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Law on Animal Identification Notified to WTO

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Sanitary/Phytosanitary/Food Safety

FAIRS Subject Report

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Report Highlights:

On January 8, 2016, the Kyrgyz Republic notified the World Trade Organization (WTO) of its Law on animal identification via G/SPS/N/KGZ/7. The notified document was adopted in June 2013 and amended in July 2014. This report contains an unofficial translation of the law, which defines the legal, administrative and financial framework of animal identification in the Kyrgyz Republic. The notification G/SPS/N/KGZ/7 does not provide for a comment period for this measure.

General Information

On January 8, 2016, the Kyrgyz Republic notified the World Trade Organization (WTO) of its Law on animal identification via [G/SPS/N/KGZ/7](#). The notified document was adopted in June 2013 and amended in July 2014. This report contains an unofficial translation of the law, which defines the legal, administrative and financial framework of animal identification in the Kyrgyz Republic. The notification G/SPS/N/KGZ/7 does not provide for a comment period for this measure.

BEGIN UNOFFICIAL TRANSLATION:

LAW OF THE KYRGYZ REPUBLIC

No. 91 of June 6, 2013

On the Identification of Animals

(As amended by the Law of the KR No. 131 of 12 July, 2014)

Chapter 1. General Provisions

Chapter 2. Organization and carrying out of animal identification

Chapter 3. Legal relations in the field of animal identification

Chapter 4. Funding of measures for identification and registration

Chapter 5. Final Provisions

This law regulates the relations connected with the identification of animals, the accuracy of accounting and maintenance of state records on the movement of identified animals; determines organizational, legal and financial framework of animal identification and establishes the basic principles of organization and carrying out of this work in the territory of the Kyrgyz Republic.

Chapter 1 General provisions

Article 1. Basic concepts and definitions

In this Law the following main terms and their definitions shall be used:

group identification number is a number that is assigned to a group of identified one- species animals of a business entity that does not change over their production use until the dissolution and liquidation of the group;

movement of identified animals is a process that results in a change of farm, where the animal is located, as well as its slaughter or death;

Unified state register of identified animals is an information-analytical system of accounting data of the identified animals, their movements, owners, farms, and veterinary and sanitary condition;

animals are agricultural, domestic, zoo, circus, laboratory, and wild animals, as well as fur-bearing animals, birds, fish, bees, and other representatives of fauna, hatching eggs, fertilized eggs, breeders' semen, and embryos;

identification is a process of identifying the animal, that is defining its age, gender, color, breed, and other relevant parameters of the animal;

individual identification number is a number assigned to the identified animal, using visual, electronic and mixed means of information, which does not change throughout its life and is unique within the same species of animal;

registration is introduction of information on the identified animals, their movements, owners, farms, and veterinary and sanitary condition into the Unified state register of identified animals;

registration number is a number that is assigned to a farm of a business entity and does not change throughout its production activities;

a business entity is a legal or natural person, regardless of the ownership form, who is the owner of the animals and is involved in their farming, maintenance, breeding, trade, transportation, slaughter of animals, processing and marketing of products of slaughter, disposal of unusable products of slaughter and dead animals, and in exhibitions involving animals;

farm includes buildings, facilities and site in the country animals are grown, kept, bred or located, a place for trade, slaughter, sanitary disposal, exhibition space, and other places where animals that are subject to veterinary and sanitary control and supervision are located.

Article 2. The main aims and objectives of this Law

1. The objectives of this Law are:

- 1) introduction of a uniform system of animal identification in the Kyrgyz Republic;
- 2) provision of timely and reliable information on animals to enhance their productive performance, management and forecasting of markets of livestock products;
- 3) planning and taking anti-epizootic, preventive and veterinary and sanitary measures with the use of reliable information on the number of animals;
- 4) ensuring biological safety and provision of consumers of products and raw materials of animal origin with complete and accurate information on the origin, quality and safety of products that are sold.

