



Organisation  
Mondiale  
de la Santé  
Animale

World  
Organisation  
for Animal  
Health

Organización  
Mundial  
de Sanidad  
Animal

# Veterinary Legislation

## Animal Disease Control Act: General Issues

Dr. David M. Sherman



Veterinary Legislation Support Programme



# Introduction

- Within the veterinary domain, control of animal diseases is an essential core function and responsibility of the competent authority
- This includes the exclusion of transboundary diseases and the control of endemic diseases as well as zoonotic diseases
- Veterinary legislation serves to provide a legal basis for the necessary powers and authorities required by the veterinary services to effectively control animal diseases



# Animal Disease Control Act

- An Animal Disease Control Act is a key piece of veterinary legislation but it is only one of several necessary Acts needed by the Competent Authority to manage the veterinary domain
- Others might include:
  - Control of the Profession Act
  - Veterinary Pharmaceuticals and Biologicals Act
  - Veterinary Public Health Act



# Basic Principles of Animal Disease Control

- Effective animal disease control depends on:
  - Reporting of diseases of concern
  - Examination and disease investigation
  - Surveillance, sample taking and testing
  - Response efforts
    - Quarantine and movement control
    - Destruction of infected or exposed animals
    - Compensation
    - Vaccination
    - Certification



# Balancing Rights and Authorities for Effective Animal Disease Control

- Effective disease control legislation must ensure that
  - In order to control animal diseases that threaten the public good, veterinary authorities have the legal power to take actions that may conflict with individual rights ascribed in fundamental laws, e.g. seizure or killing of animals
  - Citizens are justly compensated for losses of private property associated with disease control efforts to protect the public good, e.g. payment for animals seized or killed



# Outline of the Guidelines on Veterinary Legislation

- Necessary powers of the Competent Authority
- Delegation of powers
- Surveillance
- Disease prevention
- Disease control
- Related issues concerning animal production
  - Identification and traceability
  - Animal markets and other gatherings
  - Animal reproduction
  - Animal feeds
  - Animal by-products



# Necessary Powers and Organization of the Competent Authority

- If there are multiple competent authorities, a reliable system of coordination and cooperation between the different authorities should be put in place.
- Competent authorities should be organised to provide for quick and coherent action when such action is key to success, e.g., for implementation of animal health emergency measures or veterinary public health crises.
- Legislation should provide for a chain of command that is as short and effective as possible
- Responsibilities and power of the competent authorities, from the central level to those responsible for the implementation of legislation in the field, should be clearly defined.



# Delegation of Powers

- The competent authority will maintain its own inspectors and veterinary staff who are civil servants, however:
- The veterinary legislation should provide for the possibility of the competent authorities delegating specific tasks related to official activities.
- The specific tasks delegated, the body(ies) to which the tasks are delegated and the conditions of supervision by the competent authority should be defined.
- Specific tasks in the sector of animal health can be delegated to individual professional veterinarians who are not civil servants. E.g. surveillance and disease control activities such as sample taking and vaccination





# Surveillance

- Surveillance is an essential element of effective disease control.
- Rational disease control policies, plans and financing need to be informed by scientific information derived from surveillance programs
- To facilitate effective surveillance, veterinary legislation should provide authority for
  - Listing and reporting of diseases of interest
  - Collection, transmission and utilisation of epidemiological data relevant to listed diseases;
  - An early warning system.



# Disease Control

- Veterinary legislation should address the following elements:
  - Different lists of diseases, with provision for:
    - Emergency measures in accordance with established contingency plans;
    - Measures for prevention, control or eradication;
    - Surveillance measures;
  - Specification of mandatory control measures for certain diseases;



# Disease Control (cont'd)

- Arrangements for the declaration of animal diseases including on the grounds of suspicion;
- Immediate technical measures including on the grounds of suspicion;
- Measures for official disease surveillance;
- Conditions for confirmation of diseases;
- Precautionary measures.



# Disease Control (cont'd)

- Veterinary legislation should provide for the following general measures:
  - defining areas in which health measures are applied;
  - official publicising of measures;
  - listing of all measures requiring a legal basis;
  - measures to be implemented by the public force;
  - epidemiological investigations;
  - provisions for wild or protected animals;
  - conditions for restocking;
  - commercial restrictions.
- Veterinary legislation should also facilitate the implementation of contingency plans



# Disease Prevention

- In order to achieve effective disease prevention, veterinary legislation should address the following elements:
  - specific rules for each listed disease;
  - support to stakeholders in proposing joint programmes;
  - the direct control by the competent authority of some disease prevention programmes;
  - compulsory programmes for some disease prevention when necessary.



# Related Issues

- Some ancillary issues need to be considered in order to ensure a sound legal basis for the control of animal disease. These include:
  - Identification and traceability
  - Animal markets and shows
  - Animal reproduction
  - Animal feeds
  - Animal by-products



# Identification & Traceability

- Veterinary legislation should provide for the following:
- The objectives & scope of animal identification
- The possibility to make certain animal identification compulsory
- The power to control movement & change of ownership
- The use of animal ID for veterinary purposes
- Equipment & methods used & qualification of operators
- Type of data recorded & responsibilities of each party
- Performance of checks to ensure reliability of information
- Respect for constitutional liberties in the use, security & confidentiality of data collected



# Animal Markets and Shows

- As markets and shows are likely sources for disease transmission, veterinary legislation should address the following elements:
  - Registration of all permanent or temporary animal markets and other animal gatherings;
  - Health measures to prevent disease transmission, including procedures for cleaning and disinfection, and animal welfare measures;
  - Provision for compulsory veterinary checks at animal gatherings.





# Animal Reproduction

- As some infectious animal diseases may be transmitted by natural service or by use of semen and embryos, veterinary legislation should address the elements listed below:
  - the health regulation of animal reproduction as appropriate;
  - health regulations may be implemented at the level of animals, genetic material, establishments or operators.



# Animal Feed

- As some infectious diseases may be transmitted through animal feed, veterinary legislation should address the following elements:
  - standards for the production and composition of animal feed;
  - registration and, if necessary, approval of establishments and the provision of health requirements for relevant operations;
  - recall from the market of any product likely to present a hazard to human health or animal health.



# Animal By-products

- As some infectious diseases may be transmitted through animal by-products, veterinary legislation should address the following elements :
  - definition of the animal by-products subject of the legislation;
  - rules for collection, processing methods and authorised uses of animal by-products;
  - registration and, if necessary, approval of establishments and the provision of health
  - requirements for relevant operations;
  - definition of the rules to be applied by animal owners as appropriate.



# Conclusions

- Animal disease control is a key public good function of the competent veterinary authority.
- Necessary disease control methods may conflict with individual rights afforded in fundamental law.
- Veterinary legislation must provide for the explicit powers necessary to implement the required disease control methods, including penalties and sanctions where necessary.
- At the same time, the rights of individuals and their property must be respected through legal protections such as confidentiality and compensation.



# Thank you for your attention



Organisation mondiale  
de la santé animale

World Organisation  
for Animal Health

Organización Mundial  
de Sanidad Animal

12 rue de Prony, 75017 Paris, France

[www.oie.int](http://www.oie.int) [oie@oie.int](mailto:oie@oie.int)

