

Content

Title :	Statute for Prevention and Control of Infectious Animal Disease <b>Ch</b>
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Legislative :	Adopted on August 23, 1967 - denominated "Statute for Prevention and Control of Infectious Domestic Animal Diseases" , enactment of the 43-article ordinance Amended on January 31, 1996 - re-denominated "Statute for Prevention and Control of Infectious Animal Diseases" enactment of the 43-article ordinance Amended on May 17, 2000 - Articles 2, 6, 8, 12, 13, 18, 28-31, 40 Amended on November 7, 2001 - Article 28 Amended on February 6, 2002 - Articles 12, 13, 13-1, 22, 31, 32 , 32-1, 34, 34-1, 35, 38-1, 39, 41-45 Amended on May 29, 2002 - Article 10-1 Amended on May 24, 2006 - Articles 41, 41-1 Amended on Dec 10, 2008 - Articles 9, 11, 16, 32, 34, 34-1, 39, 41, 42, 44, 45-1, 46 Amended on Jan 23, 2009 - Article 9 Amended on Jun 4, 2014 - Articles 17, 20 Amended on Dec 24, 2014 - Articles 12-1, 12-2, 14, 14-1, 19, 28 , 40, 43, 45
Content :	Chapter 1 General Principles Article 1 This Statute is established to prevent the occurrence, contagion and spread of infectious animal disease. Other pertinent laws are applicable for issues not specified within this set of Statute.  Article 2 Hereupon, the Council of Agriculture, Executive Yuan is referred to as the central competent authority; municipal government is referred to as the municipal competent authority; and county (city) government is referred to as the county (city) competent authority. The animal health inspection authority as mentioned hereupon refer to authorities and district offices (cities and towns) established by the respective authorities concerned at different government levels in accordance with Paragraph 2 of Article 8. When issues of authority concern the public health, the authorities concerned shall take action in collaboration with the public health authorities.  Article 3 Hereupon, "prevention and control" will shall include matters relating to prevention, inspection, and quarantine, etc.  Article 4 The animals mentioned hereupon refer to bovines, water buffaloes

, horses, mules, donkeys, camels, sheep, goats, rabbits, pigs, dogs, cats, fowls, turkeys, ducks, geese, eels, prawns, tilapia, milkfish, salmons, trout, and other animals as specified by the central competent authority.

#### Article 5

The objects subjected to quarantine as mentioned hereupon refer to the animals mentioned in Article 4 and other animals of similar breeds, or animals which can be affected by infectious animal diseases, and their carcasses, bone, flesh, internal organs, fats, blood, hide, hair, feather, horns, hooves, tendons, milk, blood powder, eggs, sperm, embryos, and other objects which could spread animal epidemic disease.

#### Article 6

With regards to infectious animal diseases as mentioned in this set of statute, the central competent authority officially divided them into Types A, B and C.

To prevent the occurrences, contagion and spread of infectious animal diseases, the municipal and county (city) competent authority can order an infectious animal disease other than those mentioned above and apply part or all of the statute cited here.

#### Article 7

Hereupon, "suffering from infectious animal diseases" refers to animals which have been diagnosed to be infected with infectious animal diseases after they have signs of sickness.

On the other hand, "suspected of suffering from infectious animal diseases" would refer to animals which have signs of sickness, and are thought to be possibly suffering from infectious animal diseases, before they are actually diagnosed. Also, "possibly contacted with infectious animal diseases" would refer to animals which have directly or indirectly contacted with animals suffering or suspected of suffering from infectious animal diseases, and have no signs of sickness but possibly have contacted with the infectious animal diseases according to scientific conclusions based on epidemiological data.

#### Article 8

The respective authorities concerned at different government levels shall be staffed with animal health inspection personnel who are qualified veterinarians.

Governments of municipal cities and counties (cities) shall establish animal health inspection authorities; the central competent authority shall establish an animal health inspection and quarantine agency; when necessary, a central veterinary research institute should be established.

Quarantine units for import/export animals shall be staffed with animal quarantine personnel who are qualified veterinarians.

In case of emergency prevention and control of infectious animal diseases, the respective authorities concerned at different governmental levels should send animal quarantine personnel or animal health inspection personnel within their direct jurisdiction for the implementation of emergency prevention and control.

