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THE LEGISLATIVE ASSEMBLY OF THE  
REPUBLIC OF COSTA RICA

DECREES:

GENERAL LAW ON  
THE NATIONAL SERVICE OF ANIMAL HEALTH

TITLE I

General Considerations

CHAPTER I

General Provisions

ARTICLE 1.- **Purpose.** The purpose of the present Law is to regulate animal health, veterinary public health and the functioning of National Service of Animal Health (SENASA, for its Spanish Acronym).

ARTICLE 2.- **Objectives of the Law.** This Law has the following objectives:

- a) Preserve, promote, protect and reestablish animal health, with the purpose of providing a greater welfare and productivity, in harmony with the environment.
- b) Provide the consumer with the sanitary safety of food of animal origin and, thus, the protection of human health.
- c) Regulate and control sanitary security and safety of food of animal origin in an integrated manner, throughout the food production chain.
- d) Execute the necessary measures for the veterinary control of Zoonosis.
- e) Oversee and regulate the use and exchange of animals, their products and byproducts.
- f) Regulate and supervise the use and exchange of animal origin genetic material, as well as determine the sanitary risk that such material could represent to veterinary or animal public health.
- g) Register, regulate and supervise veterinary medicines and food for animal consumption, so that they do not represent a risk to veterinary public health, animal health and the environment.
- h) To seek the respect and implementation of the different international agreements, subscribed by Costa Rica in matter of competition, in accordance with the purposes and objectives of this Law.
- i) Establish the mechanisms of coordination between the different national institutions and the international organizations involved with the matters of this Law.
- j) Establish the mechanisms of participation of organized groups and users of services provided by SENASA in the plans and actions of its competence.

**ARTICLE 3.- Public Interest.** Declared as public interest are the health of domestic, wild, aquatic and any other animal; their genetic material, their products, byproducts, derivatives, waste; hazardous substances, food and animal medicines; the prevention, eradication and veterinary control of Zoonosis, and those diseases that because of their characteristics may place animal health and the animal economies of the country at risk; the control and prevention of risks of the use, release and trade of genetically modified organisms of animal origin destined for human or animal consumption, and that may affect human, animal health or its environment.

The aforementioned will be considered without prejudice of what is established in the Law of biodiversity, N° 7788, of 30 April 1998.

**ARTICLE 4.- Interpretation of this Law.** This law shall be interpreted in benefit of human health, animal health and the environment, and for the protection of each of them.

The jurisprudence, doctrine and general principles of the Law will serve to interpret, integrate and delimit the field of application or the written law, and will have the status of the regulation they interpret, integrate or delimit. Without prejudice of other principles, the following will be considered: the precautionary principle or of caution, the principle of risk analysis, the principle of the protection of consumer interest, the principle of equivalence, and the principle of transparency and information.

Definitions used in this Law and any other provision by SENASA will be understood in the sense that conform usually to the pertaining sciences and according to the definitions of international bodies of reference of which the Republic of Costa Rica is a member.

Within the scope of its competence, SENASA can interpret this Law.

**ARTICLE 5.- Competent Body.** It will correspond to the Ministry of Agriculture and Livestock (MAG, for its Spanish acronym), through SENASA, the regulation, planning, administration, coordination, execution and application of the official activities of national, regional and international character, related to the animal population health, residues, veterinary public health, veterinary control of Zoonosis, traceability, the protection and safety of food of animal origin, animal feed, veterinary medicines, animal genetic material, products and byproducts, the production, use, release or trade of genetically modified organisms that can affect animal health or its environment, hazardous substances of animal origin.

**ARTICLE 6.- Competences.** SENASA will have the following competences:

- a) Administrate, plan, direct and take pertinent measures throughout the country, to fulfill its services, programs and campaigns in matter of prevention, control and eradication of animal pests and diseases.
- b) Administrate, plan, direct and take veterinary or sanitary pertinent measures on the control and security and safety of products and byproducts of animal origin, in the capture, production, industrialization and trade stages, considering food additives, veterinary medicine residues, pesticides and other chemical, biological or biotechnological origin contaminants.
- c) Establish, plan, execute and evaluate the necessary measures to perform veterinary control of Zoonosis.
- d) Propose to the Executive Branch to dictate regulatory standards on animal health and veterinary public health matters.
- e) Dictate pertinent technical standards, elaborate procedures manuals, as well as execute and control animal welfare measures, veterinary inspection, internal displacement, import, export, transit, sanitary cordons, ban displacement to zones or infected localities, ban or controlled use of veterinary medicines and veterinary laboratory reagents, epidemiological surveillance and research, and sanitary and general veterinary measures of all domestic, wild, aquatic or other animals, their genetic material, products, byproducts, derivatives, their waste, hazardous substances and animal feed. This Law includes the competence to know and

regulate any other measure or product that technology develops and affects health or animal production.

