditions and restrictions to be complied with and measures to be implemented in a further restricted zone referred to in section 26, subsection 2 or in a vaccination zone if an exemption is permitted under the decision of the Ministry of Agriculture and Forestry on the zone and it does not pose a risk of spread of an animal disease. The conditions necessary to combat the animal disease shall be imposed in the exemption.

## **Section 30**

### **Killing of animals in a zone established due to a category A disease**

By its decision, the Finnish Food Authority may order the killing or slaughter of animals of a listed species kept in establishments located in a temporary restricted zone, restricted zone or further restricted zone established due to a category A disease if the animal disease threatens to spread elsewhere in the country despite the measures referred to in this chapter, the zone has a large number of animals of a listed species that cannot be protected from infection, and the killing or slaughter of the animals is necessary to prevent the spread of an animal disease. The Finnish Food Authority may also order that, if animals cannot be killed quickly enough to prevent the spread of the animal disease, they shall be vaccinated prior to killing or slaughter.

## **Section 31**

### **Further provisions on combating category A–C diseases**

Further provisions on combat measures against category B and C diseases necessary to combat an animal disease are laid down by decree of the Ministry of Agriculture and Forestry in compliance with the Animal Health Law and the provisions issued pursuant to it.

Provisions necessary to combat an animal disease and supplementary to the Animal Health Law and the provisions issued pursuant to it may also be laid down by decree of the Ministry of Agriculture and Health in compliance with Article 71 of the Animal Health Law on the following:

- 1) examination, preliminary disease combat measures and epidemiological enquiry carried out due to a suspected category A–C disease;
- 2) combat measures against a category A disease;
- 3) establishing and repealing the designation of a zone referred to in sections 26 and 27, the determination of the boundaries and parts of the zones, and the prohibitions, conditions and restrictions to be complied with in the zones and the measures to be implemented there as well as any exemptions therefrom;
- 4) measures relating to the killing of animals referred to in section 30 and the conditions for and extent of their application in respect of each category A disease.

## **Chapter 6**

### **Measures in the event of suspicion or confirmation of another animal disease to be combated or an animal disease to be controlled**

#### **Section 32**

##### **Determining the disease situation and preventing the spread of the disease**

Where, based on a notification referred to in section 19 or 20 or for another reason, an animal is suspected to have another animal disease to be combated or an animal disease to be controlled, the animal health authorities shall seek to determine the disease situation without delay. For this purpose, the animal health authorities may carry out the examinations on which provisions are laid down in Article 54 of the Animal Health Law in respect of a category A disease. If the Regional State Administrative Agency, based on examinations or for another reason, suspects an animal to have another animal disease to be combated or an animal disease to be controlled or the presence of such a disease has been confirmed, the Regional State Administrative Agency may carry out necessary epidemiological enquiries as well as measures to prevent the spread of an animal disease on which provisions in respect of a category A disease are laid down in Articles 55–57 and Article 70 of the Animal Health Law. The Regional State Administrative Agency shall without delay bring to the attention of the Finnish Food Authority any decision issued by it to a natural or legal person in order to prevent the spread of the disease.

Where a suspicion of another animal disease to be combated cannot be ruled out or the presence of the disease cannot be confirmed without killing the animal, the Regional State Administrative Agency may order a kept animal to be killed. Where taking measures that concern wild animals requires a permit referred to in the Nature Conservation Act (1096/1996), the Hunting Act

(615/1993) or the Fishing Act (379/2015), the Regional State Administrative Agency shall be responsible for obtaining the permit.

The Regional State Administrative Agency may grant to the person to whom the decision to prevent the spread of a disease has been issued an exemption from the decision in some respect if there is a justified need for an exemption and the exemption does not pose a risk of spread of the disease. Conditions necessary to prevent the spread of the animal disease may be imposed in the exemption.

Further provisions may be laid down by decree of the Ministry of Agriculture and Forestry on the measures to be taken to determine the disease situation and prevent the spread of the disease in respect of each other animal disease to be combated or animal disease to be controlled, the measures for which the exemption referred to in subsection 3 may be granted, and the conditions for granting the exemption.

### **Section 33**

#### **Combat measures against another animal disease to be combated**

When the occurrence of another animal disease to be combated has been confirmed, the Finnish Food Authority may take the necessary measures to eradicate the disease from the establishment or other location where the animals are kept. For this purpose, the measures on which provisions are laid down in Articles 60–62 and Article 70 of the Animal Health Law in respect of a category A disease may be implemented.

Further provisions on the measures to be taken to eradicate each other animal disease to be combated may be laid down by decree of the Ministry of Agriculture and Forestry.

### **Section 34**

#### **Period of validity of a decision to prevent spread of disease**

The Regional State Administrative Agency shall without delay withdraw the decision referred to in section 32, subsection 1 when it no longer suspects the presence of an animal disease. The decision shall also be withdrawn without delay when it has been possible to verify through laboratory examinations or in another adequate manner that the animal disease is no longer present at the establishment or other location or that the animal disease no longer poses a risk to human or animal health as a consequence of the disease combat measures taken.

Anyone who takes measures to eradicate an animal disease to be controlled shall notify the municipal veterinary officer of the measures in advance if this is necessary to ensure freedom from the disease.

Further provisions may be laid down by decree of the Ministry of Agriculture and Forestry on the manner adequate in respect of each animal disease to ensure that the disease is no longer present at the establishment or other location or that the animal disease no longer poses a risk.

Provisions are laid down by decree of the Ministry of Agriculture and Forestry on animal diseases to be controlled for which the measures to eradicate them shall be notified in the manner laid down in subsection 2. Further provisions on the content of the notification may be laid down by decree of the Ministry of Agriculture and Forestry.

### **Section 35**

#### **Decision to eradicate an animal disease to be controlled upon application of the animal owner**

When the presence of an animal disease to be controlled is suspected or confirmed, the Finnish Food Authority may, upon application of the owner of the animal, issue a decision on killing or slaughtering one or more animals kept at the establishment. The decision may only be issued in cases where the decision taken to prevent the spread of an animal disease considerably hampers the keeping of animals for financial reasons or reasons related to animal welfare and where killing or slaughtering the animals is necessary to eradicate the disease from the establishment. Issuing the decision requires the operator to undertake to carry out the cleaning and disinfection measures at the establishment that are required for withdrawing the decision taken to prevent the spread of an animal disease. The owner of the animal shall be responsible for the implementation of the decision.

Provisions on animal diseases whose occurrence or suspected presence nonetheless does not justify a decision to kill or slaughter an animal are laid down by decree of the Ministry of Agriculture and Forestry.

### **Section 36**

#### **Disease combat carried out pursuant to the TSE Regulation**

The provisions laid down in sections 32–34 shall not apply to the prevention and eradication of bovine spongiform encephalopathies (BSE) or of scrapie in ovine and caprine animals, which are governed by the TSE Regulation.

The Regional State Administrative Agency shall be responsible for the tasks of the competent authority set out in Articles 12 and 13 of the TSE Regulation. However, the disease combat measures set out in Article 13, paragraph 1, point c shall be decided by the Finnish Food Authority.

Upon application, the Regional State Administrative Agency may in an individual case grant an exemption from a decision including movement restrictions taken to prevent the spread of a disease if provisions to that effect are laid down in the TSE Regulation and there is justified need for the exemption and the exemption does not give rise to the risk of spread of an animal disease. Conditions necessary to prevent the spread of an animal disease may be imposed in the exemption.

Necessary provisions supplementing the TSE Regulation on the duties of the authority referred to in subsection 2 and granting the exemption provided in subsection 3 may be laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 37**

### **Restricted area**

A restricted area may be established in an area where:

- 1) another animal disease to be combated or an animal disease to be controlled occurs which cannot be quickly eradicated due to geographical, ecological or epidemiological factors or due to the wide spread of the disease; or
- 2) a disease that is another animal disease to be combated or an animal disease to be controlled in other parts of the country but not in the area in question occurs and establishing a restricted area is justified in order to safeguard the good animal disease situation in other areas.

The decision on establishing a restricted area and repealing its designation shall be taken by the Ministry of Agriculture and Forestry. In establishing a restricted area and determining its boundaries, geographical, administrative, ecological and epidemiological factors and possibilities for surveillance shall be taken into account. The designation as a restricted area shall be repealed when the conditions provided for its establishment no longer exist.

In so far as this is necessary to prevent the spread of animal disease, the decision on the restricted area may, in compliance with the Animal Health Law:

- 1) prohibit the transport and other movement within and from the restricted area of animals, products, means of animal transport and any materials and goods that may spread animal disease, restrict it or impose conditions on it;
- 2) order that animals or products may not be moved from the restricted area unless they have been treated to remove any infection or unless the animals have been kept in quarantine, and determine the permitted uses of the animals or products;

- 3) order operators and pet keepers to provide the animal health authority with information about the species, numbers and identification markings of animals brought to and moved from an establishment or other location located in the restricted area;
- 4) order animal transporters and animal dealers to provide the animal health authority with information about the animals they have transported or dealt in within, from or to the restricted area, the transport of such animals and the sale and purchase transactions of the animals dealt in;
- 5) order an obligation on operators to mark animals originating in the restricted area and products of animal origin with a marking that depicts their origin, freedom from animal disease and treatment, or to add the marking to the documents that accompany the animals and products;
- 6) order that anyone who moves animals or products of animal origin from the restricted area must prove the origin and freedom from animal disease of the animals and products with an animal health certificate issued by the municipal veterinary officer;
- 7) order the mass killing or slaughter of animals kept at establishments located in the restricted area in compliance with the conditions laid down in section 30 with regard to a restricted zone.

