



Ordinary Law No. 5,628 of 12/29/2006

"Provides for Animal Health Protection in the State of Piauí"

THE GOVERNOR OF THE STATE OF PIAUÍ

I HEREBY declare that the Legislative Branch decrees and I sanction the following Law:

Article 1: The adoption of measures provided by Animal Health Protection, essential for combating, controlling, and eradicating infectious, communicable, and parasitic diseases of mandatory notification affecting domestic and wild animals, which alter production capacity or pose a risk to public health, is hereby instituted in the State of Piauí, in accordance with Decrees No. 24,548 of July 3, 1934, and No. 5,741 of March 30, 2006.

§ 1: For the classification of these diseases, the standards established by the World Organization for Animal Health (WOAH) shall be adopted.

§ 2: The measures referred to in this article shall be specified in regulations and complied with by all those who, in any capacity, hold animals in their possession.

Chapter I

ON COMPETENCIES

Article 2: The regulation of the Animal Health Protection policy of the State of Piauí is the responsibility of the Agricultural and Livestock Protection Agency of the State of Piauí – ADAPI, pursuant to State Law No. 5,491 of August 26, 2005.

§ 1: The coordination, execution, inspection, and oversight of compliance with Animal Health Protection measures, norms, and actions in Piauí are the responsibilities of ADAPI, which will list the diseases subject to prevention, combat, control, and eradication, except as provided by relevant Federal Legislation, according to state interests.

§ 2: The actions related to Animal Health Protection for the State and Municipalities, as provided in this article, shall be developed by ADAPI, in accordance with Federal Government guidelines and regulations.

Chapter II

ON THE OBLIGATIONS OF THE OWNER

Article 3: The owner of animals susceptible to the diseases referred to in Article 1 of this Law is obliged to:

I - Subject them to the Animal Health Protection norms established by ADAPI for prevention, combat, control, and eradication, and report the presence of diseased animals in their possession to the competent authority within the deadlines and conditions set by the competent body;

II - Allow inspections and collection of samples for diagnostic laboratory tests of interest to ADAPI;

III - Provide ADAPI with registration information about the animals in their possession within the deadlines established by ADAPI, as well as other relevant information;

IV - Prove the implementation, within the deadlines set by ADAPI, of the measures prescribed by ADAPI for the prevention, combat, control, and eradication of diseases;

V - Keep animals in fenced areas to prevent the contagion and propagation of diseases.

§ 1: If ADAPI, upon finding that the owner has failed to comply with the obligations set out in items I, II, III, IV, and V, shall apply the measures set out in the regulations to prevent, combat, control, and eradicate the diseases referred to in Art. 1st, and the costs incurred from these measures shall be borne by the owner.

§ 2: For the purposes of this law, the term "owner" refers to the natural or legal person who, in any capacity, has in their possession domestic and/or wild animals susceptible to the diseases provided in the zoosanitary norms, animal products and by-products, or biological materials that could transmit these diseases.

§ 3: Breeding and abandoning animals in public areas and on public roads is prohibited.

Article 4: Purchasers of animals subject to official sanitary control are required to demand from sellers the zoosanitary documents and other documents provided in regulations, with valid expiration dates, corresponding to the animals being sold.

Article 5: For the conduct of auctions, auction firms assume the role of custodians of the animals to be sold at the auction.

§ 1: The person responsible for the event must inform animal owners about the required zoosanitary documents and other documents specified by ADAPI.

§ 2: Animals may only enter the establishment upon presentation of the respective valid zoosanitary documents.

§ 3: Those responsible for conducting animal auctions are required to send ADAPI a complete report within a maximum of 72 hours after the conclusion of each event, as established in regulations.

Chapter III

ON THE OBLIGATIONS OF THE CARRIER

Article 6: The entry of animals, animal products and by-products, and biological material into or moving within the territory of Piauí shall only be permitted if accompanied by the required zoosanitary and other documents, in accordance with Federal and State Legislation.

§ 1: The driver, when transporting animals, animal products and by-products, assumes the status of owner.