- f) Implement necessary measures for transit and international and national exchange of domestic, aquatic, wild and other animals, their genetic or biotechnological material, their products, byproducts, derivatives, their waste, hazardous substances, animal feed and veterinary medicines; with the purpose of avoiding pests outbreaks or diseases that because of their characteristics place veterinary public health or animal health at risk. In the execution of this competence, SENASA will respect the provisions of the Convention on International Trade of Endangered Species of Wild Fauna and Flora (Cites), ratified through Law N.º 5605, of 30 October 1974, the Law of Wildlife Conservation, N.º 7317, of 21 October 1992, and the related regulation.
- g) Ban the import of domestic, aquatic, wild or other animals, their genetic or biotechnological material, their products, byproducts, and derivatives; their waste, hazardous substances, animal feed and veterinary medicine, when they become a unacceptable risk for the environment, veterinary public health or animal health.
- h) Establish and execute necessary measures on the production, use, release or the commercialization of genetically modified organisms which are animal, their products, byproducts of animal origin, biological control agents or others that may represent any type of risk unacceptable for the environment, and surrounding human, animal or biological health. For such purposes, SENASA will have the same competences and authorities established in articles 41 and 42 of Law N° 7664, of 8 April 1997, and their reforms. The Biosafety Technological Commission, created by article 40 of said regulating body, will act as an advisory body to SENASA in the area of its competence.
- i) Establish and enforce quality control regulations, monitoring, registry, import, customs clearance, national production sanitary control, warehousing, transportation, re-destination, transit, trade, means of transportation, retention and seizure, and the use of veterinary medicines, hazardous substances, genetic material, biotechnological material pathogen agents of animal origin, food additives and food for domestic, aquatic, wild and other animals.
- j) Control and ensure the health of domestic, aquatic, wild and other different animal species, as well as products, byproducts and derivatives safety for human or animal consumption, as well as establish sanitary controls in all abattoirs, and in process and industrialization facilities.
- k) Establish the national traceability system for animal, products and byproducts, and the elements used in animal production.
- l) Promote, perform and communicate field research on veterinary public health and animal health.
- m) Establish and supervise regulations, standards and the sanitary procedures, as well as traceability in the production and organic livestock industrialization.
- n) Provide quality services and deliver technical assistance and training, in the area of its competence, giving priority to small and medium producers in the country, in conformity with the plans and priorities defined by the MAG. SENASA will contribute so that service users may increase their knowledge, skills and abilities, in order for them to generate aptitudes and attitudes that enable their incorporation in the development process.
- o) Establish the assumed responsibilities and limitations for the authorization criteria for individuals and corporations for each particular activity.
- p) Establish quality control and technical audit procedures, for SENASA and official or authorized individuals or corporation; and similarly, oversee the administration, control and use of resources attained to apply this Law.
- q) Process and resolve citizen's complaints submitted in accordance to the terms of this Law and its Regulations.

- r) Develop inter-institutional conventions, agreements and the basis of coordination in matters of its competence. Furthermore, it can arrange technical and financial support of international and national organizations in order to strengthen SENASA.
- s) Assess foreign official veterinary services, so that, applying the precautionary principle, take related decisions to veterinary public health and animal health, that must be applied to international trade of domestic, aquatic, wild or other animals, their genetic or biotechnological material, their products, byproducts, derivatives, their waste, hazardous substances, veterinary medicines and animal feed.
- t) Declare free or with low pest or disease prevalence, the farms, properties, zones, regions or the totality of the national territory, as well as establish the necessary measures to keep such sanitary condition.
- u) Authorize, suspend or disapprove the functioning of the establishments indicated in article 56 of this Law, according to sanitary criteria defined for such.
- v) Advise the Executive Branch, as well as permanently disseminate information in matters of its competence, to interested institutions and organizations.
- w) Support with results from the official test laboratory, the efficacy of programs, campaigns and the inspection, control and evaluation system. The official laboratory may use for reference, duly authorized bidding laboratories.
- x) Guarantee the functioning of its cold storage, to keep tests and laboratory reagents, as well as veterinary medicines.
- y) Institute and organize education programs in its field of competence, for its technical personnel, with the purpose of satisfying training needs; the aforementioned will be done in concordance with what this institution establishes for such purpose. Similarly, it will incentive personnel to publish the results of their research in recognized scientific magazines. SENASA is authorized to provide training and advisory in matter of its competence.
- z) The other competences stated by law and international treaties approved by Costa Rica.

When in the exercise of the competences mentioned in the previous sections, there are aspects involved related to the protection of public health, SENASA will act in strict collaboration and coordination with the Ministry of Health.

For the purposes of this Law, SENASA will be considered a health authority; thus, any person, individual or corporate, will be subject to the mandates of this Law; its Regulations and the general and particular orders, ordinary and emergency, that this authority dictates in the exercise of its competences.

**ARTICLE 7.- Execution of the Acts.** In the execution of administrative acts derived from the application of this Law, SENASA will depend on a team of officials and qualified professionals, who will take action based on technical criteria.

## CHAPTER II

### Administrative Organization

ARTICLE 8.- **Administrative Jurisdiction.** SENASA will be a body with minimal deconcentration and instrumental legal status to perform all competences provided in this Law. As technical body, it will enjoy independence of criteria in the performance of its legal attributions.

ARTICLE 9.- **General Director.** The general director will be in charge of SENASA, and will be directly responsible before the Minister and Vice-minister of Agriculture and Livestock, in competent issues; this direct hierarchical relationship may not be weakened nor limited by any organizational or administrative provision.