The provisions laid down in sections 28 and 29 on a restricted zone also apply to a restricted area.

Further provisions may be laid down by decree of the Ministry of Agriculture and Forestry on the conditions for establishing a restricted area and on the prohibitions, conditions, restrictions and measures referred to in subsection 3 as well as on the extent to which they shall be ordered to be applied in respect of another animal disease to be combated or an animal disease to be controlled.

## **Section 38**

### **Measures to prevent the spread of certain zoonoses**

If the presence of a zoonosis only categorised as a category D or E disease or as another animal disease to be reported is suspected or confirmed at an establishment where animals are displayed or animal-related leisure pursuits take place on a professional basis, the operator shall be obliged to communicate the matter to visitors to the establishment and to take the necessary measures to protect them from infection.

Where necessary to prevent a risk to human health, in a case referred to in subsection 1 the Regional State Administrative Agency may carry out or order the municipal veterinary officer to carry out an examination of the establishment to determine the disease situation and by a decision issued to the operator give orders on the following:

- 1) cleaning and disinfection of equipment and tools used at the establishment;

- 2) keeping and use of products, materials and goods kept at the establishment which may carry infection;
- 3) cleaning and disinfection of animal housing facilities and surfaces that are in contact with the animals;
- 4) combating and monitoring of vermin;
- 5) manner in which visitors to the establishment are advised to protect themselves from infection; and
- 6) medication of animals kept at the establishment.

## **Chapter 7**

### **Approval of certain establishments**

#### **Section 39**

##### **Approval of establishments for movements of terrestrial animals and products thereof**

Decisions on the approval of establishments referred to in Articles 94 and 95 of the Animal Health Law shall be taken by the Regional State Administrative Agency.

The exemptions concerning the activities of an approved germinal product establishment by the authority of the home Member State provided for in Commission Delegated Regulation (EU) 202/868 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards the approval of germinal product establishments and the traceability and animal health requirements for movements within the Union of germinal products of certain kept terrestrial animals shall be decided by the Regional State Administrative Agency.

Necessary provisions required for the implementation of the Animal Health Law on the procedures relating to the approval or exemption referred to in this section may be laid down by decree of the Ministry of Agriculture and Forestry.

#### **Section 40**

##### **Approval of a semen collection centre for domestic trade**

Where under the Animal Health Law the collection of the semen of bovine, porcine, ovine, caprine or equine animals does not require the approval referred to in Article 94 of the Animal Health Law and no such approval has been granted, the said semen may only be collected at a semen collection centre approved in accordance with this section. However, the requirement shall not apply to collection of semen used only to inseminate own animals at the establishment where the semen is collected.

A semen collection centre is approved by the Regional State Administrative Centre upon application. The approval is subject to the following conditions:

- 1) facilities of the centre are suited for animal keeping and isolation, sperm collection, processing and storage, and equipment maintenance;
- 2) facilities of the centre have been designed and built and are capable of being maintained in a manner that allows the efficient prevention of the spread of animal disease;
- 3) preventing the spread of animal diseases at the centre is the responsibility of a designated veterinarian;
- 4) personnel of the centre possess sufficient knowledge and skills to perform their duties.

The application for approval shall indicate the contact information of the operator and the semen collection centre and it shall be accompanied by a description of the activities to be carried out at the centre and a report on the matters referred to in subsection 2. Conditions necessary to prevent the spread of animal diseases may be imposed in the approval decision.

The Finnish Food Authority shall provide the approved collection centre with a national approval code.

Further provisions on the conditions for approval and the approval procedure may be laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 41**

### **Approval of embryo collection team for domestic trade**

Where under the Animal Health Law the collection of the embryos of bovine, porcine, ovine, caprine or equine animals from donor animals or the in vitro production of embryos from collected oocytes does not require the approval referred to in Article 94 of the Animal Health Law and no such approval has been granted, the said activities may only be carried out by an embryo collection team approved in accordance with this section.

The embryo collection team is approved by the Regional State Administrative Agency. The approval is subject to the following conditions:

- 1) collection team has as its disposal appropriately equipped facilities for the examination, processing, storage and packing of embryos and for equipment maintenance;
- 2) designated veterinarian who is a member of the team is responsible for the activities of the collection team;

3) members of the collection team possess sufficient knowledge and skills to perform their duties.

If the embryo collection team carries out embryo production, the members of the team shall also possess sufficient knowledge and skills of the methods used for embryo production and the hygiene requirements relating to the production and of combating animal diseases. In addition, the team shall have at its disposal appropriately equipped permanent facilities for oocyte collection, the storage and processing of the gametes used in embryo production and the production and storage of embryos.

The application for approval of an embryo collection team shall indicate the contact information for the members of the team and the contact information for the permanent facilities for activities, if any. The application shall be accompanied by a description of the activities of the team and a report on the fulfilment of the conditions for approval. Conditions necessary to prevent the spread of animal diseases may be imposed in the approval decision.

The Finnish Food Authority shall provide the approved embryo collection team with a national approval code.

Further provisions on the conditions for approval and the approval procedure may be laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 42**

### **Activities of a sperm collection centre and embryo collection team approved for domestic trade**

At the semen collection centre approved in accordance with section 40 above, semen may only be collected from healthy animals and where it has been possible to adequately ensure that the establishment where they are kept is free from semen-born animal diseases. The health of the animals kept at the centre shall be monitored continuously for the presence of any animal diseases in the animals. The collection, processing and storage of semen at the semen collection centre shall be organised in such a way that the good hygienic quality and freedom from animal diseases of the semen can be ensured and that animal diseases cannot spread to the centre.

The embryos collected and oocytes used for embryo production by the embryo collection team in accordance with section 41 above shall be derived from healthy animals and where it has been possible to adequately ensure that the establishment where they are kept is free from animal diseases. The collection team shall carry out the collection of embryos and oocytes, detachment of ovaries, examination and production of embryos and processing and storage of embryos and the

gametes used in their production in such a way that the good hygienic quality and freedom from animal diseases of the embryos can be ensured.

Any substantial changes in activities shall be notified to the Regional State Administrative Agency without delay.

Further provisions may be laid down by decree of the Ministry of Agriculture and Forestry on the health requirements for animals brought to and kept at a sperm collection centre approved in accordance with section 40 and for the embryos collected and gametes used in embryo production by a collection team approved in accordance with section 41 and on the arrangements of the activities of the centre or collection team to prevent the spread of animal diseases.

### **Section 43**

#### **Approval of aquaculture establishments and disease control aquatic establishments**

The approval referred to in Articles 176–179 of the Animal Health Law for aquaculture establishments and disease control aquatic establishments shall be decided by the Finnish Food Authority.

[https://ec.europa.eu/food/system/files/2021-07/ah\\_ahl\\_btsf\\_training\\_20210621\\_3-5.pdf](https://ec.europa.eu/food/system/files/2021-07/ah_ahl_btsf_training_20210621_3-5.pdf)

However, approval need not be obtained for:

- 1) operations of a hatchery that only produces fingerlings from wild brood fish in the region for restocking as newly hatched in the same region;
- 2) operations of the type of establishment referred to in Article 176, paragraph 2, points a–c of the Animal Health Law unless the risk referred to in that Article is associated with the establishment;
- 3) for operations of the type of establishment referred to in Article 3, paragraph 1, points b–e of Commission Delegated Regulation (EU) 2020/691 supplementing Regulation (EU) 2016/429 of the European Parliament and of Council as regards rules for aquaculture establishments and transporters of aquatic animals unless the risk referred to in that Article is associated with the establishment.

The Finnish Food Authority shall conduct a risk assessment within one month of the operator submitting the registration notification referred to in Article 172 of the Animal Health Law or the notification of any significant changes in the establishment referred to in that Article. The risk assessment shall be based on the information provided and on any other information on the operations obtained pursuant to this Act. The risk assessment shall take into account the animal

movement practices and, with regard to establishments other than establishments of aquatic animals for ornamental purposes, the location of the establishment as well.

Further provisions on approval procedures required for the implementation of the Animal Health Law may be laid down by decree of the Ministry of Forestry and Agriculture. Further provisions may also be laid down by decree of the Ministry of Agriculture and Forestry on the matters to be taken into account in the risk assessment and on the small quantities referred to in Article 176, paragraph 2, point a of the Animal Health Law.

## **Chapter 8**

### **Movements of animals and products**

#### **Section 44**

##### **Animal health certificates**

The municipal veterinary officer issues the animal health certificate referred to in Part IV, Titles I and II of the Animal Health Law and signs the journey log of a travelling circus or animal exhibition.

Provisions may be laid down by decree of the Ministry of Agriculture and Forestry on the application of exemptions set out in the Animal Health Law or provisions issued pursuant to it other than those referred to in Article 209 of the Animal Health Law under which a Member State or a competent authority may authorise the movement of animals and products without an accompanying animal health certificate.

#### **Section 45**

##### **Notifications of operators and authorities relating to movements**

The municipal veterinary officer accepts the notifications referred to in Part IV, Titles I and II of the Animal Health Law or set out in provisions laid down pursuant to the Animal Health Law of intended movements of animals or products to other Member States which an operator shall submit to the competent authority of the Member State of origin.

The municipal veterinary officer also accepts the notifications referred to in Part IV, Titles I and II of the Animal Health Law which an operator shall submit to the competent authority if a consignment received is found not to fulfil the requirements for movements in all respects.