§ 2: Carriers of animals, animal products and by-products, and biological materials who do not possess the documents required by this article, in addition to other penalties, shall be obliged to return to the place of origin, without the right to any reimbursement of expenses or compensation for any damages resulting from these measures. They may also have their cargo seized and/or destroyed, in accordance with State and Federal legislation.

§ 3: To conduct transportation, the carrier of animals, animal products, by-products, and biological materials is required to present the zoosanitary or other documents required for transit within the territory of Piauí.

§ 4: If an infectious or communicable disease is detected in animals in transit, even if accompanied by zoosanitary documents, ADAPI will adopt the recommended technical measures to prevent the spread of the disease, with the expenses being borne by the owner of the animals.

§ 5: Vehicles or objects that come into contact with contaminated animals or those from infected or contaminated areas will be disinfected or sterilized, with the expenses being borne by the owner or driver of the vehicle.

Article 7: The transportation of animals within the territory of Piauí in a road vehicle without a rubberized floor is prohibited.

§ 1: Road vehicles transporting animals from regions of the Federation where the requirement set forth in the "caput" of this article does not exist may only enter and transit within the territory of Piauí after undergoing disinfection at ADAPI's Surveillance Posts (SPs).

§ 2: After each animal transport, the carrier is required to clean and disinfect the vehicle with specific products for this purpose, and to properly dispose of the waste.

§ 3: The provisions in the "caput" of this article and its §§ 1 and 2 apply fully to railway cars and river vessels.

§ 4: Animal carriers are required to register their vehicles at the local ADAPI office, at the Animal and Plant Health Unit (USAV) within their municipality's jurisdiction.

§ 5: The provisions in the "caput" of this article apply only to professional carriers.

Chapter IV

ON SUPERVISION AND INSPECTION

Article 8: The acts of inspection and supervision referred to in this law shall apply to individuals or legal entities, whether public or private, who hold domestic or wild animals, in any capacity, as well as those who produce, package, store, handle, transport, market, or manipulate animal products and by-products intended for human or animal consumption, and biological and pharmaceutical products for veterinary use.

§ 1: The acts described in the "caput" of this article shall be performed by Agricultural Inspectors, Veterinary Doctors from ADAPI, or by technicians and Agricultural Protection Agents under their supervision.

§ 2: Zoosanitary control and inspection for the entry of animals into areas where aggregations occur shall be conducted by Agricultural Inspectors, Veterinary Doctors from ADAPI, or Agricultural Protection Agents under their supervision.

§ 3: Agricultural Inspectors and Agricultural Protection Agents are required to display their official identification when performing their inspection duties.

Article 9: Establishments for animal breeding and aggregation, industries processing animal products, as well as establishments that manufacture, handle, or market veterinary products must be registered with ADAPI.

§ 1: The establishments referred to in this article are required to demand from their suppliers, in addition to the requirements of federal legislation, the zoosanitary documents and other documents adopted by ADAPI.

§ 2: Animal slaughterhouses for bovine, bubaline, caprine, ovine, swine, and other slaughter species are required to provide ADAPI with a monthly slaughter report including the number of animal transit permits-ATPs (GTAs) collected, the origin, species, quantity, and sex of the slaughtered animals.

§ 3: Dairy establishments and similar businesses are required to provide ADAPI monthly with the quantity of processed products and, when requested, a list of suppliers and the origin of the raw materials.

§ 4: The provisions of §§ 2 and 3 of this article apply to establishments under the Federal Inspection Service (SIF), State Inspection Service (SIE), or Municipal Inspection Service (SIM).

§ 5: Slaughterhouses, dairy establishments, and similar businesses are required to present to ADAPI, upon request, the required zoosanitary and other documents as specified in the "caput."

§ 6: Dairy establishments and similar businesses are prohibited from receiving milk from herds that do not provide proof of vaccination through certification against foot-and-mouth disease, as well as other protection measures prescribed by ADAPI in regulations, in accordance with Federal Legislation.

§ 7: Other establishments processing animal products are required to present sanitary documentation when demanded by ADAPI.