The duties of the General Director will be the direction, coordination, implementation, supervision and evaluation of technical, scientific and administrative activities executed in compliance with this Law, and that will be stated in its Regulation.

ARTICLE 10.- **Organic Structure.** To comply with this Law, SENASA will depend on the necessary officials for compliance of its functions. The technical and administrative structure of SENASA will be defined in the Regulations of this Law, in accordance with the current legislation

ARTICLE 11.-**Internal Audit.** SENASA will have an internal audit, in conformity to the provision in the general Law of internal control N° 8292, of 31 July, 2002.

ARTICLE 12.- **Advisory Bodies.** SENASA will establish advisory bodies of consultation, coordination and evaluation integrated by its own representatives, from academic and research institutions, as well as livestock producers, professional corporations and other representatives from the Public or Private Sector related to the object of this Law. Among these, it will at least form the National Advisory Council on Animal Health, whose acronym –in Spanish- will be CONASA-, and whose members will function “*ad honorem*”.

ARTICLE 13.- **Coordination of Entities.** Public Administration offices and entities, centralized or decentralized, universities and municipalities, as well as all public and private organizations in conformity to what the Law establishes, must collaborate and coordinate their activities with SENASA.

Officials from SENASA and the rest of sanitary authorities must execute control and sanitary protection activities in a coordinated manner, under penalty of dismissal without employer's severance payment responsibility.

## TITLE II

### Financial, Human and Material Resources

#### CHAPTER I

##### Financial Resources

ARTICLE 14.- **Financial Resources.** SENASA will depend on the following resources:

- a) The amounts allocated annually in the ordinary and extraordinary budgets of the Republic.
- b) Revenues received from rendering of services, document signing, fumigation, authorizations, certifications, registrations and records, and registration for educational activities; these activities will be performed by SENASA.
- c) Thirty percent (30%) of the totality of revenues received for the application of Article 6 of the Law, for the control and elaboration and sale of animal feed, N° 6883, of 25 August, 1983, and its reforms, will be destined exclusively to the purposes established in this Law.
- d) Bequests and donations from individuals or corporations, national or international organizations, private or public and contributions from the State or its institutions.
- e) Reallocation of the operations surplus however it corresponds, in conformity with the financial administration of the Law of the Republic and public budgets N°8131, of 18 September 2001.
- f) Any other revenue obtained through yield from resources and provision or application of this Law or any other.

ARTICLE 15.- **Authorization to Receive Donations.** Institutions, corporations and the Branches of the State are authorized to grant donations to the favor of SENASA and to have SENASA receive them from them, as well as any other individuals and private institutions, nationals, internationals o foreign, on any amount or for any reason.

ARTICLE 16.- **Management of Resources.** SENASA can manage financial resources through a trust agreement to be subscribed with a public bank from the National Banking System. Within the internal control measures to be taken it will be possible to, after performing the financial schedule, and once the needs to manage liquid resources to face short term liabilities are defined, the assets should be invested in securities compound portfolios in the Public Sector with sovereign risk, under the principle of reasonable administration of public funds, overseeing at all times the security, profitability and liquidity of said resources.

For said purposes and prior to performing the established investments in this article, SENASA must hire an external auditor, with the purpose of guaranteeing and supervising the adequate management of resources, without detriment of the revision and latter control of administration and management of resources, which will be under the supervision of the Comptroller General of the Republic.

ARTICLE 17.- **Trustee.** The trustee will be a public bank, selected according to the best offer among those received, starting from the invitation done by the trustor to State commercial banks.

The trustee, further to the obligations imposed by the current legal and applicable provisions to the trust contract, will have the obligations established in the corresponding contract.

ARTICLE 18.- **Trustor.** In the trust contracts, the State will be the trustor represented by the MAG.

The trustor's obligations will be to:

- a) Supervise resources allocated to the trust must be destined in compliance with the purposes and objectives of this Law.
- b) Submit to the trustee a cash flow on the cash needs, according to schedule investment terms.
- c) Other obligations that this Law and the contract stipulate.

ARTICLE 19.- **Trustee.** SENASA will be the MAG's trustee.

ARTICLE 20.- **Prohibition of Appointments.** No personnel appointments or contracting of professional services, charged to the trust resources can fall on spouses or relatives of the general director from SENASA, the third degree kinship by consanguinity or affinity.

ARTICLE 21.- **Investment Items.** SENASA will use resources from the trust to cover operation and logistic expenses that will allow them to comply with the objectives provided by this Law.

Specific allocation established will be respected as different sources of revenue for SENASA.

Trust resources are banned from being used for supplementary payments to officials from SENASA, hiring personnel for an indefinite terms, as well as financing budgetary accounts, which are not covered strictly within the objectives of this Law.

Contracts charged to trust resources, are subject to the prohibitions and sanctions system established by the administrative contracting Law.

ARTICLE 22.- **Trust Equity.** The trust will be funded through the following resources:

- a) Revenues received because of records, registrations, document signing, fumigation, authorizations, certifications, registration for educational activities and sale of services provided by SENASA.
- b) Thirty percent (30%) of the totality of revenue received for the application of article 6 of the Law for the control of the elaboration and sale of animal feed, N° 6883, of 25 August 1983, and its reforms.