The municipal veterinary officer or the Regional State Administrative Agency shall submit to the competent authority of the Member State of destination the notifications of intended movements of animals and products for which the competent authority of the Member State of origin is

responsible under the Animal Health law or provisions laid down pursuant to it. However, the municipal veterinary officer or the Regional State Administrative Agency may entrust to the operator the recording of the basic information required for the notification in the electronic information management system for official controls referred to in the Official Controls Regulation and, when no animal health certificate is required for the movement, the preparation of the notification and its submission via the system as well. An operator that records information in the electronic information management system, or their representative, shall have the right to obtain access rights to the system free of charge from the control authority.

## **Section 46**

### **Obligation to provide information to customers of passenger traffic and postal services between Member States**

Passenger transport operators and operators of ports and airports used for passenger transport between Member States as well as tour operators selling foreign travel shall provide passengers and operators of postal services between Member States and their customers with information on the prohibitions of cross-border movements of animals and products and of other protection measures due to an outbreak of a category A or B disease or an emerging disease confirmed in Finland or in another Member State. However, the obligation to provide information only applies if the relevant animal disease threatens to spread via passenger traffic or postal services.

The Finnish Food Authority shall be responsible for producing the information content to be provided.

Further provisions on the outbreaks and operators to which the obligation laid down in subsection 1 applies are laid down by Government decree. Further provisions on the minimum requirements for manners of information provision may also be laid down by Government decree.

## **Section 47**

### **Restrictions of intra-country movements to safeguard disease-free status or implementation of an eradication programme**

Terrestrial animals and products thereof may not be moved from the territory of Finland into or via an area or compartment that has disease-free status or in which an eradication programme is being implemented in a way that jeopardises the retention of the status or the implementation of the eradication programme. Provisions on the restrictions of intra-country transfers of aquatic animals are laid down in Part IV, Title II of the Animal Health Law.

Further provisions required for the implementation of the Animal Health Law on the restrictions of movements between different areas referred to in subsection 1 are laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 48**

### **Release of animals into the wild**

Terrestrial animals may not be released into the wild if the person releasing them knows or suspects that they may be capable of spreading an animal disease that may be harmful to other animals or to humans. Provisions on the release into the wild of aquatic animals are laid down in Part IV, Title II of the Animal Health Law.

Aquatic animals released into the wild that originate in Finland or another Member State and belong to a listed species in respect of category B or C disease shall originate in an area or compartment that has disease-free status for the disease in question.

Further provisions in compliance with the Animal Health Law may be laid down by decree of the Ministry of Agriculture and Forestry on the health requirements for terrestrial animals to be released into the wild.

## **Section 49**

### **Movements requiring the consent of the Finnish Food Authority**

As the competent authority of the place of destination or the Member State of destination, origin or transit, the Finnish Food Authority shall in individual cases decide on allowing the movement of animals or products in the following cases:

- 1) movement of terrestrial or aquatic animals or of germinal products of terrestrial animals for the scientific purposes set out in Article 138, 165 or 204 of the Animal Health Law;
- 2) movement of wild terrestrial animals set out in Article 155 of the Animal Health Law;
- 3) movement permitted by a national exemption applied by another Member State of terrestrial animals to a territory that has disease-free status or in which an eradication programme is being implemented;
- 4) movement of terrestrial animals for disease eradication purposes as set out in Article 128 and Article 157, paragraph 4 of the Animal Health Law;
- 5) movement of germinal products to a gene bank set out in Article 45 of the Delegated Regulation mentioned in section 39, subsection 2, or movement of germinal products from other than an approved establishment as set out in Article 13 of the said Regulation;

- 6) movement of primates from establishments other than confined establishments set out in Article 63, paragraph 2 of Commission Delegated Regulation (EU) 2020/688 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council, as regards animal health requirements for movements within the Union of terrestrial animals and hatching eggs;
- 7) non-commercial movement of pets referred to in Article 32 of the Pets Regulation that does not fulfil all requirements laid down for it;
- 8) movement of aquatic animals which under Articles 193, 196, 198, 201 and 209 requires the permission of the Member State or the competent authority and which does not derogate from the provisions of section 48, subsection 2.

Unless otherwise provided in or pursuant to the Animal Health Law, the application by an operator or pet keeper to allow a movement referred to in subsection 1 shall indicate the contact information of the applicant as well as information on the animals, germinal products and products to be moved. The application shall be accompanied by a description of the activities for the purpose of which the animals or products are to be moved as well as the information necessary to assess the risk of spread of animal diseases.

Besides the provisions of and issued pursuant to the Animal Health Law, allowing a movement is subject to the condition that the movement does not pose a risk of spread of animal diseases. The decision to allow the movement shall, where necessary, impose the conditions necessary to prevent the spread of animal diseases.

For the performance of its duties, the Finnish Food Authority may without separate decision move animals or products referred to in subsection 1, paragraph 1 to Finland provided that these do not pose a risk of the spread of animal diseases.

Further provisions in compliance with the Animal Health Law may be laid down by decree of the Ministry of Agriculture and Forestry on the application procedure for allowing the movement referred to in subsection 1.

## **Section 50**

### **Application of the provisions on terrestrial or aquatic animals to other animals**

The provisions laid down in this chapter or in chapter 7 on terrestrial or aquatic animals shall also apply to other animals to the extent set out in the provisions issued pursuant to Articles 227 and 228 of the Animal Health Law.

## **Section 51**

### **National supplementary provisions**

By decree of the Ministry of Agriculture and Forestry:

- 1) provisions may be laid down on the application of the exemptions set out in or pursuant to the Animal Health Law which concern examinations of animals or products to be moved, vaccinations given to animals to be moved, cleaning of transport vehicles used to move animals, allowing the assembly of animals to be moved in the means of transport, the movement of animals or products to an area or compartment which has disease-free status or in which an eradication programme is being implemented, or activities taking place in the vicinity of the national border;
- 2) provisions permitted by the Animal Health Law may be laid down on disease prevention and risk mitigation measures concerning the movement of aquatic animals from one habitat to another;
- 3) in the manner permitted by the Pets Regulation, provisions may be laid down on exemptions from vaccination requirements for young pet animals and from the requirements applicable to non-commercial movements of pets of the species listed in Annex I, Part B of that Regulation;
- 4) further provisions permitted by the TSE Regulation or required for its implementation may be laid down on the TSE combat requirements concerning the intra-Union trade in live animals, semen and embryos;
- 5) provisions relating to the implementation of Part IV of the Animal Health Law, the Pets Regulation or the provisions issued pursuant to them may be laid down on the movements of animals or products if required by the said European Union provisions.

## **Chapter 9**

### **Export and import of animals and products**

#### **Section 52**

##### **Eligibility for export of animals and products**

Only animals and products whose origin can be adequately verified may be moved from Finland to a state other than a Member State. The animals and products shall be marked in a way that allows them to be linked to the relevant certificates and documents. Export may not jeopardise public health or animal health in Finland, the state of destination or the state of transit.

Besides the provisions of subsection 1, the animals and products shall comply with the animal health requirements applicable to animals and products moved to other Member States unless the state of destination requires the requirements imposed by it to be complied with in export. Where

the export of animals and products to a state other than a Member State has been agreed in a bilateral agreement between the European Union and that state or its region, the animals and products exported shall comply with the provisions of the said agreement.

The exporter shall be responsible for fulfilling the requirements applicable to export. The exporter shall also be responsible for finding out the requirements imposed by the state of destination and, if the export consignment is transported via a state other than a Member State, of the transit requirements imposed by that state as well.

Provisions required for the implementation of the European Union legislation on eligibility for export may be laid down by decree of the Ministry of Agriculture and Forestry.

### **Section 53**

#### **Obligation of exporter to register and registration procedure**

Animals and products that may pose more than a minor risk of spread of animal diseases may be moved to a state other than a Member State only by a party that has registered in the register kept by the Finnish Food Authority.

The registration notification shall be submitted to the Finnish Food Authority. The notification shall indicate the contact information of the exporter and information on the animals or products which the registration concerns as well as the state to which the animals or products are to be exported. When exporting animals, the unique registration number referred to in Article 93 of the Animal Health Law issued to the establishment and when exporting products, the approval number issued to the food premises pursuant to the Food Act or, in the absence of an approval number, a similar identifier, shall be given. The registration remains in force for three years from the submission of the notification and it may be renewed.

Further provisions on the animal species and products to the export of which the obligation to register applies are laid down by decree of Ministry of Agriculture and Forestry.

### **Section 54**

#### **Export certificates and inspections and use of the electronic information management system**

The official animal health certificate required to accompany animals and products exported to a state other than a Member State is issued by the municipal veterinary officer at the request of the exporter. Before issuing the certificate, the municipal veterinary officer shall inspect the animals and their establishment and the products if the eligibility of the animals and products for export

and fulfilment of the import requirements of the state of destination and any requirements relating to transit cannot be ascertained by other means.

The electronic information management system for official controls referred to in the Official Controls Regulation shall be used in drawing up or submitting the animal health certificates whenever this is possible and there is no impediment to the use of the system arising from the state of destination. The exporter shall be responsible for providing the basic information required for drawing up the animal health certificate and, upon request, also for recording this information in the electronic information management system.

The municipal veterinary officer shall notify the Finnish Food Authority if learning, after having issued the certificate, of a suspected or confirmed outbreak that would have prevented the issue of the certificate. The Finnish Food Authority shall bring the matter to the attention of the competent authority of the state of destination.

Further provisions may be laid down by decree of the Ministry of Agriculture and Forestry on the performance of the export inspection, the form of the animal health certificate and the procedure for its issue, and on the use of the electronic information management system for official controls in export.