2. The main objectives of this Law are:

- 1) reliable accounting of livestock;
- 2) state veterinary control on exports and imports of animals and protection of the territory of the Kyrgyz Republic from the importation of agents of contagious diseases;
- 3) compliance of business entities with veterinary and sanitary and zoohygienic requirements for keeping and breeding animals, trade in animals, slaughter and disposal of unusable products of slaughter and dead animals.

Article 3. Legislation in the field of animal identification

1. The legislation of the Kyrgyz Republic in the field of animal identification is based on the provisions of the Constitution of the Kyrgyz Republic, laws of the Kyrgyz Republic “On the Basics of Technical Regulation in the Kyrgyz Republic”, “On veterinary medicine”, “On the breeding business in animal husbandry of the Kyrgyz Republic”, “On Local Self-Governance”, this Law and legal acts of the Kyrgyz Republic adopted in accordance therewith, as well as international treaties and agreements to which the Kyrgyz Republic is a party that have entered into force according to the procedure established by the legislation.

2. If an international treaty to which the Kyrgyz Republic is a party that has entered into force in accordance with the law establishes rules other than those contained in this Law, the rules of the international treaty shall apply.

Article 4. Basic requirements for registration and identification of animals

1. Farms in the Kyrgyz Republic, where animals are bred and kept for commercial purposes, shall be subject to registration, and the animals – to the identification and registration within a period as established by this Law.

2. It is prohibited to sell and slaughter unidentified animals in the territory of the Kyrgyz Republic.

Chapter 2

Organization and carrying out of animal identification

Article 5. Bodies for identification and registration of animals and farms

1. Organization and carrying out of a complex of measures on the identification and registration of animals, registration of farms, records of the movement of identified animals and keeping of the Unified state register of identified animals of an administrative-territorial unit shall be assigned to the authorized state veterinary agency, as well as local self-government bodies within the state powers that are delegated to them with involvement of associations of private veterinarians / private veterinary professionals, defined by this Law and the legislation of the Kyrgyz Republic.

Local state administrations shall summarize the information about the movement of identified animals and registration of farms.

2. Assessment of compliance of farms with the veterinary and sanitary requirements shall be carried out by state veterinary agencies.

3. Counting of all livestock and poultry, including those that have been identified, shall be organized and carried out in the territory of the Kyrgyz Republic in accordance with the procedure established by the Government of the Kyrgyz Republic, but not more often than once a year.

Article 6. Identification and registration of animals

1. Identification and registration of animals in the Unified state register of identified animals, accounting of the identified animals and their movement, processing and issuance of their documents according to established forms in the Kyrgyz Republic shall be carried out in accordance with the rules approved by the Government of the Kyrgyz Republic.

2. Cattle, horses, camels, and other animals (dogs and cats), and all kinds of animals with breeding value, shall be subject to identification by assigning to them a unique identification number.

3. Pigs, sheep and goats, rabbits, poultry and bee farms shall be subject to identification by assigning to each species of a group identification number, depending on the plan of anti-epizootic measures.

Article 7. The procedure for registration of identified animals and farms

1. The registration of identified animals and farms shall be carried out as follows:

- 1) registration of farms;
- 2) identification of animals;
- 3) accounting of identified animals in farms;
- 4) registration of information on the identified animals and information about their movement, slaughter (recycling), death in the Unified state register of identified animals;
- 5) processing and issuance of documents for animals according to the form established by the Government of the Kyrgyz Republic.

2. The form and content of the Unified state register of identified animals shall be approved according to the established procedure by the Government of the Kyrgyz Republic.

3. Registration of identified animals and farms in the Unified state register of identified animals shall be carried out in accordance with the Rules established by the Government of the Kyrgyz Republic.