#### Article 9

For the necessity of inspection, animal health inspection personnel shall enter places for raising animals, warehouses and related places, vehicles, vessels and aircraft to check animals, animal products or their packaging containers and related objects. Investigation of relevant data and persons involved shall be carried out, and all persons or related persons must not evade, interfere or refuse.

For the necessity of quarantine, animal quarantine personnel shall conduct inspection of any unloaded animals, animal products and their packing, containers, cargoes, postal parcels, luggage, vehicles, vessels, aircrafts and deposit sites or the dispatch entrepots, which are potentially introducing animal diseases or pathogens. The owners or related persons must not evade, interfere or refuse.

All persons or related persons evading, interfering or refusing the investigation in paragraphs 1 and 2 of this Article, the inspection and quarantine personnel may be forced to execute the actions above.

#### Article 10

When animal health inspection and quarantine personnel are implementing measures of prevention and control, personnel of relevant agencies shall provide the necessary assistance and coordination.

#### Article 10-1

Authorities concerned shall grant reward to anyone informing against measures of animal disease prevention and control. Regulations governing the granting of the above reward shall be prescribed by the central competent authority.

Article 11 Deleted.

### Chapter 2 Prevention

#### Article 12

The owners and keepers of animals shall report to the animal health inspection authorities when their animals are suffering, or suspected of suffering from infectious animal diseases; or when their animals die of unknown causes. If this happens in the course of transportation, the person in charge of the transportation shall report to the animal health inspection

authority of the original stop. Upon receiving the report, the particular animal health inspection authorities shall send their animal health inspection personnel to check the carcasses and give instructions on burning, burying or disinfecting the carcasses, and other imperative treatment. When requested by the owners or keepers of animals concerned, a certificate of disposal shall be provided.

The above Paragraph does not apply if the animals are raised by households as a subsidiary means of income and the total number of dead animals is less than 10.

The animals mentioned above may include chickens, turkeys, ducks, geese, and wild animals of similar breeds. When they die of sicknesses, the owners must dispose of the carcasses by themselves. However, in case of an epidemic, the municipal or county (city) competent authority concerned shall specify the name of the infectious animal disease and the animal species, and be alert to announce the approaches to take. The county (city) competent authority shall also report the matter to the central competent authority.

When the owners dispose of the carcasses by themselves according to the above Paragraph, the ways must be burning, burying or disinfection. Selling and the arbitrary disposal of carcasses from the death of illness is prohibited.

#### Article 12-1

The central competent authority shall set up a system to manage owners or users of biomaterials related to infectious animal diseases specified and announced as such by the central competent authority.

Owners/users of infectious biomaterials shall comply with the advice and inspection of various competent authorities without evasion, interference or objection.

Regarding the first paragraph of this article, the sort of infectious biomaterials, qualifications of owner or users, laboratory biosecurity protocols, information to be submitted to the authorities, and other protocols for compliances shall be stipulated by the central competent authority.

#### Article 12-2

Regarding the infectious animal diseases specified and announced by the central competent authority, specimen testing and reporting as well as disease confirmation shall follow the protocol below:

1. Testing and reporting: testing shall be conducted by the central competent authority, or a governmental, academic or research institute with accredited proficiency testing; testing reports shall be submitted to both the local (municipal, county or city) and the central competent authorities.
2. Confirmation: The above test report shall be verified by an

accredited proficiency testing governmental institution of the central competent authority. Once the test result of the above specified infectious animal disease is confirmed, the central competent authority shall make a public announcement. Qualifications for accredited proficiency testing institutions, and academic or research institutes, supervision and certification of their status, and other protocols are to be stipulated by the central competent authority.

#### Article 13

To prevent and control the occurrence of the infectious animal diseases, authorities concerned of municipal cities and counties (cities) shall order animal health inspection personnel to implement such prevention and control measures as physical examinations of animals, immunizations, vaccinations, medicinal bath or other medical treatments. Moreover, for animals and places that have been treated by these measures, marks, labels or certificates should be attached. If necessary, authorities concerned of municipal cities and counties (cities) shall commission veterinary practice licensees to implement those measures. Animal owners and keepers shall not intentionally damage and counterfeit the marks, labels or certificates as mentioned above.

Depending on types of infectious animal diseases, authorities concerned of municipal cities and counties (cities) shall order animal owners and keepers to employ veterinary practice licensees to implement the measures mentioned in the above Paragraph or to implement under the guidance of veterinary practice licensees.