## **Section 55**

### **Keeping of information and documents on exported animals and products**

An exporter shall keep for a period of five years the following information on the animals and products the exporter has moved to a state other than a Member State the export of which requires registration under section 53:

- 1) information on the animals and products and their identifiers;
- 2) quantities of animals and products;
- 3) place of departure and place of destination of the dispatch;
- 4) time of the dispatch; and
- 5) information on the documents issued by an authority which accompanied the dispatch.

Further provisions on the information to be kept may be laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 56**

### **Specific provisions on control of imports of animals and products**

The provisions on the control of imports of animals and products from a state other than a Member State to Finland or via Finland to another Member State are laid down in the Act on Import Controls of Animals and Certain Goods (1277/2019) in so far as provisions on control are not laid down in this section.

Where the import referred to in subsection 1 is associated with a requirement set out pursuant to Part V of the Animal Health Law for authorisation or risk assessment by the competent authority of the Member State of destination or transit, the decision on such authorisation or risk assessment shall be taken by the Finnish Food Authority.

The municipal veterinary officer shall attend to the inspections and examinations related to the import referred to in subsection 1 which under provisions issued pursuant to Part V of the Animal Health Law shall be carried out at the destination. Where under provisions issued pursuant to Part V of the Animal Health Law animals shall be kept in post-entry quarantine, the decision on release from quarantine shall be taken by the municipal veterinary officer.

## **Section 57**

### **National competence in the absence of European Union import requirements**

Provisions may be laid down by decree of the Ministry of Agriculture and Forestry in compliance with Articles 230, 234 and 238 of the Animal Health Law and Article 14, paragraph 3 of the Pets Regulation on the animal health requirements to be fulfilled by the species or categories of animals or products imported to Finland from a state other than a Member States or the health certificates concerning these, and on the countries and areas from which the said animals or products may be imported, if animal or product import requirements or lists of countries and areas are not set out under Part V of the Animal Health Law, the Pets Regulation or other European Union law.

## **Chapter 10**

### **Emergency measures and emerging diseases**

## **Section 58**

### **Measures when a risk of spread of a disease is associated with an animal or product moved to Finland**

Where an outbreak of a category D disease or emerging disease is confirmed in another Member State and it poses a risk in Finland through an animal or product moved to or via Finland from the area in question or through means of transport or goods in contact with such an animal or product, the Finnish Food Authority may, by its decision, order as an emergency measure under Article 258 of the Animal Health Law:

- 1) animal to be killed, kept in isolation at the place of destination or elsewhere, placed in quarantine, or returned to the Member State from which it was moved if the competent authority of the Member State in question approves the return;
- 2) product to be destroyed, treated so as to remove the risk of spread of animal disease, stored until the risk of an animal disease spreading associated with it has been determined, or returned to the Member State from which the product was imported if the competent authority of the Member State in question approves the return; or
- 3) cleaning or disinfection of a means of transport or good.

The decision of the Finnish Food Authority referred to in subsection 1 may impose conditions necessary to the performance of the measures and orders on necessary examinations to be carried out on the animal in the context of isolation or quarantine. The operator or pet keeper shall be responsible for performing the measures and liable for the costs arising therefrom.

The Finnish Food Authority shall without delay notify the Ministry of Agriculture and Forestry of its decision referred to in subsection 1.

## **Section 59**

### **Prohibition of movement due to sudden threat of spread of a disease**

By its decision, the Ministry of Agriculture and Forestry may prohibit the movement of animals and products as well as objects and materials that have been in contact with these to another Member State or via another Member State to a state other than a Member State, its area or compartment, or restrict such movement or impose conditions on it:

- 1) in order to implement Article 42, paragraph 1, point a of the Animal Health Law;
- 2) as an emergency measure referred to in Part VII of the Animal Health Law when a category D disease or emerging disease occurs in Finland and the measures set out in and pursuant to the Animal Health Law and this Act are not sufficient to prevent the spread of the animal disease or to safeguard the preconditions for trade between Member States.

The provisions laid down in chapters 9 and 10 of the Administrative Procedure Act on service of administrative decisions shall not apply to the decision referred to in subsection 1 above. The decision shall be published in the Statutes of Finland and the Finnish Food Authority shall communicate the decision to the operators and keepers whom the decision concerns known to the animal health authority.

## **Section 60**

### **Temporary transport prohibition**

In the event of the confirmed or suspected occurrence of a category A or B disease or emerging disease in Finland with an unknown distribution or which threatens to continue spreading despite the measures referred to in chapter 5, the Finnish Food Authority may, as an emergency measure referred to in Part VII of the Animal Health Law for reasons necessary to prevent the spread of a disease and determine the disease situation, by its decision prohibit or restrict the transport of animals in the entire country or in a part thereof. This decision may remain in force for no more than 14 days in respect of transport of animals of listed species and for no more than 3 days in respect of transport of other animals. When the conditions laid down for imposing the prohibition or restriction no longer exist, the decision shall be withdrawn without delay.

Where it is necessary to maintain in force a prohibition or restriction of the transport of animals of a listed species for longer than allowed under subsection 1 due to the wide distribution or significant risk of spread of animal diseases, the Ministry of Agriculture and Forestry may by its decision extend the prohibition or restriction. When the said conditions are fulfilled, the Finnish Food Authority shall submit to the Ministry of Agriculture and Forestry an initiative to extend the prohibition or restriction. When the conditions laid down for imposing the prohibition or restriction no longer exist, the decision of the Ministry of Agriculture and Forestry shall be withdrawn without delay.

The decision referred to in subsections 1 and 2 above and the decision on its withdrawal shall be published in the Statutes of Finland. The decision shall be adequately and appropriately communicated by the Finnish Food Authority.

In individual cases, the Regional State Administrative Agency may, upon application, grant an exemption from the prohibition or restriction referred to in this section provided that such exemption does not pose a risk of spread of animal diseases.

## **Section 61**

### **Powers to decide on other emergency measures and measures concerning emerging diseases**

Article 6 of the Animal Health Law lays down the provisions on the powers of the Commission to lay down provisions by means of implementing acts on measures to combat emerging diseases.

Provisions are laid down by decree of the Ministry of Agriculture and Forestry on taking measures other than the emergency measures under Articles 257, 258, 260 and 262 of the Animal Health

Law provided in sections 58–60 to combat a category D disease or an emerging disease. The measures must be necessary in order to prevent the spread of an animal disease or determine the disease situation. Further provisions on the content of emergency measures may be laid down by decree of the Ministry of Agriculture and Forestry.

The decision on the measures referred to in subsections 1 and 2 above issued to a natural or legal person in an individual case or the decision on the establishment of a restricted zone and on the prohibitions, conditions, restrictions and measures to be complied with therein shall be taken by the Regional State Administrative Agency or the Finnish Food Authority in accordance with the division of their powers laid down in this Act.

## **Chapter 11**

### **Laboratories and handling of disease agents**

#### **Section 62**

##### **Official laboratories for animal health**

The Finnish Food Authority is the national reference laboratory for listed diseases and other animal diseases to be combated and animal diseases to be controlled. In respect of animal diseases whose occurrence in Finland is highly unlikely and in respect of which arranging reference laboratory operations in Finland is not feasible in view of the costs involved or other considerations, a suitable foreign laboratory designated by the Ministry of Agriculture and Forestry after consultation with the Finnish Food Authority shall act as the national reference laboratory.

The official laboratories referred to in Article 37 of the Official Controls Regulation shall be designated by the Finnish Food Authority. The provisions on designation are set out in the Official Controls Regulation. The Finnish Food Authority itself also acts as an official laboratory.

The examinations of samples taken in the context of official controls and other measures of the authorities laid down in the animal health legislation shall take place at a laboratory referred to in subsection 1 or 2 (*official laboratory for animal health*).

#### **Section 63**

##### **Examination of samples for animal diseases other than ones taken by the authorities**

Samples other than those referred to in section 62, subsection 3 taken for a category A–C disease or another animal disease to be combated or an animal disease to be controlled may only be examined at an official laboratory, an official laboratory of another Member State or an own-check laboratory designated by the Finnish Food Authority.

Own-check laboratories are designated by the Finnish Food Authority upon application. A condition for designation as an own-check laboratory is that the competence of the laboratory has been demonstrated in accordance with the Act on Verifying the Competence of Conformity Assessment Services (920/2005) on the basis of accreditation or competence assessment equivalent with accreditation. A laboratory approved to examine samples for category A–C diseases shall have in place a written description of the procedures and measures to prevent the escape of disease agents outside the laboratory. A laboratory which examines samples that the operator has taken or has had taken in the manner required for compulsory zoonosis control laid down in section 11 shall fulfil the requirements set out in Article 12, paragraph 2 of the Zoonoses Regulation. The competence of an own-check laboratory shall be assessed at least every three years.

Upon application, the Finnish Food Authority may designate a laboratory located in another Member State to examine the samples referred to in subsection 1 provided that the competence of the laboratory has been demonstrated in the said Member State on the basis of accreditation or competence assessment equivalent with accreditation.

Samples other than those referred to in section 62, subsection 3 taken for an animal disease other than a category D or E disease or another animal disease to be reported referred to in subsection 1 may be examined in Finland only in an official laboratory for animal health or a laboratory that has submitted advance notification of its operations to the Finnish Food Authority. A laboratory subject to the obligation to notify shall use scientifically valid analysis methods, possess technical competence and produce reliable results. The staff of the laboratory shall hold the qualifications and competence required for their duties. The notification on the operations of the laboratory shall indicate the contact information of the operator and the laboratory as well as the animal diseases referred to in this subsection that are examined at the laboratory and the information on the analysis methods necessary to assess their validity.

The provisions laid down in subsections 1 and 4 shall not apply to the samples referred to in the legislation on foods or feeds.