Chapter 3

Legal relations in the field of animal identification

Article 8. The duties, rights and responsibilities of a business entity

1. A business entity shall:

1) provide the authorized state veterinary agency or local self-government bodies in case they have been delegated state powers for identification and registration of animals and farms accurate information about the farm, the movement of animals for registration in the Unified state register of identified animals according to the procedure established by the Government of the Kyrgyz Republic;

2) keep records of identified animals according to the procedure established by the Government of the Kyrgyz Republic.

2. A business entity is entitled to receive from the authorized state veterinary agency or local self-government bodies they have been delegated state powers for identification and registration of animals and farms documents according to the form established by the Government of the Kyrgyz Republic, for the identified animal.

3. A business entity operating for commercial purposes shall not:

1) engage in economic activities in the farm unregistered in the Unified state register of identified animals;

2) keep and breed unidentified animals on the farm.

4. Business entities guilty of violating the rules and requirements of animal identification and registration, shall be liable under legislation of the Kyrgyz Republic.

Article 9. Competence of the authorized state veterinary agency in the field of animal identification

1. The authorized state veterinary agency in the field of animal identification shall:

1) organize the work and carry out registration of farms, animal identification and registration in the Unified state register of identified animals;

2) keep a record of movement of identified animals;

3) keep records of business entities;

4) provide quarterly reports to statistical authorities on the movement of identified animals and registered farms according to the form, procedure and terms as established by the Government of the Kyrgyz Republic;

5) issue documents to business entities according to the form established by the Government of the Kyrgyz Republic, on the identified animals and farms registered in the Unified state register of identified animals.

2. Officials of the authorized state veterinary agency guilty of violating the rules and requirements of identification and registration of animals and registration of farms, shall be liable in accordance with the legislation of the Kyrgyz Republic.

Article 10. Delegation state the authority for identification and registration of animals and farms to the local self-government bodies

1. The local self-government bodies may be delegated the authority for identification and registration of animals and farms in accordance with this Law and the legislation of the Kyrgyz Republic.

2. In the case of delegation the local self-government bodies of state authority for identification and registration of animals, the local self-government bodies have the right to:

1) organize the work and to carry out registration of farms, animal identification and registration in the Unified state register of identified animals;

2) keep a record of movement of identified animals;

3) keep records of business entities;

4) provide quarterly reports to statistical authorities on the movement of identified animals and registered farms according to the form, procedure and terms as established by the Government of the Kyrgyz Republic;

5) issue documents to business entities according to the form established by the Government of the Kyrgyz Republic, on the identified animals and farms registered in the Unified state register of identified animals.

3. Officials of the local self-government bodies in case of delegation of state powers to them for identification and registration of animals and farms, guilty of violating the rules and requirements of identification and registration of animals and registration of farms, shall be liable in accordance with the legislation of the Kyrgyz Republic.

Article 11. State supervision in the field of identification and registration of farms

State supervision of identification and registration of animals and farms shall be the responsibility of the authorized state veterinary agency.

Chapter 4

Funding of measures for identification and registration

Article 12. Activities carried out at the expense of a business entity

Animal identification, accounting of identified animals, work on the determining whether the farm meets veterinary and sanitary requirements and issuance of the relevant documents for these activities according to the form established by the Government of the Kyrgyz Republic, shall be covered by a business entity.

Article 13. Activities funded by the republican budget

Measures for the organization and carrying out of registration of identified animals and farms of a business entity in the Unified state register of identified animals and their accounting, organization and carrying out of the counting of identified animals and business entities, development and preparation of state statistical reporting shall be funded from the republican budget in the amount appropriated for the current year.

Chapter 5
Final provisions

Article 14. Entry into force of this Law

1. This Law shall come into force for business entities engaged in cattle breeding - from November 1, 2014; horse breeding - from November 1, 2015; sheep and goats breeding - from November 1, 2016; poultry and bees - from November 1, 2017.

2. The Government of the Kyrgyz Republic shall within six months bring the normative legal acts into conformity with this Law, and take other measures necessary for the implementation of the provisions of this Law.

President
of the Kyrgyz Republic A. Sh. Atambayev

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