Article 10: Slaughterhouses and aggregation establishments are prohibited from allowing the entry of animals not accompanied by the required zoosanitary documents or those with expired validity.

Article 11: In the inspection of animal transit, ADAPI shall request the support of the Treasury Office through its revenue and inspection body, as well as the Civil and Military Police of the State of Piauí, the Federal Highway Police, and Federal Police, if necessary.

§ 1: In issuing the Tax Permit for animal transit and for animal products and by-products, the Treasury Office shall require from the seller the zoosanitary and sanitary documents, not expired, adopted by ADAPI, related to the animals, products, and by-products being marketed.

§ 2: The carrier of animals, animal products and by-products, and biological materials is required to submit them to inspection and supervision actions performed by ADAPI's sanitary checkpoints, whether mobile or fixed.

Article 12: The rules set forth in Articles 9, 10, and 11 apply to agricultural exhibitions and fairs, cattle roping events, rodeos, semen and embryo collection centers, and other animal aggregations.

Article 13: ADAPI is responsible for supervising the conditions of storage and commercialization of vaccines and other veterinary products sold in the State, including those already in the possession of consumers for immediate use. It is mandatory to seize products with expired validity, those that are fraudulent, adulterated, improperly packaged, or in poor condition and unsuitable for their intended use.

§ 1: The operation of commercial and industrial establishments dedicated to the production and commercialization of livestock products is only permitted in Piauí if registered with MAPA and registered with ADAPI.

§ 2: The preservation of biological products shall comply with the standards established by the Ministry of Agriculture, Livestock, and Supply (MAPA) and as indicated on product labels or inserts.

Chapter V

ON CONTROL MEASURES

Article 14: Companies engaged in the sale of livestock products and vaccines are subject to ADAPI's inspection.

§ 1: It is prohibited for sellers of the products mentioned in the "caput" to issue documents that do not correspond to an actual sale.

§ 2: The companies referred to in this article are required to periodically submit to ADAPI reports on vaccine sales and, when necessary, present invoices required by ADAPI for verification, in the format and within the deadlines established by regulation, and keep ADAPI informed of the vaccine inventory.

§ 3: Companies selling veterinary products, outside of official vaccination stages, may only sell foot-and-mouth disease vaccine if the buyer presents a valid authorization for purchasing the product issued by ADAPI. These companies are also required to provide records of vaccine entry, sales, and inventory in accordance with the models established by ADAPI.

§ 4: The sale of biological and immunological products for livestock use on a street-vending basis is prohibited.

Article 15: Should diseases arise in other States of the Federation that could jeopardize the health of livestock in Piauí, ADAPI may impose restrictive measures on the entry and transit within Piauí of animals, their products and by-products, and biological materials from those areas.

Sole Paragraph: The provision referred to in this article is fully applicable when the closure of a municipality is indicated to prevent the spread of diseases and the dissemination of the causative agent within the State.

Article 16: If an infectious, contagious, or parasitic disease is detected, whether reported or not by the owner, and if isolating the animals is the recommended measure to prevent the spread and dissemination of the causative agent, ADAPI may quarantine establishments or holders, in any capacity, of domestic and/or wild animals that are contaminated or at risk of contamination, for the time necessary to completely eradicate the disease.

Sole Paragraph: The provisions of this article apply fully to stud farms, equestrian centers, roping clubs, agricultural exhibitions and fairs, cattle roping events, rodeos, animal confinement establishments, auction centers, semen and embryo collection centers, and other establishments housing domestic and/or wild animals or holding them in any capacity.

Article 17: In cases of foot-and-mouth disease or other diseases established by ADAPI in regulations, animals from restricted areas, as per Articles 15 and 16, will be intercepted and summarily slaughtered, and any animal products and by-products and biological materials seized will be destroyed, without prejudice to other penalties against the owner or holder, who will not be entitled to any compensation.

Article 18: In the State of Piauí, the use of the "Sanitary Rifle" or other permitted methods is established for cases where the slaughter of animals is essential for the eradication and elimination of diseases or to prevent their spread and the dissemination of the causative agent, as stipulated by regulations.