Further provisions may be laid down by decree of the Ministry of Agriculture and Forestry on the conditions required under European Union law for laboratory designation and on the content of the notification referred to in subsection 4 and notification procedure.

## **Section 64**

### **Other handling and movement of disease agents**

For purposes other than examination of the samples referred to in section 62 or 63, microbial and parasitic disease agents of a category A–C disease or another animal disease to be combated may

be held, moved, examined or otherwise handled only at the Finnish Food Authority or the Finnish Institute for Health and Welfare or with the permission of the Finnish Food Authority.

The permission referred to in subsection 1 above is subject to the condition that the operations do not pose a risk of spread of animal diseases. The obligations relating to the operations are set out in and pursuant to Article 16 of the Animal Health Law. In addition to the obligations set out in Article 16 of the Animal Health Law, conditions that are necessary to combat animal diseases may be imposed on the operations in the permission.

The provisions of subsection 1 shall not apply to samples referred to in the legislation on foods or feeds.

## **Section 65**

### **Obligation to notify of changes in operations**

Substantial changes in the operations of an official laboratory designated by the Finnish Food Authority and an own-check laboratory and a laboratory subject to the obligation to notify referred to in section 63 as well as in operations taking place with the permission referred to in section 64 shall be notified to the Finnish Food Authority without delay.

## **Section 66**

### **Submission of examination data, isolated microbe and parasite strains and samples**

An official laboratory designated by the Finnish Food Authority as well as an own-checks laboratory and a laboratory subject to the obligation to notify referred to in section 63 shall submit to the national reference laboratory the microbe and parasite strains that cause listed diseases or other animal diseases to be reported which they have isolated from the samples they have examined, or the sample in which the microbe or parasite has been detected. In addition, it shall regularly submit to the Finnish Food Authority data on the quantities of samples examined for listed diseases and other animal diseases to be reported and the results of examinations by animal group as well as necessary data on the analysis methods.

The national reference laboratory shall provide the Finnish Institute for Health and Welfare with the data necessary for epidemiological surveys of the microbe and parasite strains examined and of samples in which the microbe or parasite has been detected. This data shall not include identification information of the objects of control.

Where a listed disease or another animal disease to be combated or an animal disease to be controlled is suspected to be present in a sample submitted to a laboratory that does not have the

right to examine samples for the said disease, the sample or the microbe isolated from it shall be immediately submitted to an official laboratory for animal health for further examination.

Further provisions may be laid down 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 subsection 1 have been carried out, the content of the data to be submitted, and the obligation to notify referred to in subsection 2. The Finnish Food Authority may issue regulations on the timetable and manner of submission of the microbial and parasitic strains, samples and data referred to in subsection 1.

## **Chapter 12**

### **Authorities**

#### **Section 67**

##### **Finnish Food Authority**

The Finnish Food Authority plans, directs, develops and controls the combating of animal diseases nationwide.

In addition to the provisions concerning the tasks of the Finnish Food Authority elsewhere in this Act, the Authority:

- 1) is responsible for maintaining national animal disease preparedness;
- 2) draws up the national plan for combating animal diseases which is a part of the multi-annual national control plan provided for in the Official Controls Regulation, as well as any other necessary nationwide contingency plans for animal diseases;
- 3) organises the performance of emergency tasks relating to the diagnostics of category A–C diseases and other animal diseases to be combated outside regular working hours;
- 4) supervises the laboratories designated by it, the laboratories subject to the obligation to notify, and the operations subject to the permission referred to in section 64;
- 5) serves as the liaison body referred to in Article 103 of the Official Controls Regulation;
- 6) is responsible for compilation of statistics and reporting on animal diseases;
- 7) is responsible for organising training for municipal veterinary officers on the implementation of animal health provisions and keeps a register of the municipal veterinary officers who have received special contingency training in the event of outbreaks of disease.

The Finnish Food Authority supervises and implements the combating of animal diseases at slaughterhouses and game handling establishments and approved food premises connected to these referred to in the Food Act, with the exception of slaughterhouses, establishments and food premises, whose control under the Food Act has been transferred to a municipality in the manner referred to in section 15, subsection 2 of the Act on Veterinary Services (765/2009). In respect of the slaughterhouses, establishments and food premises supervised by it, the Finnish Food Authority shall carry out all tasks which otherwise under this Act would be the responsibility of the municipal veterinary officer.

Further provisions on the compilation of statistics and reporting as well as on the content of national contingency plans may be laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 68**

### **Regional State Administrative Agency**

The Regional State Administrative Agency plans, directs and implements the combating of animal diseases and supervises compliance with the animal health provisions and the decisions issued pursuant thereto in its operating area.

In addition to the provisions concerning the tasks of the Regional State Administrative Agency elsewhere in this Act, the Agency:

- 1) maintains animal disease preparedness in its operating area;
- 2) prepares a regional plan on combating animal diseases based on the nationwide plan as well as other necessary contingency plans for animal diseases for its operating area;
- 3) attends to the planning and implementation of the Finnish Food Authority's disease combat decisions addressed to establishments and other locations and decisions concerning inspections and examinations in zones, mass vaccinations or killings of animals and the disposal of carcasses, with the exception of decisions which according to the law shall be implemented by operators or pet keepers;
- 4) organises training for municipal veterinary officers;
- 5) carries out the tasks at the reindeer slaughterhouses and the approved food premises connected to these referred to in the Food Act related to combating animal diseases which otherwise under this Act would be the responsibility of the municipal veterinary officer;
- 6) as the competent authority, is responsible for tasks under European Union law implemented by this Act in so far as the tasks do not fall within the competence of another authority.

A Regional State Administrative Agency in cooperation with other Regional State Administrative Agencies shall organise the performance of emergency tasks related to the combat of category A–C diseases, emerging diseases and other diseases to be combated as well as to the determination of disease situation outside regular working hours. In such cases, the Regional State Administrative Agency on standby duty shall be the competent authority in respect of the tasks laid down in this Act in the entire area for which it is on standby duty. The duty rotas of the Regional State Administrative Agencies shall be confirmed by the Finnish Food Authority.

Further provisions on the content of the contingency plans referred to in subsection 2, paragraph 2 may be laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 69**

### **Municipal veterinary officer**

Municipal veterinary officers implement the combating of animal diseases and supervise compliance with animal health provisions and the decisions issued pursuant thereto in their operating areas.

In addition to the provisions concerning the tasks of a municipal veterinary officer elsewhere in this Act, a municipal veterinary officer

- 1) as the principal animal health authority, attends to the inspections and examinations of establishments and other locations for the purpose of supervising compliance with animal disease control obligation or precautions;
- 2) attends to the examination, vaccination, medication and treatment of animals ordered in a decision that concerns preventing the spread of a disease when these measures can only be carried out by a veterinarian;
- 3) executes tasks relating to the implementation of disease combat decisions and supervises the performance of disease combat measures notified or ordered to be performed by an operator or pet keeper;
- 4) as the principal animal health authority, carries out the inspections and examinations of operations subject to approval, authorisation or permission under the animal health provisions.

In emergency situations where the municipal veterinary officer suspects that an animal may have or confirms that an animal has a category A–C disease, emerging disease or another animal disease to be combated or an animal disease to be controlled and where immediate action is needed to prevent the spread of an animal disease and the Regional State Administrative Agency

is yet to take action in the matter, the municipal veterinary officer may provisionally issue a decision referred to in section 25, subsection 1, section 32, subsection 1 or section 36 . The decision shall be submitted to the Regional State Administrative Agency for resolution without delay. The Regional State Administrative Agency shall issue its decision on the matter without delay and no later than within fourteen days of the issue of the provisional decision.

In the event of a category A–C disease, emerging disease or another animal disease to be combated or an exceptionally widespread occurrence of an animal disease to be controlled, the Regional State Administrative Agency may, where necessary, order a municipal veterinary officer to carry out separately determined tasks provided for the municipal veterinary officer under this Act outside the municipal veterinary officer’s operating area. The Regional State Administrative Agency shall primarily order the tasks to be carried out by a municipal veterinary officer who has received contingency training. In issuing the order, account shall be taken of the opportunities of the municipality to carry out its statutory and other duties. The Regional State Administrative Agency may also order a municipal veterinary officer to carry out tasks in the operating area of another Regional State Administrative Agency if such order is based on the request of the latter.

Further provisions on the tasks referred to in subsection 2 may be laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 70**

### **Customs**

Alongside the animal health authorities, Customs supervises compliance with animal health provisions when animals or products are moved between Member States or from Finland to a state other than a Member State.

Unless otherwise provided in the animal health provisions, the Customs Act (304/2016) shall apply to the supervision by Customs.

## **Section 71**

### **Authorised inspector**

The Finnish Food Authority may for a specific period delegate the right to carry out the inspections and examinations referred to in this Act to a natural person as an authorised inspector substituting for or assisting a municipal veterinary officer and to execute tasks relating to the implementation of this Act if the conditions set out in Article 30 or 31 of the Official Controls Regulation are fulfilled. An authorised inspector shall not have the right to enter premises used as a permanent place of residence for the performance of tasks.

In the performance of tasks, an authorised inspector shall be subject to the supervision of the Finnish Food Authority. The provisions on the obligations of natural persons to whom tasks have been delegated and of the competent authority are set out in Article 32 and 33 of the Official Controls Regulation. The provisions on criminal liability for acts in office shall apply to an authorised inspector. Provisions on the liability for damages are laid down in the Tort Liability Act (412/1974).

Upon request, an authorised inspector shall present written authorisation.