As animal owners or keepers unwilling and can not implement the measures provided under the above Paragraph, the municipal or county (city) competent authority should collect payment for labor cost for animal health inspection personnel or veterinary practice licensees to implement those measures. The standard of payments shall be prescribed by the municipal or county (city) competent authority.

In order to implement the measures provided under Paragraph 1 and Paragraph 3, animal owners or keepers shall follow the instruction of animal health inspection personnel or commissioned veterinary practice licensees in controlling the movement of animals and provide other necessary assistance without avoidance, refusal and interference thereof.

Ten days before implementing the measures provided under Paragraph 1 and Paragraph 2, the municipal or county (city) competent authority shall announce the aims of implementation, dates, areas, methods, animal species, and other relevant objects. However, in case of an emergency, the period of announcement should be shortened or implementation be administered freely.

#### Article 13-1

To eradicate specific infectious animal diseases, the central competent authority should announce the types of vaccine, time of administration, attached label, relevant documents, movement restraint and other control measures. Animal owners or keepers, veterinarians, veterinary aides and veterinary drug dealers shall obey and execute regulations as listed above. Regulations governing the administration, labeling, application, control, terms and other relevant objects of vaccination provided under previous Paragraph of this Article shall be prescribed by the central competent authority based on the animal species and infectious animal diseases.

#### Article 14

To prevent and treat the occurrences of infectious animal diseases, the municipal or county (city) competent authority shall specify areas when necessary, and order animal owners and keepers to sterilize rearing area and facilities, improve the rear environment, animal isolation, and eliminate the media for spread of diseases.

To prevent the spread of infectious animal diseases, animal transport service providers shall carry out cleaning and disinfection of transport vehicles as well as animal-carrying boxes and cages.

Cleaning and disinfection measures, as mentioned above, carried out by animal transport service providers are to be announced by the central competent authority.

Raw poultry eggs shall be transported only in disposable containers or single-use packing materials.

#### Article 14-1

A major zoonotic disease publicly announced according to Paragraph 2 of Article 17 could spread by poultry, such as chickens, ducks, geese or turkeys, the central competent authority may ban the display and sales of such live poultry in the retail market.

#### Article 15

For animals suffering or suspected of suffering from the infectious or unknown diseases, the municipal or county (city) competent authority should order animal owners or keepers to offer animals for necropsy by animal health inspection personnel. Carcasses following necropsy, shall be returned to the owners and keepers, and burned or buried under the supervision of the animal health inspection personnel.

#### Article 16

Rendering plants for animals' remains shall record the sources and amounts of animal carcasses, and the amounts of their final products. The records shall be kept for at least two years.

Rendering plants shall set disinfection facilities and equipments to perform sterilization, the sanitation and safety of the plant shall be supervised by certified veterinarians. Vehicles used for transportation of raw material shall be equipped with disinfection tools and closed systems for prevention from leakage. The vehicles shall be certified by the local animal health inspection authority through application by rendering plant or transportation company.

The central competent authority shall regulate the methods for the installation of disinfection facilities and equipments mentioned above, items, disinfection methods and procedures, contracted rendering, limitation of usage of rendering sources, report, inspection, approval and grant the qualified certificates for vehicles, expiration date, the presenting of places for the certificates on the vehicles, certificates replacement, abolishment of the certificates, random inspection, reporting obligation and related matters.

### Chapter 3 Epidemic Control

#### Article 17

In the line of duty, upon finding an animal suffering from, suspected of suffering from, or possibly having contracted a Type A infectious animal disease defined in Paragraph 1 of Article 6, or an infectious animal disease of Type B or C with the major zoonotic characteristic, a veterinarian or a veterinarian's aid shall report to the local animal health inspection authority within 24 hours. Upon receiving the report, the local animal health inspection authority shall take necessary measures and notify the central competent authority. In cases involving major zoonotic infectious animal diseases, the central competent authority shall immediately give notice to the central health competent authority.

Major zoonotic infectious animal diseases in the previous paragraph and Paragraph 3 of Article 20 shall be published by the central competent authority in consultation with the central health competent authority.

#### Article 18

When animal health inspection authorities suspect a fast spread of an infectious animal disease, a report shall be made quickly to their higher authorities concerned. The neighboring authorities and authorities of municipal cities or counties (cities) take charged of gathering and scattering of animals shall be informed.