These resources can only be destined for the compliance of said Law.

- c) Bequests and donations of individuals and corporate, national and international organizations, private or public and the contributions from the State and its institutions.
- d) The reallocation of the operation's surplus.
- e) Zero point five percent rate (0.5%) over the CIF value, established in Article 100 of this Law.

ARTICLE 23.- **Exemption.** Trust operations regulated by this Law are declared of public interest; thus, are exempt from all payments due from legal revenue stamps, taxes for registration of its constitution, endorsement, payment of mortgages, taxes from pledge contracts, payments from appraisals, as well as payments for registration rights.

ARTICLE 24.- **Term of the Trust.** The term of the trust regulated by this Law will be determined in the corresponding contracts, and could be renewed according to what the contract

itself establishes. However, the trustor reserves the right of revocation, at any time, the trust, prior notice to the trustee with ninety days advance notice without incurring in any responsibility itself.

Once the trust contract is terminated, by any reason or in the event of non-renewal, the assets will go directly to the MAG to be used exclusively to fulfill the tasks of SENASA.

The resources of the trust will be subject to control and supervision from the Comptroller General of the Republic and SENASA's internal auditing.

**ARTICLE 25.- Monetary Reserves.** SENASA is authorized to establish cumulative monetary reserves for the following purposes:

- a) Emergencies in matter of its competence.
- b) Replacement or maintenance of machinery, vehicles and equipment.

**ARTICLE 26.- Authorization to Donate.** SENASA is authorized to donate to agricultural technical colleges, university colleges, and other public higher education institutions and other non-profit social interest organizations, whose ordinary undertaking goes in accordance with the purposes and objectives of this Law, seized goods or declared in abandonment, once these have proven to be of no risk to human health, animal health or the environment, and that such goods are of no use for it. If this relates to registrable goods, the donation must be made through a public deed; for the rest, a written declaration will suffice.

For such purposes, SENASA must abide by the provisions of the Regulation for the registry and control of goods of the Central Administration, issued by the competent bodies.

## **CHAPTER II**

### **Human Resources**

**ARTICLE 27.- Professional Suitability of the Director and Vice-Director General.** The General Director and Vice-director of SENASA will be appointed and discharged by the Minister of Agriculture and Livestock.

To become General Director or Vice-Director the following requirements must be met:

- a) Be Cost Rican in exercise of his/her civil and political rights.
- b) Be a university graduate and have a minimum degree of Licentiate in Veterinary Medicine, duly recognized by the corresponding organizations in the Republic of Costa Rica.
- c) Be of recognized honorableness.
- d) Have a minimum of five years proven experience in the field, after graduating with a Licentiate university degree.

Remuneration of both officials must be adjusted to salary scales defined by the Area of Human Resources. Under no circumstance, remuneration of these officials may surpass what the Civil Service General Direction establishes in proportion to their position and qualifications.

**ARTICLE 28.- Human Resources.** SENASA will have, among its human resource, a team of officials dedicated to its service. This does not preclude the possibility of eventual hiring. All categories of employees will be subject to the current hiring and discipline standards.

All hiring of professional services made by SENASA must be done in accordance to procedures established in Article 64 and following of the administrative contracting Law.

For the signing of those contracts, it will be required that professionals hired must be insured in conformance with the Costa Rica Social Security Bureau regime for independent workers, and report to that Institution any income received as a result of said contracts, in conformance with the transitory of Law XII for the protection of workers, N° 7983, of 16 February 2000.

**ARTICLE 29.- Contracts with Officials.** SENASA can establish contracts of exclusive commitment with its officials.

**ARTICLE 30.- Prohibition System.** SENASA will determine which position will require absolute prohibition from exercising the profession independently, with the purpose of guaranteeing objectivity in the performance of official functions assigned to civil servants. For said purposes, the Human Resources Area must coordinate with the Civil Service General Direction.

**ARTICLE 31.- Vacancies.** SENASA is authorized to fill and make use in the most adequate manner, to achieve the purposes of this Law, vacancies as a result of resignations, retirements, leave of absences and death; these vacancies will be filled in accordance to procedures established by the Civil Service Bylaws.

### CHAPTER III

#### Material Resources

**ARTICLE 32.- Vehicular Plan.** SENASA is authorized to define a vehicular plan that allows the reliable existence of maintenance and continuity of means of transportation, charged to the national budget or its own resources. Similarly, it may design optional or alternative measures to cope with its needs and competences.

The regulations of vehicles that belong to SENASA will not take into account discretionary use and will consider the exceptions of use required to assure the country the guarantees that this Law offers in the event of an emergency.

The vehicle plan must have the approval of the Comptroller General of The Republic.

### CHAPTER IV

#### Services

**ARTICLE 33.- Right of the Administered to Services.** All persons will have the right of access to services that the State provides through SENASA, in conformity to the nature of the activity it performs. Similarly, every person will be legitimated to challenge the acts of the administration in this matter.

**ARTICLE 34.- Amount of Services and Fees.** The amount of fees for services provided by SENASA will be established through executive decree, according to technical studies and based on the principle of service at cost, previous consultation with users. Revenues received will be reinvested in conformity with the current Law.