## **Section 72**

### **Work obligation in the event of an animal disease epidemic**

Where a category A disease or emerging disease has spread widely across the country and the resources of the control authorities are insufficient to combat it in the manner laid down in this Act, licensed veterinarians permanently resident in Finland and veterinary students having a temporary right to practice the profession of veterinary surgeon shall by virtue of a decision of the Finnish Food Authority be obliged to attend to the tasks of a veterinarian referred to in section 71, subsection 1 which are necessary due to the animal disease situation and which they can reasonably carry out taking into account their training and education, work experience, health and family status. The work obligation may have a duration of no more than two weeks at a time and no more than two months in total. Reasonable remuneration and compensation of expenses incurred as established by the Finnish Food Authority shall be paid from State funds to the person performing such tasks. The regular employment relationship of a person obliged to work shall not be disrupted by the work order.

The Finnish Food Authority may issue a work order if the conditions set out in Article 30 or 31 of the Official Controls Regulation are fulfilled. The provisions on the obligations of the competent authority are set out in Article 33 of the Official Controls Regulation. The Regional State Administrative Agency shall ensure that a person ordered to work is aware of the obligations and responsibilities associated with performance of the task.

The provisions laid down in section 71, subsection 2 on an authorised inspector shall apply to persons ordered to work. In addition, the provisions of the Working Time Act (872/2019), the Annual Holidays Act (162/2005), the Occupational Safety and Health Act (738/2002), the Occupational Health Care Act (1383/2001), the Workers' Compensation Act (459/2015) and the Public Sector Pensions Act (81/2016), and the provisions of the Employment Contracts Act (55/2001) on the rights and obligations of employer and employee, as applicable, shall apply to

the tasks. A person ordered to work shall not have the right to enter premises used as a permanent place of residence for the performance of tasks.

In the performance of tasks, a person ordered to work shall present the work order upon request.

## **Section 73**

### **Management and communication of disease combat**

In outbreaks of a category A–C disease, emerging disease or another animal disease to be combated or an animal disease to be controlled, the Regional State Administrative Agency shall manage animal disease combat and the prevention of the spread of animal disease in its operating area. Where necessary, the Regional State Administrative Agency shall serve as the regional disease combat centre referred to in European Union law.

The Finnish Food Authority shall direct and supervise the activities of the Regional State Administrative Agency to eradicate the animal diseases mentioned in subsection 1 and to prevent their spread. Where an outbreak requires measures to be taken in the operating area of more than one Regional State Administrative Agency, the Finnish Food Authority shall be responsible for maintaining the situational picture and coordinating the activities. Where necessary, the Finnish Food Authority shall have the right to give orders concerning the combat of an animal disease and the prevention of its spread to the Regional State Administrative Agency and by its decision to relieve a Regional State Administrative Agency of the responsibility for management referred to in subsection 1 if the effective combat of the animal disease and prevention of its spread would otherwise be compromised. In addition, the Finnish Food Authority shall, where necessary, serve as the national disease combat centre referred to in European Union law.

An animal health authority shall communicate the suspected or confirmed outbreaks referred to in subsection 1 as well as measures to prevent and combat the spread of animal disease. Where sufficient to combat the animal disease, communication may be limited to only certain persons or operators or groups thereof.

Further provisions on communication may be laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 74**

### **Operational expert group**

The Finnish Food Authority shall decide on a case-by-case basis on assembling an operational expert group to provide expert assistance in designing the measures to combat a category A–C disease.

Confidentiality provisions notwithstanding, an animal health authority may disclose to the members of the expert group information on cases of an animal disease necessary for the performance of their duties. Members of the expert group shall be obliged to keep confidential any confidential information disclosed to them unless otherwise provided elsewhere by law.

## **Chapter 13**

### **Controls and registers**

#### **Section 75**

##### **Inspections and sampling**

An inspection or examination related to control of compliance with animal health provisions shall be governed by the provisions of Articles 9–15, 35 and 36 of the Official Controls Regulation in respect of official control. Other inspections or examinations referred to in animal health provisions shall be governed by the provisions of Article 15 on other official activities.

An inspection and examination of premises used as a place of permanent residence may only be carried out by a competent authority. The inspection or examination may only be carried out if it is necessary in order to determine the facts which the inspection or examination seeks to establish. Except for vehicle inspections carried out in the immediate context of entry to or exit from Finland's customs area or a special fiscal territory thereof, inspections or examinations of premises used as places of permanent residence may only be carried out if this is necessary in order to combat a serious threat to human or animal health or if there is reason to suspect that the operator or another party subject to the obligations laid down in animal health provisions has committed a criminal offence that may result in the imposition of a sentence of imprisonment or the animal disease violation referred to in section 95 that may pose a risk to human or animal health.

For the purpose of controlling compliance with the animal health provisions, the animal health authority may, by means of distance communication and without identifying itself, order samples of products offered for sale from operators. Samples may only be ordered of products that are not known or suspected to be contrary to the animal health provisions. Informing of sampling and testing and obtaining a second expert opinion shall be governed by the provisions set out in Article 36 of the Official Controls Regulation.

An operator which is responsible for animals shall be obliged to arrange such circumstances where the examination of an animal or another procedure on the animal can be safely carried out taking into account the normal behaviour of the animals, unless otherwise required by the emergency nature of the matter.

## **Section 76**

### **Right to information**

Confidentiality provisions notwithstanding, a competent authority, authorised inspector and person ordered to work shall have the right to obtain the information necessary for carrying out the tasks laid down in the animal health provisions from operators and others subject to the obligations laid down in the said provisions.

In addition, confidentiality provisions notwithstanding, a competent authority shall have the right to obtain from central and local government authorities information relating to the keeping of animals or other activities governed by the animal health provisions that is necessary for carrying out the tasks referred to in subsection 1.

## **Section 77**

### **Right of inspection of foreign authorities and international bodies**

The animal health provisions on the right of the authorities to carry out inspections, take samples, gain access to locations as required for control and obtain the information and documents needed for control shall also apply to the inspectors referred to in European Union law or in an international treaty binding on Finland when required under the said law or treaty. Where necessary, an authority shall cooperate with the inspectors of foreign authorities and international bodies.

## **Section 78**

### **Executive assistance**

Where necessary, the police shall provide an animal health authority, authorised inspector and person ordered to work with executive assistance for the performance of the tasks laid down in this Act or in European Union law if performance of the tasks is resisted or if the exercise of the powers of the police is otherwise needed for the tasks.

The provisions on the executive assistance provided by the rescue authorities to an animal health authority for the performance of the tasks referred to in subsection 1 are laid down in section 50 of the Rescue Act (379/2011).

## **Section 79**

### **Registers of approved establishments, designated laboratories, and holders of registration or permission**

Article 101, paragraph 1, sub-paragraph 1, point b and Article 185, paragraph 1, points b and c of the Animal Health Law set out provisions on keeping a register of the approved establishments referred to in section 39 and of the approved aquaculture establishments and disease control aquatic establishments referred to in section 43.

A register shall also be kept of the semen collection centres referred to in section 40 and the embryo collection teams referred to in section 41 approved for domestic trade. The provisions of European Union legislation on the data content of a register of approved germinal product establishments referred to in section 39 shall apply to the data content of these registers. On the basis of the register, a list containing the information on germinal product establishments which under European Union law may be made available to the public may be published electronically.

In addition, a register shall be kept of the official laboratories referred to in section 62, subsection 2, the own-check laboratories referred to in section 63, subsections 2 and 3 and the laboratories subject to the obligation to notify referred to in section 63, subsection 4, the permissions relating to the handling of disease agents referred to in section 64, subsection 1, and the exporters referred to in section 53. The following information shall be entered in the registers: the contact information of the operator and the premises as well as any registration number of the establishment, details of the operations covered by the designation, permission or registration, and information on the termination of operations and withdrawal of the designation, permission or registration.

Further provisions on the procedure to be followed in entering register data and making information available to the public may be laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 80**

### **Data to be registered for animal disease surveillance**

For animal disease surveillance purposes, a register shall be kept of:

- 1) confirmed cases of listed and emerging diseases and other animal diseases to be combated or animal diseases to be controlled;
- 2) disease combat measures at an establishment and exemptions from these;
- 3) establishments to which or from which an animal disease may have spread based on the epidemiological enquiry;
- 4) prohibitions and restrictions imposed pursuant to the provisions of chapter 15;

- 5) establishments that have undertaken to carry out voluntary health control, health categorisation and status referred to in section 14 of establishments, and withdrawal of categorisation or status;
- 6) compulsory vaccinations given to animals which have been notified to the animal health authority or for whose implementation it has been responsible;
- 7) powers delegated to authorised inspectors; and
- 8) inspections and sampling carried out and the results of examinations of the samples.

Based on the register data referred to in subsection 1, paragraph 5, a list on the health categorisation and status of establishments shall be made available to operators electronically.

Further provisions on the procedure for entering register data may be laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 81**

### **Provisions applied to registers**

The registers referred to in sections 79 and 80 above 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). The provisions on register controllers are laid down in the said Act.

The Finnish Food Authority shall ensure the availability to the public of the register data required by animal health provisions.

Unless otherwise provided in European Union law, where an operator has notified of the termination of operations or operations are otherwise found to have been terminated, the validity of the registration has expired or the approval, designation, permission or registration has been withdrawn, the information entered in the register referred to in section 79 shall be deleted when there is no longer any need for its use and no later than after three years have elapsed from the last register entry on the operator. The information referred to in section 80, subsection 1, paragraph 1 shall be kept indefinitely.

The provisions on the register entry, use and disclosure of information supplied to Customs are laid down in the Act on the Processing of Personal Data by Customs (650/2019).