#### Article 19

The Owner or keeper of an animal having, or suspected of having, an infectious animal disease shall promptly isolate the animal or take necessary actions under the instruction of animal health

inspection personnel who may-- in view of the spreading status of the infectious animal disease -- ban animal movement into or out of the same farm or rearing area.

To determine the etiology, animal health inspection personnel may require the owner/keeper to segregate the animal suspected of having an infectious animal disease, but the duration shall not exceed fourteen (14) days. However, this restriction does not apply to a disease with a possibly longer incubation period necessitating a longer span of segregation rearing.

During the quarantine or segregated rearing mentioned above, animal inspection personnel shall notify animal welfare protection inspectors to perform relevant inspection in compliance with biosafety biosecurity protocols.

#### Article 20

Regarding animals suffering from, suspected of suffering from or possibly having contracted infectious animal diseases and facilities or premises that are, or may be, contaminated with pathogens of infectious animal diseases, animal health inspection personnel, upon approval by the competent authority, shall dispose of them as follows:

- 1.Regarding animals suffering from, suspected of suffering from or possibly having contracted Type A infectious animal diseases defined in Paragraph 1 of Article 6, the owner or keeper shall follow the instruction of animal health inspection personnel to immediately cull the animals and have the carcasses burned, buried, or rendered.
- 2.Regarding animals suffering from Type B infectious animal diseases defined in Paragraph 1 of Article 6, if deemed necessary by animal health inspection personnel, the owner or keeper shall follow the instruction of animal health inspection personnel to immediately cull the animals and have the carcasses burned, buried, rendered, or take other necessary measures.
- 3.Regarding premises, vehicles, vessels and apparatus that are contaminated or may be contaminated with infectious animal disease pathogens, the owner or keeper shall follow the instruction of animal health inspection personnel to promptly have them burned, buried, disinfected or take other necessary measures.

Culling shall be conducted in a humane manner, minimizing the pain inflicted on animals without compromising the disease control and prevention; culling methods shall be reviewed and updated appropriately in accordance with the guidelines of international animal welfare science.

In the case of animals afflicted with Type B infectious animal diseases defined in Paragraph 1 of Article 6, with the major zoonotic characteristics, upon recommendation of the central health competent authority and deemed necessary by animal health inspection personnel, animals within the affected premises can

be disposed of in accordance with Item I of Paragraph 1 of this article.

For the purpose of etiologic identification or academic research , animals shall be disposed of under the instruction of the competent authority that grants the approval.

#### Article 21

If the municipal or county (city) competent authority believes in the necessity of an emergency, the animal health inspection personnel under their jurisdiction must follow their orders to manage the situation according to the previous Article described previously before reporting and alerting.

#### Article 22

In order to control and prevent the spread of infectious animal diseases, the municipal or county (city) competent authority should order animal health inspection personnel, commissioned veterinary practice licensees or veterinary practice licensees employed by animal owners and keepers to freely implement physical examination, immunizations, vaccinations, medicinal bath, or medical treatment of animals in accordance with Paragraph 1 and 2 of Article 13. Animal owners and keepers shall follow the instruction of animal health inspection personnel or veterinary practice licensees to control the movement of animals and provide other necessary assistance without avoidance, refusal and interference.

#### Article 23

The carcasses of animals that died of Type A or Type B infectious animal diseases, as specified in Paragraph 1 of Article 6, shall be quickly burned, buried, rendered, or disposed by other necessary means, according to the instruction of animal health inspection personnel. However, upon approval by authorities concerned, animals may be used to establish the etiology of the infectious animal diseases or for academic research.

#### Article 24

For carcasses or objects buried according to Article 20 and its various Parts, their burial grounds and labels shall not be dug out or destroyed within a certain period of time.

#### Article 25

When animals died, or suspected of dying from infectious animal diseases in the course of sea transportation, the owners, keepers, or ship captains should sterilize the carcasses, place and facilities or take other measures as deemed necessary.

#### Article 26

Before slaughtering animals that

are suffering or suspected of suffering from infectious animal diseases, the owners and keepers of animals shall report to animal health inspection personnel and take instructions on the methods and places of slaughtering.

For persons who cannot or will not carry out their mandatory duties according to the previous Paragraph, animal health inspection personnel should implement themselves or order a third party to do so. Fees shall be collected for implementing the necessary measures.