**ARTICLE 35.- Exemption from Payment.** The Executive Branch may authorize partial or total exemption from payment for services provided by this Institution through executive decree.

On this, it must follow public, scientific criteria or that of promotion to the productive sector. The act through which it authorizes it must be motivated.  
Technical agricultural colleges will be exempt from payment of services requested to SENASA, for the development of its academic activities.

**ARTICLE 36.- Suspension of Services Due to Failure to Make Payment.** Service fee payment must be paid by the interested party at the moment of requesting the service or immediately after it is rendered.

When the nature of the commercial activity does not allow immediate payment, SENASA is authorized to establish other mechanisms with maximum terms of fifteen calendar days subject to a satisfactory guarantee, according to regulating provisions established for such effect. Non-payment of corresponding amounts will authorize SENASA to stop the respective procedure and not render additional services, until the interested party makes full payment of the debt.

### T I T L E   I I I

## Protection of Animal Health, Veterinary Control of Zoonosis and Safety of Food of Animal Origin

### C H A P T E R   I

#### Special Powers

**ARTICLE 37.- Powers of Sanitary Police.** SENASA is authorized to order and execute the necessary sanitary measures, in matters of the application of veterinary medicines, slaughter of affected animals, those suspected of being or those who have been in contact with them; the retention, seizure, disinsectization, disinfection, return to the country of origin, quarantine, denaturalization, destruction of products, byproducts and derivatives of animal origin; as well as genetic and biotechnological material subject to genetic engineering technologies and other.

Everything done must be recorded in minutes taken in the place of the actions; for this, a public certification of the authority of SENASA will suffice and the due motivation of the act.

For the exercise of the competences that this Law confers, SENASA will have the powers entitled to the Phytosanitary Service of the State, established in the Law N.º 7664, of 8 April 1997.

**ARTICLE 38.- Sanitary Measures.** Officials from SENASA and those appointed by it, are authorized to perform inspections or visits, as well as apply sanitary measures inside private or public property, in the event that merchandises pose a risk to veterinary public health or animal health

**ARTICLE 39.- Official Certifications and Equivalence.** SENASA may certify compliance with veterinary controls, technical standards, production conditions by the administered, and any other activity under their supervision and control.

Similarly, SENASA may determine and agree the application to the principle of equivalence of measures and sanitary guarantees attested to in certificates issued by foreign authorities.

**ARTICLE 40.- Veterinary Certificate.** SENASA will dictate standards on requirements and administrative procedures to issue certificates, records, veterinary guidelines, laboratory reports and equivalents.

## CHAPTER II

### Pests and Diseases

ARTICLE 41.- **Classification of Pests and Diseases.** SENASA will classify pests and diseases that affect animals; similarly, it will determine those of mandatory combat by the state, individual mandatory and individual voluntary. Furthermore, it will establish measures to combat and prevent them.

ARTICLE 42.- **Declaration of Pests or Diseases of Mandatory Combat.** The Executive Branch, previous recommendation by SENASA, will declare pests or diseases of mandatory combat, state or individual, when known and may determine procedures and measures to be applied.

ARTICLE 43.- **Obligation of Mandatory Individual Combat.** Owners or individuals in charge of animals will be under the obligation of combating, on his own, pests and diseases declared of mandatory individual combat. If not done so, SENASA will do it on its own and the expenditure receipt issued by the Comptroller General of the Republic will become an enforceable document.

ARTICLE 44.- **Duties of the Administered.** The administered must contribute to the conservation of the animal population health, the protection and safety of food of animal origin, as well as the control of Zoonosis, the protection of the community and the environment.

Everyone is mandated to denounce, before the competent authorities, any suspicion or indication on the contamination of food of animal origin or the existence of pest or exotic diseases or epidemic, which arises in their own animals or belonging to another individual. Furthermore, must apply mandatory sanitary measures established to prevent, fight, control and eradicate diseases of animals, or consent to its application, as well as facilitate to the authorities the performing and application of due safety measures for animals as well as for the staff executing them. The administered that fails to comply with the aforementioned duties, will be subject, among others, to the administrative sanctions established under the current Law.

ARTICLE 45.- **Animal Welfare.** Owners or individuals in charge of an animal are under the obligation of providing welfare to preserve it in good health conditions, and must respect the legal, technical, ethical and professional standards currently in force.

## CHAPTER III

### Laboratories

ARTICLE 46. – **Official and authorized laboratories.** SENASAs official laboratory will be the National Laboratory of Veterinary Services (Lanaseve).

Without prejudice of the aforementioned, SENASA can offer laboratory services for reference, public or private, national or foreign, duly authorized or recognized by the competent authority. Furthermore, it can establish any other provision that it may deem necessary for the adequate operation of the laboratory and satisfy the public's interest.

ARTICLE 47.\_ **Official laboratory results.** The results from the analysis provided by the official laboratory will be definitive for the granting and terminating permits, authorizations and records. In regards to contentious issues, either administrative or judicial, these results will constitute full proof of conformance with the pertinent laws.

## CHAPTER IV

### **Commercial exchange and transit of animals, products and byproducts of animal origin**

ARTICLE 48.\_ **Risk Analysis.** SENASA will consider performing risk analysis in order to determine the sanitary conditions that condition the import or transit of an animal or merchandise, or to prove the sanitary safety of a product or byproduct entering or commercialized within the country, and its control is in conformance with the competence indicated in this Law.