Article 19: In Piauí, the entry and transit of animals, animal products and by-products, and biological materials from Federal Regions that do not have the same sanitary status achieved by the Piauí livestock in eradicating foot-and-mouth disease and other infectious and contagious diseases will occur according to the transit norms established by the Ministry of Agriculture, Livestock, and Supply (MAPA) or by normative acts of the General Director of ADAPI.

Article 20: Control and combat of endo- and ectoparasites or other diseases affecting domestic and wild animals using prohibited or harmful substances to human health will necessitate the mandatory slaughter of such animals, without prejudice to applicable civil or criminal sanctions, and the owner will not be entitled to any compensation.

§ 1: In addition to the owner of the animals, any person who contributes to or participates, directly or indirectly, in the improper use of such substances will be subject to penalties under the Civil and Penal Codes.

§ 2: The substances referred to in this article are those specified in regulations.

Article 21: When it is indicated to establish a "Protection Zone in Piauí" to preserve the sanitary status of disease-free territory, ADAPI may adopt temporary measures to quarantine geographical areas of the State, from which the exit of animals, animal products and by-products, and biological materials to other regions of the State will be prohibited.

§ 1: For the purposes of this article, a "Protection Zone" is a geographical area within the State of Piauí comprising one or more municipalities, or a geographically defined area.

§ 2: The prohibition referred to in the "caput" of this article will be enforced by all those who, in any capacity, hold animals, animal products, and by-products, or biological materials that are potential carriers of the disease-causing agent, provided they do not comply with ADAPI's regulations.

§ 3: ADAPI may authorize the exit of animals, animal products and by-products, and biological materials from the "Protection Zone" if it is proven that they do not present risks of carrying disease-causing agents.

§ 4: Animals, animal products and by-products, and biological materials without the authorization mentioned in the previous paragraph will be seized and destroyed by ADAPI's inspection and supervision services, and their owners, without prejudice to other penalties, will lose their ownership and possession without any right to compensation.

§ 5: Seized animals, animal products and by-products, and biological materials will be destroyed with due regard for environmental preservation.

Article 22: Animals seized in the cases specified in the previous article will be eliminated, depending on the disease, through sanitary slaughter with the destruction of carcasses and environmental preservation.

§ 1: In the event of animal deaths on the property, the owner is required to dispose of the carcasses, notifying ADAPI in advance in case of suspicion of an infectious disease.

§ 2: Disposal of the carcasses mentioned in the previous paragraph will be done through incineration and/or burial.

Article 23: All rural properties in the State of Piauí involved in livestock production must be registered with ADAPI.

Article 24: The sanitary document or authorization for the transit of animals, animal products and by-products, can only be issued to owners of rural or industrial establishments that are registered or recorded with ADAPI.

Sole Paragraph: The documents required by this article are those specified in regulations.

Chapter VI

ON PENALTIES

Article 25: Without prejudice to the applicable civil and criminal liabilities, violations of this law will also result in the following penalties, as outlined in its regulations:

I - Warning;

II - Prohibition of the trade of animals, their products, and by-products;

III - Prohibition of the trade of biological products and pharmaceuticals for livestock use;

IV - Temporary closure of the commercial or industrial establishment;

V - Temporary closure of the rural establishment;

VI - Fines ranging from 106 (one hundred and six) UFR – PI to 1,767 (one thousand seven hundred and sixty-seven) UFR – PI.

Article 26: Without prejudice to other penalties, establishments, companies, and entities mentioned in Articles 9, 10, and § 2 of Article 11 of this law that repeatedly violate its provisions may have their accreditation revoked, based on a Technical/Legal Opinion from a collegiate body of ADAPI, composed of veterinarians and lawyers.

Sole Paragraph: The driver of a vehicle transporting animals, products, and by-products of animal origin who resists complying with the provisions of Article 8 and § 2 of Article 11, without prejudice to other penalties, will be required to return to the place of origin and may also have their cargo seized and destroyed, in accordance with the law.