#### Article 27

When the municipal or county (city) competent authority deem it necessary to establish the etiology of sickness of animals or their carcasses which are suspected of being contaminated with infectious animal diseases, necropsy by animal health inspection personnel should be ordered for.

#### Article 28

When deemed necessary for disease control, various competent authorities can make public announcements to take the following measures:

1. Within a designated zone and specified period of time, banning or restricting the transport of specific types of animals, and suspending movement of carcasses or materials suspected of carrying pathogen of infectious animal diseases.
2. Suspending importation of materials subjected to quarantine from designated zones.
3. Setting up quarantine stations at major road junctions to check animals and their products. Materials failing to pass the quarantine check will be banned from movement and could be treated by necessary operation.

Protocols on checking criteria, procedures, methods for disposal, fee standard, locations, and other necessary measures in Item III above are to be stipulated by the central competent authority.

After carrying out the work in Item I above, the local (municipal, county, or city) competent authority shall submit a report to the central competent authority for future reference, and inform neighboring local competent authorities.

#### Article 29

When the municipal or county (city) competent authority deem it necessary for disease control, business should be halted in zoos, abattoirs, farm animal (meat) markets, poultry markets, fish market, processing plants for farm products and aquatic products, incubation sites, artificial insemination stations, milk harvesting station, etc. In addition, animal competitions, horse racing competitions, and other activities which involve the gathering of animals shall be halted.

#### Article 30

When the central competent authority deems it necessary, animal health inspection personnel under their jurisdiction should be sent to host joined infectious animal disease prevention and control activities among counties (cities) or among counties (cities) and municipal cities. Or assistance should be extended to authorities concerned of municipal cities and counties (cities) to manage matters of prevention and control of infectious animal diseases.

#### Article 31

Upon the eradication of infectious animal diseases, the municipal or county (city) competent authority shall remove the announcement of restrictive measures and report to the central competent authority accordingly, as well as inform the authorities concerned of the neighboring regions.

### Chapter 4 Importation/Exportation and Quarantine

#### Article 32

The import/export objects subjected to quarantine shall be handled by animal quarantine authorities or authorized organizations. In addition, inspection shall be carried out at ports, stations, animal quarantine offices, and other places specified by the animal quarantine authorities.

For exported objects requiring quarantine in the places of origin before exportation, the animal health inspection authorities shall co-operate with animal quarantine authorities to conduct the inspection. The central competent authority shall regulate the quarantine procedures, export registration or abolishment, sanitary management, sampling and analysis examination, reporting of diseases, inspection, the animal health certificate issuance or abolishment and other related matters.

Animal quarantine authorities shall notify animal health inspection authorities to conduct the post entry follow-up quarantine of the import objects. The central competent authority shall regulate the inspection, raising management, notification, reporting of diseases, period of post entry quarantine and other related matters.

#### Article 32-1

Animals subjected to quarantine should be quarantined by individual and other objects subjected to quarantine shall be quarantined by batch by the import/export animal quarantine authorities or authorized organizations.

Unqualified objects after quarantine provided under Paragraph 1 of this Article is not allowed to apply for repeat quarantine.

### Article 33

To ensure the health of animals and humans, the central competent authority should establish the quarantine conditions for objects subjected to quarantine, and announce the contagious areas and non-contagious areas in the overseas. In addition, they shall be responsible for banning or managing the import/export of objects needing quarantine.

### Article 34

Importers or agents shall apply for the objects subjected to quarantine before arriving at ports or stations and submit animal quarantine certificate granted by the inspection authorities of exporting countries. Animals found to be suffering or suspected of suffering from infectious animal diseases, upon quarantine, shall be barred from entering or disposed as deemed necessary.

Passengers or personnel on vehicle, vessel or aircraft carrying objects subjected to quarantine shall, in accordance with Paragraph 1 of this Article, apply for animal quarantine upon arrival.

The results of animal quarantine certificate shall accord with the quarantine conditions provided under Article 33.