## **Chapter 14**

### **Payments of certain costs and compensations from State funds**

## **Section 82**

### **Liability for costs of animal disease eradication**

The State shall be liable for the costs incurred from work relating to the implementation of an order to kill animals or destroy property and related cleaning and disinfection measures. The same shall apply to costs incurred from equipment and tools as well as materials and supplies relating to the implementation. However, costs incurred by an operator and the operator's own work shall not be eligible for compensation except in cases of a disease occurring in aquaculture animals.

By way of derogation from the provisions of subsection 1, the liability of the State shall not apply to situations where the operator or the pet keeper is responsible for the implementation of the order.

## **Section 83**

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

An owner shall have the right to receive compensation from State funds for an animal which has been ordered by an animal health authority to be killed or slaughtered in order to confirm an animal disease or as a disease combat measure for a category A–C disease, emerging disease or another animal disease to be combated, or for an animal which has died as a result of any treatment or other measure ordered as a consequence of the said disease combat measure. The measures ordered as the coercive measures under chapter 15 shall not constitute disease combat measures. The compensation paid shall be the current value of the animal determined as the value which the animal would have had without the animal disease on which the order of the authority was based. Where the animal on which compensation is payable can be utilised in part or in full, the residual use value of the animal shall be deducted from the compensation.

By way of derogation from the provisions of 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 the current value of the animal 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.

For an animal ordered to be killed or slaughtered pursuant to section 35, subsection 1, the owner shall have the right to receive compensation from State funds equal to no more than three quarters of the current value of the animal or of the standard compensation from which the

residual use value of the animal has been deducted. If there is a large number of cases that are eligible for compensation, the amount of the compensation may be reduced. Payment of the compensation is additionally subject to the condition that the cleaning and disinfection measures required for the withdrawal of the decision issued to prevent the spread of an animal disease are being carried out in the establishment.

No compensation shall be paid for an animal of minimal value unless there are compelling reasons to do so.

The standard compensation referred to in subsection 2 above shall be confirmed by Government decree.

#### **Section 84**

##### **Compensation for property destroyed on the order of an authority**

An owner shall have the right to receive compensation from State funds for products, materials, goods, objects and structures destroyed or treated such as to damage them or render them unusable by order of an authority as a disease combat measure for a category A–C disease, emerging disease or another animal disease to be combated. The measures ordered as the coercive measures under chapter 15 shall not constitute disease combat measures. The compensation paid shall be the current value of the property. No compensation shall be paid for property of minimal value unless there are compelling reasons to do so.

#### **Section 85**

##### **Compensation for loss of production**

Where a prohibition, condition, restriction or obligation ordered as a measure to prevent the spread of an animal disease or a disease combat measure for a category A–C disease, emerging disease or another animal disease to be combated prevents or hampers animal production, compensation from State funds may be paid to the operator for financial loss that has a significant adverse effect on the livelihood of the operator.

Compensation may be paid to cover a maximum of three quarters of the loss.

#### **Section 86**

##### **Limitations on payment of costs and compensation**

The costs and compensation on which provisions are laid down in this chapter shall be subject to Chapter I and Article 26 of Commission Regulation (EU) No 702/2014 declaring certain categories

of aid in the agricultural and forestry sectors and in rural areas compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union.

The costs and compensation to aquaculture operators on which provisions are laid down in this chapter shall be paid in the form of aid in accordance with Section 5.4 of the Commission communication on guidelines for the examination of State aid to the fishery and aquaculture sector (2015/C 217/01).

No compensation shall be paid for the costs and losses referred to in this chapter if these have been incurred in the processing of products of animal origin or in the manufacture of other products or feeds or in the placing on the market of products of animal origin or other products or if they have been incurred by:

- 1) a large enterprise referred to in Article 2, paragraph 26 of the Regulation mentioned in subsection 1 that is active in the agricultural sector; or
- 2) an enterprise which has failed to comply with an aid recovery decision referred to in section 1 of the Act on the Application of Certain State Aid Rules of the European Community (300/2001).

Compensation for the losses referred to in sections 83–85 shall not be paid to an undertaking in difficulty referred to in Article 2, paragraph 14 of the Regulation mentioned in subsection 1 unless the difficulty is due to outbreak.

In addition, no compensation shall be paid for the costs and losses referred to in this chapter if they are due to an animal disease that is not mentioned on the OIE list of diseases adopted by the World Organisation for Animal Health, the Commission implementing act referred to in Article 226 of the Animal Health Law, or in Annex I or II of Regulation (EU) No 652/2014 of the European Parliament and of the Council of laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material, amending Council Directives 98/56/EC, 2000/29/EC and 2008/90/EC, Regulations (EC) No 178/2002, (EC) No 882/2004 and (EC) No 396/2005 of the European Parliament and of the Council, Directive 2009/128/EC of the European Parliament and of the Council and Regulation (EC) No 1107/2009 of the European Parliament and of the Council and repealing Council Decisions 66/399/EEC, 76/894/EEC and 2009/470/EC.

Any compensation paid for the same costs or losses under an insurance contract or on the basis of another Act shall be deducted from the compensation.

## **Section 87**

### **Applications for compensation and advance payment**

The application for compensation referred to in this chapter shall be submitted to the Finnish Food Authority, which decides on granting it. The application for the compensation referred to in section 83, subsection 1 above shall be submitted within two months of the killing or slaughter of the animal. The application for other compensation shall be submitted within three months of the performance of the measures entitling to compensation or expiration of the validity of a prohibition, condition or restriction. The application shall be accompanied by sufficient documentation of the costs and losses incurred.

Where the right of the applicant to the compensation is obvious, the Finnish Food Authority may make an advance payment to the applicant.

Further provisions on the content of the documentation which shall accompany an application may be laid down by decree of the Ministry of Agriculture and Forestry.

## **Section 88**

### **Grounds for denying compensation**

The right to the compensation referred to in this chapter shall be forfeited in part or in full if the party entitled to compensation has violated animal health provisions, the Act on the Animal Identification System (238/2010), the Act on Import Controls of Animals and Certain Goods or European Union law implemented pursuant to the said Acts, or has failed to comply with an administrative decision issued pursuant to the said provisions. The right to compensation shall also be forfeited if the party entitled to compensation when acquiring the animal or property knew or, given the circumstances, should have known that the animal was infected with or a carrier of an animal disease based on which the compensation is payable or that the property was contaminated.

The compensation referred to in this chapter shall also not be paid from State funds in so far as the party entitled to compensation has received or is entitled to receive compensation for the same harm from a fund established by the European Union.

## **Section 89**

### **Recovery of compensation and right of recourse of the State**

Anyone who has received an advance payment in accordance with section 87, subsection 2 in excess of what they are entitled to shall be obliged to repay the difference within a month of being informed of the final amount of the compensation.

The Finnish Food Authority shall order compensation to be recovered in part or in full 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.

In addition, the Finnish Food Authority shall oblige those who have intentionally or through negligence caused the spread of a disease based on which the compensation was payable to the animals owned by another party to compensate the State, in part or in full, for the costs and compensation that were paid from State funds as a consequence of the action.

Where the excess of an advance payment is not repaid within the period referred to in subsection 1 or another amount to be repaid or compensated for is not paid by the deadline imposed by the Finnish Food Authority, annual interest on arrears at the rate referred to in section 4, subsection 1 of the Interest Act (633/1982) shall be paid to the State. The provisions on the collection of costs and compensations are laid down in the Act on the Enforcement of Taxes and Charges (706/2007).

## **Chapter 15**

### **Coercive measures and sanctions**

#### **Section 90**

##### **Order**

The competent authority may order anyone who violates animal health provisions or fails to comply with an administrative decision issued pursuant to such a provision to fulfil the obligation without delay or within a deadline that is sufficient in view of the nature of the matter.

#### **Section 91**

##### **Prohibition and restriction**

The Regional State Administrative Agency may prohibit or restrict the placement on the market or other movement to or from an establishment of animals of a listed or susceptible species or products thereof until further notice if the operation in question is subject to a permission or approval under the animal health provisions and one has not been granted, or in the event of non-compliance with regard to the establishment or the animals kept there of:

- 1) animal health and biosecurity obligations set out in Article 10 of the Animal Health Law;
- 2) obligations included in the compulsory zoonosis control referred to in section 11;
- 3) obligations related to the compulsory vaccination or treatment referred to in section 15;
- 4) precautions referred to in section 17; or

5) obligations imposed on the operator or pet keeper in the decisions to prevent the spread of a disease or disease combat decisions referred to in chapter 5, 6 or 10.

The imposition of a prohibition or restriction is subject to the further condition that the operator or pet keeper has failed to remedy a defect by the deadline imposed despite the request of an authority to do so and that such an action poses a serious risk of the spread of a listed disease or another animal disease to be combated or an animal disease to be controlled or a risk to human health. A prohibition or restriction may only be imposed to the extent necessary to control the risk of spread of an animal disease. A prohibition and restriction shall be withdrawn without delay if an inspection shows that the obligations referred to in subsection 1 are complied with and if examination results indicate that the animal disease whose spread the said obligations seek to prevent is not present at the establishment.

When considering a matter referred to in subsection 1, the Regional State Administrative Agency may impose the prohibition, restriction or order referred to in the subsection as a temporary measure if this is necessary due to the immediate risk to human or animal health. A temporary prohibition or restriction shall remain in effect until the Regional State Administrative Agency issues its final decision in the matter. The Regional State Administrative Agency shall ensure that the necessary examinations relevant to the matter are performed without delay.

## **Section 92**

### **Withdrawal of approval, permission, designation, registration and establishment status**

The decision to withdraw an approval, permission, designation, registration or the health categorisation or disease-free status or vector protection of an establishment shall be issued by the authority which granted it.