If deemed necessary, SENASA can assess the veterinary service system of the exporting or origin country, as well as its sanitary conditions in conformance with current standards.

Moreover, it can perform risk analysis for local origin products destined for internal trade.

ARTICLE 49.\_ **Import Requirements.** Import of any domestic, wild, aquatic or other animal, its genetic matter, its products, byproducts, derivatives, waste, hazardous substances, animal feed and veterinary medicine or biotechnological material of animal origin, or which can affect the environment, animal or human health, must possess the prior sanitary permit and must comply with current legislation. At all times, the provisions from the Convention on International Trade of Endangered Species of Wild Fauna and Flora (Cites) must be observed, ratified through Law No.5605 of 30 October 1974, and the Law of Wildlife Conservation, No. 7317, of 21 October 1992.

Nonetheless, when the shipment arrives to the country, and if it presents any type of diseased symptoms and conditions, or abnormal or adulterated organoleptic conditions, the authorized staff member can proceed in conformance with those provisions foreseen in this Law and its Regulation.

ARTICLE 50.\_ **Import Permit.** The import, transit or displacement of domestic, wild, aquatic or other animal, its genetic matter, its products, byproducts, derivatives, waste, hazardous substances, animal feed and veterinary medicine or biotechnological material of animal origin or destined for the use or consumption of animals, as well as other matter which can be potential carriers or vehicles of infectious agents, parasitic or toxic, which risks the environment, veterinary public health or animal health, is prohibited. If human health is at risk, SENASA must inform the Ministry of Health.

Furthermore, the entry of animal, product and byproducts that does not possess the previous import sanitary permit and the international veterinary certificate or official certificate from the country of origin and does not comply with current legislation is also prohibited. Also prohibited is the import of animal and products regulated by this Law which conflicts with the provisions from the Convention on International Trade of Endangered Species of Wild Fauna and Flora (Cites) ratified through Law No.5605 of 30 October 1974, and the Law of Wildlife Conservation, No. 7317, of 21 October 1992, and any other related normative.

ARTICLE 51.\_ **Transportation Documentation.** Any person or corporation, as well as those companies dedicated to international, national and in transit shipping will be required to request those documents and requisites imposed by this Law and its Regulation, before receiving them on board.

If such documents are not furnished, SENASA can request the sacrifice of the animals, denaturalization of the products, or its return to the country or place of origin, whichever proceeds, without detriment of any other measure set forth by the legislation.

The importer, and its interested party or its representative, will cover any expenses incurred in applying such measures.

ARTICLE 52.\_ **Illegal Import.** Domestic, wild, aquatic or other animal, its genetic matter, its products, byproducts, derivatives, waste, hazardous substances, animal feed and veterinary

medicine or biotechnological materials imported in opposition to this legislation, will be sacrificed, destroyed, immediately seized or reshipped to the country of origin, whichever proceeds.

Any sacrificed animals and destroyed product or byproducts will be discarded in conformance with any technical standards established for such, in such way that it does not harm public health or the environment.

The importer, and its interested party or its representative, will cover any expenses incurred in applying such measures.

**ARTICLE 53.\_ SENASA inspections.** When introducing animals, products and byproducts of animal origin, its derivatives, waste, hazardous substances, animal feed and veterinary medicine or biotechnological materials of animal origin, either for its import, re-destination or transit, SENASA must then proceed with the inspection according to the technical procedures established by this Law, its Regulation, and duly recommend the corresponding sanitary measures.

SENASA will determine, based on the evaluation of the requirements provided by the country of origin, the corresponding risk analysis and the application of the precautionary principles, if the application of the principle of equivalence applies or not, in any of the different levels, on the product, concrete standards, systems, agreements or any other that SENASA may deem pertinent.

**ARTICLE 54.\_ Control Measures.** Once the import of any product or byproduct of animal origin has been authorized, and is then determined that this may represent a severe risk to human health, animal health or the environment, and that such adopted sanitary measures do not control it in a satisfactory manner, SENASA may then execute the following measures:

- a) Suspend the circulation of such product and apply the corresponding sanitary measures.
- b) Establish special conditions so that such product may circulate the country, or be returned or redestined.

**ARTICLE 55.\_ Collaboration from the Treasury Department.** The Treasury Department will collaborate with SENASA in regards to the surveillance of the restriction of veterinary matters in customs.

SENASA will also collaborate with the General Direction of Customs from the Treasury Department with the inspection and control of the internment of merchandise or products from animal origin.

For such purposes, both institutions will exchange information and make available both databases in order to facilitate the establishment of cross-control.

## **CHAPTER V**

### **Veterinary Control in Establishments**

**ARTICLE 56.\_ Establishments Subject to Control.** SENASA will grant or withdrawal the Certificate of Veterinary operation for the following establishments:

- a) Those that concentrate and commercialize animals, including livestock production units that SENASA classifies as a veterinary or epidemiological risk.