If there is no submission of animal quarantine certificate or the results of animal quarantine certificate do not accord with quarantine conditions, the import/export animal quarantine authorities shall treat the following conditions in compliance with severity:

1. Secure quarantine measures are adopted according to international rule, for animal quarantine.
2. Duration of animal quarantine should be prolonged to implement imperative diagnosis or supplementary vaccination for infectious animal diseases. Animals should be allowed to pass and an animal quarantine certificate should be issued on condition that these animals are not suspected of suffering from infectious animal diseases.
3. Importers or agents of animals subjected to quarantine should be advised to submit an animal quarantine certificate before the deadline. Animals subjected to quarantine should be rejected or culled on the condition that animal quarantine certificate is not submitted before the deadline.
4. Animals subjected to quarantine shall be rejected or culled. Objects subjected to quarantine which are in transit or transshipment, shall be applied for quarantine in accordance with Paragraph 1 of this Article by the importers, agents or keepers. If an object is found to be suffering, suspected of suffering, or possibly infected or contaminated with infectious animal diseases or pathogens, the animal quarantine authorities shall take precautionary measures or disposal as deemed necessary.

If animal quarantine personnel finds any quarantine evasion

during inspection in ports or stations, the person who has intention to evade quarantine shall be punished in accordance with the Statute, and order them to submit animal quarantine certificate before the deadline. Animals subjected to quarantine shall be rejected or culled on the condition that animal quarantine certificate is not submitted before the deadline. Packaging for objects subjected to quarantine should not be opened or moved without permission.

Before arriving at the ports, vessels carrying animals from overseas shall raise the signals, according to international practices, for animal quarantine.

The cost for implementing imperative quarantine measures in accordance with Paragraphs 1, 4 to 6 of this Article shall be borne by importers, agents or keepers.

#### Article 34-1

On the basis of executing quarantine to prevent the communication / contagion and spread of infectious animal diseases, regulations for the treatment, methods, standard operating procedure, place, duration, course and transport concerning animal quarantine shall be regulated by the central competent authorities based on animal species and objects subjected to quarantine.

Importers/exporter or agents of animals subjected to quarantine shall apply for the ports, stations, animal quarantine offices, and other places specified by the import/export animal quarantine authorities before import/export, otherwise the import/export of animals subjected to quarantine shall be prohibited.

Any individual with the exception of the import/export animal quarantine personnel, cannot enter animal quarantine offices without permission. Upon quarantine, feed, straw and medicine supplied for animals, and milk, eggs, antlers, fur, feather, neonatal animals and other potential infectious pathogen contaminants were not allowed to be brought into and out of animal quarantine premises without permission from the responsible animal quarantine personnel.

Animals found to be suffering or suspected of suffering from infectious animal diseases, upon quarantine, should be treated by the import/export animal quarantine personnel as deemed necessary, including immediate disposal. A certificate of disposal of animals described above should be sent to the importers/exporter or agents.

#### Article 35

When necessary, animal quarantine personnel should inspect the incoming vehicles, vessels, or aircraft, before objects subjected to quarantine are unloaded. Once import animals is found to be suffering or suspected of suffering from infectious animal diseases, objects subjected to quarantine and the

incoming vehicles, vessels, or aircraft should be treated by staff of import/export animal quarantine authorities as deemed necessary. Personnel, including owners of vehicles, captains, administrators or agents, in charge of the transportation shall not evade, interfere or refuse.

When import animals died, or suspected of dying from infectious animal diseases in the course of transportation, the personnel, including owners of vehicles, captains, administrators or agents, in charge of the transportation shall report to animal quarantine personnel and follow their instruction before arriving at ports or stations and unloading the animals.

After taking measures in accordance with Article 25, the owners, keepers, or ship captains shall record the details in the log book in preparation for animal quarantine personnel's inquiries.

#### Article 36

Exportation is allowed only upon verification, with certificates of quarantine issued that the objects do not carry infectious animal diseases nor suspected of carrying infectious animal diseases. Exported objects under the following conditions shall apply for quarantine:

1. When import countries need quarantine certificates from export countries.
2. When the central competent authority believe that there is a necessity with regards to international quarantine.

#### Article 37

For objects subjected to quarantine which have been quarantined and issued with certificates at Region A of the country, when they are exported from Region B of the country, reports shall be made to the local import/export animal quarantine authority at Region B. When necessary, a second quarantine should be carried out at Region B.

#### Article 38

When situations stated in Articles 12, 14, 15, 18 - 21, 26, and 27 occur during quarantine, necessary actions shall be taken by individual import/export animal quarantine authorities.

#### Article 38-1

The smuggled objects which are subjected to quarantine and meat and meat products which are transported by foreign vehicles, vessels or aircrafts are not allowed to be landed. Those which have been landed shall be destroyed.