Article 27: Any public servant or state employee who fails to comply with or violates the provisions of this law will be subject to the sanctions outlined in the Consolidation of Labor Laws or the Statute of Civil Public Servants of the State of Piauí and its Autarchies, and may also face other legal penalties.

Sole Paragraph: The provisions of this article also apply to employees of private entities that, by virtue of agreements, adjustments, or contracts, provide services to ADAPI.

Chapter VII

ON APPEALS AND REQUESTS FOR RECONSIDERATION

Article 28: The penalties specified in Article 25 will be imposed by an administrative act of the General Director of the Agency. An appeal may be filed within 30 (thirty) days, addressed to the same, who will decide, based on the Technical/Legal Opinion referred to in Article 26, whether to uphold or overturn the punitive measure.

Sole Paragraph: A request for reconsideration may be made within 15 (fifteen) days based on new evidence presented.

Article 29: Voluntary appeals against the measures outlined in Articles 19 to 21 of this law will be decided based on a substantiated technical report from ADAPI.

Article 30: Requests for the cancellation or installment of fines are not permitted without following the administrative procedure outlined in the regulation for infringement notices.

Sole Paragraph: Any ADAPI employee who authorizes the cancellation of fines without complying with the administrative procedure is required to reimburse the fine amount within 72 (seventy-two) hours, plus legal charges, to the Agency's revenue account, without prejudice to other applicable civil and criminal penalties.

ON FINANCIAL RESOURCES

Article 31: The effective use of public services requested from ADAPI, such as the issuance of zoosanitary documents, establishment registration, vehicle and facility disinfection, industrial facility inspections, as well as the issuance of technical opinions, laboratory services, and others, shall be remunerated through public fees to be established by decree upon the proposal of its head.

FINAL PROVISIONS

Article 32: For the performance of its duties, ADAPI will rely on the active participation of the Secretariat of Finance – SEFAZ/PI, through its collection and inspection bodies, and the Civil and Military Police, Federal Highway Police, and Federal Police, if necessary.

Sole Paragraph: In the execution of inspection, supervision, and other measures of Animal Health Protection in the State, ADAPI is granted administrative police authority. Consequently, the fiscal authority for the activities provided in this law is ensured free access to locations containing animals, products, and by-products of animal origin and biological materials subject to zoosanitary and sanitary regulations.

Article 33: The fiscal authority designated for ADAPI's activities, encountering obstacles to the execution of the measures in this law and its regulations, may request necessary support from the competent authorities to fulfill its mission.

Article 34: The implementation of the Unified System of Attention to Agricultural and Livestock Health - SUASA, regarding decentralization, will be carried out gradually, without prejudice to the actions of Agricultural Protection in the State.

Article 35: ADAPI may credential a private professional in the veterinary field, as established by regulation, to issue zoosanitary documents and perform diagnostic laboratory work as provided.

Article 36: Veterinarians, whether self-employed or public servants, who, in the exercise of their profession within the State of Piauí, identifies the occurrence of any mandatory-notification infectious, contagious, or parasitic disease in domestic or wild animals, is required to notify ADAPI within a maximum of 24 (twenty-four) hours from the end of the consultation.

§ 1: The provisions of this article apply to any citizen, whether or not they are an animal owner.

§ 2: Non-compliance with this article will result in legal penalties as established by regulation.

Article 37: This law establishes, through its provisions, the Special Committee for Sanitary Emergencies in Piauí, composed of representatives from the Board of the Agricultural and Livestock Protection Agency of the State of Piauí (ADAPI) - ADAPI, the Federal Superintendency of Agriculture – SFA in Piauí, and the Federal University of Piauí – UFPI, chaired by the General Director of ADAPI, with competence to perform the acts provided in this law and its regulations.

Article 38: This Law comes into effect on the date of its publication and shall be regulated by decree within 150 (one hundred and fifty) days.

Article 39: All provisions contrary to this law are hereby repealed.

PALÁCIO DE KARNAK, in Teresina (PI), December 29, 2006.

STATE GOVERNOR
SECRETARY OF GOVERNMENT

This text does not replace the publication in the Official State
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