- b) Those that elaborate, import, clear customs, fraction, store, transport, and sell products and byproducts from animal origin.
- c) Those destined for the sacrifice of animals; or that industrialize, package, refrigerate, process or sells, at wholesale, products, byproducts, or animal derivatives for human or animal consumption.
- d) Those that elaborate, import, clear customs, fraction, store, and transport and sell animal feed.
- e) Laboratories that render veterinary services.
- f) Those that elaborate, import, clear customs, fraction, store, and transport and sell animal feed.
- g) Those that elaborate, import, clear customs, fraction, store, and transport and sell genetic or biotechnological material from animal origin or that destined for animal consumption or use.
- h) Establishment authorized and accredited for export.
- i) Zoos and other animal centers that gather wild animals in captivity.

Those characteristics and specifications that establishments must meet will be set forth in the Regulation of this Law.

**ARTICLE 57.\_ Certificate of Veterinary Operation.** The Certificate of Operation granted by SENASA, will authorize a person or corporation to perform one or several of the activities indicated in article 56 of this Law.

One certificate can specify the authorization to perform several activities; it will be applied for and granted only once and will not require further renewal, only if the sanitary requirements are constantly complied with.

Such authorization will imply compliance with the sanitary requirement established by SENASA to carry out such activity.

**ARTICLE 58.\_ Certificate of Veterinary Operation Cancellation.** SENASA may cancel the Certificate of Veterinary Operation, if it determines, by previous inspection, that the establishment does not comply with the sanitary requirements set forth for such authorized activities. If a Certificate is cancelled, the interested party may reapply for recertification.

**ARTICLE 59.\_ Controls.** SENASA must perform periodical inspections and other control activities of establishments in order to verify compliance with sanitary requirements.

**ARTICLE 60.\_ Register of Establishments.** Any establishment authorized to perform one or more activities indicated in Article 56 of this Law, must be duly registered, created and managed by SENASA.

**ARTICLE 61.\_ Sanitary Symbol.** SENASA will create a voluntary program of farms, producers or trading companies of products and byproducts of animal origin produced in Costa Rica, that comply with that stipulated in this Law. Good livestock practices, animal disease control of particular mandatory combat; regulation of veterinary medicine waste and pesticides, good transportation practices, as well as any other sanitary measure intended to protect human health and the environment, among others, will be considered.

Furthermore, SENASA will establish the procedure, classification and logo by which companies will be granted with the official recognition of sanitation. Such recognition will be the Certificate.

ARTICLE 62.\_ **Official publication of authorized and registered establishments.** SENASA will annually publish in the official Gazette a list of establishments dedicated to those activities mentioned in Article 56 of this Law; such establishments must be duly registered and authorized.

ARTICLE 63.\_ **Product Withdrawn from Circulation.** By official notification and during any stage of the food chain, SENASA must withdrawal from circulation any product or byproducts of animal origin that represents an unacceptable risk to the environment, human and animal health. Correspondingly, a producer or intermediary, who intervenes in any stage of the food chain, must notify SENASA and withdrawal from circulation any product or byproduct of animal origin that represents an unacceptable risk to the environment, human and animal health.

## CHAPTER VI

### Safety and Traceability

ARTICLE 64.\_ **Safety of products and byproducts of animal origin.** SENASA, in conjunction and in coordination with the Ministry of Health will determine the sanitary measures necessary to ensure the safety of products and byproduct of animal origin destined for human consumption. It will also ensure the suitability of elements utilized in its elaboration.

The production, transformation and distribution of products or byproducts of animal origin or animal feed that are not safe for the environment or for human or animal consumption, will be prohibited.

ARTICLE 65.\_ **National Traceability Program.** SENASA will establish, regulate and apply a National Traceability Program for all animal, products and byproducts of animal origin, as well as elements and raw materials under its protection. This program will be constituted by several traceability systems.

ARTICLE 66.\_ **Traceability Systems.** The Executive Branch, with technical consultancy from SENASA, will decree those traceability systems under its protection, which will be established by the Regulation of this Law. Those traceability systems applied, observed and supervised by SENASA, must be compatible with the complementary systems developed and implemented by other sanitary authorities in the country.

Each system must be constituted as an adequate management mechanism for the corresponding sanitary risk and must abide by the application of the principle of national treatment.

The following particulars, among others, must be considered for the design of these systems:

- a) Animal species
- b) Productive chain stage
- c) Exploitation type
- d) Shipping means
- e) Product or byproduct
- f) User or target consumer

**ARTICLE 67.\_ Implementation of a Traceability System.** Traceability systems can be slowly and progressively implemented, ensuring adequate sanitary risks management. SENASA must assign the necessary resources in order to develop the capacities that will allow the application, within its competence, of traceability systems, including its adequate supervision and surveillance.

The administered must supply any information required for the effective implementation of such traceability systems. Correspondingly, SENASA must verify the information supplied. The different economic and productive agents must apply the traceability systems, within the stipulated terms and conditions, for each case, for the respective Regulation of this Law.