#### Article 39

As for quarantine of import/ export/ transferring / transship, the regulations of applications, certificate issuing, quarantine signals, closed containers conveying, the carrying/ postal

delivering of passengers or the vehicle/ vessel/ aircraft personnel, quarantine disinfection, and other related matters shall be regulated by the central competent authorities. The standard of fees for aforementioned quarantine implementing shall be prescribed by the central competent authorities.

## Chapter 5 Compensations for Losses & Penalties

### Article 40

Unless the owner/keeper fails to comply with Paragraph 1 of Article 12, or fails to follow the instructions of the animal health inspection personnel, animals died or culled, fetuses aborted, or materials destroyed as a result of measures in the Statute physical examination, immunization, vaccination, medical bath or treatment by animal health inspection personnel - shall be compensated at prices set by a valuation committee organized by the local competent authority (municipal, county or city) as follows:

1. Healthy animals died or fetuses aborted as a result of physical examination, immunization, vaccination, medical bath or treatment, shall be compensated within the evaluated price.
2. Animals culled for suspicion of having or possibly contact with an infectious animal disease shall be compensated within the evaluated price.
3. Animals culled for etiology identification shall be compensated within the evaluated price.
4. Animals culled for having an infectious animal disease shall be compensated within three fifths of the evaluated price. However, if the disease is a new one, or an old one reappearing after a lapse of over two years within national borders, the owner/keeper to notify the authority will be compensated within the evaluated price for animals culled.
5. Materials destroyed shall be compensated within half of the evaluated price.
6. Upon prior consent of authorities, animals slaughtered at the abattoir to limit the potential of disease outbreak shall be compensated fully to cover the difference between evaluated price and the actual sales price.

The composition and evaluation standards for the valuation committee in the paragraph above shall be stipulated by the central competent authority.

No compensation shall be paid for animals died or animal/materials disposed of according to Items II to V above during import/export quarantine period.

The compensation in the previous paragraph shall be borne by local (municipal, county and city) competent authorities; however the central competent authority may provide subsidies.

### Article 41

Offenders in violation of Article 33, by bringing in restricted objects subjected to quarantine, shall be imprisoned for not

more than 7 years , a fine of not more than NT\$ 3,000,000 may also be imposed.

The aforementioned objects shall be confiscated by the animal quarantine authorities before the Court first instance is announced.

For representatives of judicial persons, agents of judicial persons or ordinary persons, employed persons or other professionals, who enforce their duty and violated the above first Paragraph, penalties shall be issued on persons who actually violate the Paragraph as well as the judicial persons or ordinary persons involved. However, if the representatives of the judicial persons or the ordinary persons have tried to prevent the crime from happening, the judicial persons or ordinary persons shall not be dealt with penalties.

#### Article 41-1

Within the set period, the owner of the means of transport had violated the first Paragraph of the previous Article or intentionally caused a third-party to use the said means of transport to violate the same Paragraph, thereby causing or suspected to cause the spread of specific animal diseases, the said means of transport shall be confiscated.

The above applies to persons who, while aware that the said means of transport has involved in this or the previous Article, still obtained its ownership thereof.

The central competent authority shall announce the set period and specific animal diseases referred to in the first Paragraph. Confiscations mentioned in the first Paragraph shall be conducted by the seizure authorities.

#### Article 42

Violations of the following situations shall be fined between NT\$50,000 and NT\$200,000:

1. When animal owners or keepers violate Paragraph 1 of Article 19, shifting animals out of quarantine areas.
2. Violations of Paragraph 3 of Article 34-1, to set foot in or carry objects subjected to quarantine out of quarantine areas without permission.

The Violations described in Items I and Part II of Paragraph 1 of this Article and leading spreading or transmission of diseases shall be punished a maximum of three years imprisonment, detention, and may be fined a maximum of NT\$1,000,000.

For representatives of judicial persons, agents of judicial persons or ordinary persons, employed persons or other professionals, who enforce their duty and violated the previous Paragraph, penalties shall be issued on persons who actually violate the Paragraph as well as the judicial persons or ordinary persons involved. However, if the representatives of the judicial persons or the ordinary persons have to fulfill

obligation to prevent the crime from happening, the judicial persons or ordinary persons shall not be dealt with penalties.