The provisions on withdrawal of the approval referred to in section 39 above and the approval of a terrestrial animal compartment are laid down in Article 100 of the Animal Health Law. The provisions on withdrawal of the approval of aquaculture establishments and disease control aquatic establishments and of aquatic animal compartments are laid down in Article 184 of the Animal Health Law. The provisions on withdrawal of the designation of an official laboratory are laid down in Article 39 of the Official Controls Regulation. Provisions on the withdrawal of disease-free or vector protected status of an establishment are laid down in Articles 20 and 44 of Commission Delegated Regulation (EU) 2020/689 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for surveillance, eradication programmes, and disease-free status for certain listed and emerging diseases.

The approval of a semen collection centre or embryo collection team for domestic trade, the designation of an own-check laboratory, a permission relating to the handling of disease agents or the registration of an exporter or a laboratory subject to the obligation to notify may be withdrawn if the conditions imposed for the approval, designation, permission or registration are no longer fulfilled or in the event of substantial violation in the operations of the animal health provisions or decisions issued pursuant to the said provisions or the Act on the Animal Identification System or the provisions of the European Union implemented pursuant to it. The approval and permission may also be withdrawn if the operations cause a serious risk of the spread of a category A–C disease or another animal disease to be combated or an animal disease to be controlled or a risk to human health and such risk cannot be prevented by other means. The withdrawal of approval, designation, permission or registration in the aforementioned cases is subject to the further condition that the operator has failed to remedy the defect within the deadline imposed despite a request by the authority to do so.

Approval, designation, permission and health categorisation or status of an establishment shall be withdrawn if operations have been terminated on a non-temporary basis.

The authority which decides on the withdrawal provided in subsection 2 above may prohibit an operator from engaging in the operations covered by the approval, designation, permission or registration while the matter is under consideration if the defect is such or the operations are of such a nature that human or animal health is jeopardised. The prohibition may be imposed for a fixed term of no more than two weeks. If no decision is issued within this time, the fixed term may be extended. However, a prohibition may remain in effect for more than a month only if the delay in decision-making is due to action or negligence on the part of the operator.

## **Section 93**

### **Measures in the event of breach of requirements on movements between Member States**

Where an animal or product moved from another Member State or the documents accompanying it do not fulfil the requirements laid down for them in the animal health provisions, the Regional State Administrative Agency or Customs may order the animal to be kept in quarantine or isolation or the product to be kept at its place of destination or another place designated by them until the defects have been remedied. The said decision may be taken by the municipal veterinary officer in emergency situations in which the Regional State Administrative Agency or Customs is yet to take action in the matter. The municipal veterinary officer shall bring such a decision to the attention of the Regional State Administrative Agency without delay.

Where it is not possible to remedy the defects or the defects have not been remedied by the deadline imposed, the Regional State Administrative Agency or Customs may order an animal to be killed or a product to be destroyed. With the consent of the operator or pet keeper, they may also order an animal or product to be returned to the Member State from which it was imported if the competent authority of the relevant Member State accepts the return, or to be treated or an animal to be kept in quarantine or isolation at a location designated by the authority if the risk of spread of an animal disease associated with the animal or product can be eliminated in this way.

Conditions concerning the measures necessary to preventing the spread of an animal disease may be imposed in the decision on the measures referred to in subsection 1 or 2 above. The operator or pet keeper shall be responsible for carrying out the measures.

## **Section 94**

### **Penalty payment and enforced compliance**

The Regional State Administrative Agency, the Finnish Food Authority or Customs may reinforce a prohibition, restriction or order referred to in sections 90–93 by notice of conditional fine or notice of enforced compliance at the expense of the negligent party.

The provisions on notices of conditional fines and notices of enforced compliance are laid down in the Act on Conditional Fines (1113/1990).

## **Section 95**

### **Penal provisions**

The provisions on the penalty for causing a risk of spread of an animal disease are laid down in chapter 44, section 4a, for a regulation offence in chapter 46, section 1 and for smuggling in chapter 46, section 4 of the Criminal Code of Finland (39/1889).

Anyone who intentionally or through negligence

1) fails to submit the notification referred to in section 19 of the suspected presence of an animal disease in an animal owned by that person or temporarily in that person's possession or fails to submit the notification referred to in section 20;

2) fails to comply with a prohibition, condition or restriction imposed by a decision to prevent the spread of a disease referred to in section 25, 32 or 36 or a decision on disease combat measures or zones referred to in sections 25–27, 33 or 36–38 or fails to carry out a measure ordered by the said decision;

3) fails to comply with the obligation set out in Article 15, paragraph 2 of the Official Controls Regulation to assist an authority in the enforcement of disease combat decisions, unless assistance is deemed unreasonable taking into account the personal characteristics and circumstances of the person; or

4) violates a prohibition or restriction imposed pursuant to section 91 or fails to carry out the measures ordered pursuant to section 93,

shall, unless a more severe penalty has been provided elsewhere in law for the act, be sentenced for *animal disease violation* to a fine.

An authority may waive reporting a violation to the criminal investigation authority if the act or failure to act is minor in nature and does not involve the repeated violation of prohibitions and orders of the authorities.

## **Chapter 16**

### **Miscellaneous provisions**

#### **Section 96**

##### **Fees payable for services rendered by the authorities**

The fees collected to the State for the services rendered by a government authority and an authorised inspector shall be governed by the provisions of the Act on Criteria for Charges Payable to the State (150/1992).

The fees for services rendered by the municipal veterinary officer under the animal health provisions shall be determined and collected to the State by the Regional State Administrative Agency. Provisions on the amount of the fees charged for the services rendered by the municipal veterinary officer are laid down by decree of the Ministry of Agriculture and Forestry in compliance with the provisions of the Act on Criteria for Charges Payable to the State on the general and other grounds for the chargeability of services rendered by government authorities and the amount of fees. Provisions on the invoicing procedure for services rendered by the municipal veterinary officer shall also be laid down by decree of the Ministry of Agriculture and Forestry.

By way of derogation from the provisions of subsection 2, no fee shall be charged for an animal health certificate for products of animal origin to be moved to a state other than a Member State if the municipality charges a fee for the same certificate.

In addition, provisions on the obligation of the authorities to charge a fee for extra control measures arising from non-compliance with provisions are laid down in Article 79, paragraph 2, point c of the Official Controls Regulation.

## **Section 97**

### **Remuneration and compensation payable to authorised inspectors**

The Finnish Food Authority shall pay to authorised inspectors remuneration for the inspections, examinations and other measures carried out by them and compensate them on a contractual basis for costs incurred.

## **Section 98**

### **Compensation paid by the State to municipalities**

Section 23 of the Act on Veterinary Services lays down provisions on the right of a municipality to receive compensation from State funds for the performance of tasks which under this Act are the responsibility of the municipal veterinary officer.

## **Section 99**

### **Protecting the identity of a reporting person**

Where the report of infringement referred to in Article 140 of the Official Controls Regulation to the competent authority is made by a natural person, the identity of that person shall be kept secret if, based on the circumstances, disclosure of the person's identity may be assessed to cause harm to the person.

## **Section 100**

### **Review**

An administrative review may be requested for the decisions referred to in chapter 14 above. The provisions on requesting an administrative review are laid down in the Administrative Procedure Act.

Provisions on a judicial review by an administrative court are laid down in the Administrative Judicial Procedure Act (808/2019). No separate request may be made for a review of the temporary decision referred to in section 91, subsection 3 of this Act.

The provisions laid down in the Administrative Judicial Procedure Act shall apply to a review of a decision of the municipal veterinary officer issued pursuant to an animal health provision. No separate request may be made for a review of the provisional decision referred to in section 69, subsection 3 of this Act.

The decision of an authority taken pursuant to animal health provisions shall order that the decision shall be complied with irrespective of a request for review unless otherwise ordered by the appellate authority when:

- 1) the decision is such by nature that it must be enforced without delay; or
- 2) enforcement cannot be postponed due to reasons related to protecting animal or human health or ensuring the safety of products of animal origin.

The provisions on requesting a review of a decision of Customs are laid down in the Customs Act.

The provisions on requesting a review of fees ordered payable to the State for a measure under the animal health provisions are laid down in section 11b of the Act on Criteria for Charges Payable to the State.

## **Section 101**

### **Entry into force**

This Act enters into force on 21 April 2021.

This Act repeals the Animal Diseases Act (441/2013).

Where any reference to the repealed Act is made elsewhere in law, the provisions of this Act shall apply instead upon the entry into force of this Act.

## **Section 102**

### **Transitional provisions**

Unless otherwise provided in this Act or European Union law, the approval of an establishment or operator referred to in Articles 94, 95 or 176–179 of the Animal Health Law need not be separately granted if the operations referred to in the said Articles hold a valid permission or approval at the time of the entry into force of this Act.

Exporters registered, semen collection centres and embryo collection teams approved for domestic trade and laboratories examining the samples referred to in section 63, subsection 4 notified prior to the entry into force of this Act may continue their operations in accordance with the relevant decisions or notifications without separate registration, approval or notification.

The risk assessment of registered aquaculture establishments referred to in Article 176, paragraph 2, points a–c and in Article 4, point c of the Delegated Regulation mentioned in section 43, subsection 2 shall be carried out within one month of the entry into force of this Act. Where, based on the risk assessment, there is a risk associated with the establishment, the operator shall apply

for approval of the establishment within six months of being informed of the outcome of the risk assessment.

Decisions on restricted zones and disease combat measures issued prior to the entry into force of this Act shall remain in force in so far as they are not in conflict with this Act or the Animal Health Law.