#### Article 43

A fine of NT\$50,000 to NT\$1,000,000 shall be imposed for any of the following situations:

1. Violation of Article 12 by an animal owner/keeper or transport service provider.
2. Violation of Paragraph 2 of Article 12-1, namely the act of evasion, interference or refusal against instruction and/or inspection provided by competent authorities.
3. Dissemination of rumors about infectious animal diseases or false information about epidemics.
4. Violation of Paragraph 1 of Article 13-1 by a veterinarian, a vet' s aid, or a vendor of animal drugs.
5. Violation of Article 17 by a veterinarian or a vet' s aid.
6. Violation of Paragraph 1 or 2 of Article 19, namely animal owners/keepers fail to follow the instruction of animal health inspection personnel to segregate animals or conduct necessary measures such as moving animals into or out of rearing premises.
7. Violation of Article 23, namely owners/keepers fail to follow animal inspection personnel' s instruction in disposing of animals; or violation of Paragraph 1 of Article 26 namely failure to report to animal health inspection personnel about intended culling.
8. Violation of Paragraph 1 of Article 28 namely owners/keepers failing to carry out any of the measures.
9. Violation of Paragraph 2 of Article 32, namely owners/keepers of animals subject to export quarantine failing to carry out any required measure, such as quarantine procedure, export registration, sanitary management, sampling and analysis, disease notification or inspection.
10. Violation of Paragraph 3 of Article 32, namely owners or keepers of materials subject to import quarantine failing to follow relevant protocols, such as inspection, raising management, notification or disease notification.
11. Violation by importers or agents of quarantine protocols in Article 33 about objects subject to quarantine.
12. Violation of Paragraphs 1, 5 and 6 of Article 34 about objects subject to import quarantine, namely importers or agents failing to apply for quarantine.
13. Violation of Paragraph 7 of Article 34, unpacking or moving objects subject to quarantine without permission before the quarantine period is over.
14. Violation of Paragraph 1 of Article 34-1, namely the importers or agents failing to follow protocols, such as quarantine procedure, inspection, raising management, reporting or disease notification.
15. Violation of Paragraph 2 of Article 34-1, namely the animal

importers/exporters or agents failing to apply to arrange quarantine site prior to importation or exportation.

#### Article 44

Violations of the following regulations shall be fined between NT\$ 20,000 and NT\$ 100,000:

1. Proprietors of rendering plants or rendering transportation companies who violate Paragraph 1 or 2 of Article 16.
2. Proprietors of rendering plants or rendering transportation companies who violate Paragraph 3 of Article 16 that the methods for the installation of disinfection facilities and equipments mentioned above, items, disinfection methods and procedures, contracted rendering, limitation of usage of rendering sources, report, inspection, approval and grant the qualified certificates for vehicles or the reporting obligation.
3. Owners of vehicles, captains of vessels or aircraft, keepers or agents authorized who violate Article 35 or 38-1.
4. Importers/Exporters or their agents of objects not complying with Article 36 or 37 to apply quarantine and inspection.

#### Article 45

A fine of NT\$30,000 to NT\$150,000 shall be imposed for any of the following situations:

1. Violation of Article 9 or Article 29 by owners or related parties.
2. Violation of Paragraph 1 or Paragraph 2 of Article 13, namely owners/keepers failing to carry out prevention/controlling measures; or Paragraph 4 of Article 13, or Paragraph 1 of Article 13-1, Paragraph 1 of Article 14, or Articles 15, 20 or 22.
3. Violation of Article 14 Paragraph 2 by animal transport service providers; violation of Paragraph 4 of Article 14 by producers/sellers failing to comply after warnings, or committing a second violation within one year.
4. Violation of Article 14-1, namely anyone committing the prohibited act.
5. Violation of Article 24, namely to exhume burial sites or to deface warning signs without permission.

#### Article 45-1

Passengers or personnel of vehicle, vessel or aircraft who violate the second Paragraph of Article 34 shall be fined between NT\$3,000 and NT\$15,000.

#### Article 46

The fines stated in the Statute shall be implemented by the municipal or county (cities) competent authority, or import/export animal quarantine authorities.

Chapter 6 Annex

Article 47

Details of implementing the Statute shall be defined by the central competent authority and approved by the Executive Yuan.

Article 48

This Statute should come into effect on the date of promulgation.

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Data Source : MONISTRY OF AGRICULTURE Laws and Regulations Retrieving System