**ARTICLE 68.\_ Products Subject to Traceability.** SENASA will scrutinize the following items during the creation, execution and verification of the traceability systems:

- a) Live animals
- b) Products, byproducts or derivatives of animals, destined for human or animal consumption.
- c) Veterinary medicine
- d) Hazardous substances for animal health
- e) Chemicals, additives or any other substance used in the fabrication of feed of animal origin
- f) Animal origin products destined for human food that contains or is comprised of genetically modified organisms, or genetically engineered products.
- g) Food destined for animal consumption, as determined by the Regulation of this Law.
- h) Animal genetic material
- i) Biotechnological material of animal origin or its use
- j) Waste from production activities regulated by SENASA, that based on its own criteria, may present an epidemiological or veterinary risk.
- k) Any other that SENASA may consider pertinent to establish.

Any traceability systems observed and supervised by SENASA will include all stages of production, transformation, shipping, import and export, and wholesale distribution of any the aforementioned products.

**ARTICLE 69.\_ Traceability Activities Executed by the Administered.** Those individuals or corporation dedicated to the activities indicated in Article 56 of this Law, must:

- a) Adequately identify animals on their property or those under their care, as established and conditioned by the Regulation of this Law.
- b) Identify the product in question, utilizing the corresponding identification method according with current legislation.
- c) Upkeep the information relative to the origin of the animal or product, including any other data determined by Regulation of this Law during any period defined by such.
- d) Facilitate to the sanitary authorities, adequately identified, any information required for the operation of the traceability systems.

The Establishment Register created by this Law will form part of the National Traceability Program.

ARTICLE 70.\_ **Official Information System.** The Official Information System is created, administered by SENASA in order to facilitate the application of traceability systems of animals, products and byproducts contemplated in this Law. This information to be included in the System will be defined in the Regulation of this Law.

ARTICLE 71.\_ **Control.** SENASA will dictate and determine the pertinent measures to attain control and surveillance of the application of traceability systems of animals and products regulated in this Law. For such purpose, an official control system will be implemented, and perform other activities promptly, including public information regarding the security, safety, and risks brought on by animals, products and byproducts of animal origin, animal feed and medicine and elements of veterinary use.

SENASA can also regulate and execute any other type of control activities during any of the stages of production, shipping, import, export, transformation and wholesale distribution of animals and products under its protection.

ARTICLE 72.\_ **Certificate of Traceability.** SENASA is duly authorized to issue certificates of traceability systems compliance in accordance with the Regulation of this Law. Such certificate can be issued only when SENASA has completely confirmed the corresponding compliance, within the minimum terms defined in the Regulation of this Law, of all the provisions preserved by the traceability systems that regulate a specific product. Also, when infringement of these provisions is corroborated, the certificate will be canceled and any specifically certified products would be ordered to be withdrawn from the market.

SENASA is also authorized to register, free from any registration fees, with the Industrial Property Registry, any insignia deemed necessary to carry out the certifying activity. These insignias can only be included on labels and packages of those products, which have been duly certified.

## CHAPTER VII

### Surveillance, Veterinary control and eradication of zoonosis

ARTICLE 73.\_ **Surveillance of Zoonosis and Zoonotic Agents.** SENASA will perform veterinary surveillance activities for Zoonosis and Zoonotic agents, surveillance of therapeutic resistance of veterinary medication and the exchange of information regarding the subject matter; and for this purpose, it will implement a collection, analysis and data dissemination system.

ARTICLE 74.\_ **Surveillance of the Food Production chain.** The surveillance will be performed during those stages of the food chain deemed appropriate for its control, according to the Zoonosis or Zoonotic agent in question.

ARTICLE 75.\_ **Criteria to Perform Veterinary Surveillance of Zoonosis.** SENASA will perform veterinary control of Zoonosis, based on the following criteria:

- a) The severity of the effects on people.
- b) Economic consequences for the sanitary attention of animals and food sector businesses.
- c) Epidemiological trend of the animal population and animal feed.
- d) Incidence on the animal population and food destined for consumption.

ARTICLE 76.\_ **Coordinated Surveillance Programs.** SENASA can establish coordinated surveillance programs with other public and private institutions, especially when a specific need exist to assess those risks or set reference values in regards to zoonosis or zoonotic agents.

## CHAPTER VIII

### Organic Livestock Production

ARTICLE 77.\_ **Organic Livestock Production.** SENASA will regulate that which is relevant to organic livestock production sanitary standards and procedures.

## CHAPTER IX

### Infractions and Sanctions

ARTICLE 78.\_ **Infractions.** The following are considered violations to this Law:

- a) Those who do not possess a Certificate of Veterinary Operation.
- b) Those who lack a professional advisor, when determined so by this Law and its Regulations.
- c) Those who incur in the omission or lack of communication in case of animal diseases, when dealing with zoonosis or diseases that are epizootic, especially if they present special virulence and rapid diffusion. Also, those who do not notify the existence of a plague or declared disease of mandatory notification, or do not combat a plague or disease declared as mandatory combat.
- d) Those who import domestic, wild, aquatic or other animal, its genetic matter, its products, byproducts, derivatives, waste, hazardous substances, animal feed and veterinary medicine or biotechnological material of animal origin without the previous sanitary permit for import.
- e) Those who import, transit or displace domestic, wild, aquatic or other animal, its genetic matter, its products, byproducts, derivatives, waste, hazardous substances, animal feed and veterinary medicine or biotechnological material of animal origin, or destined for animal use or consumption, including materials of other nature which poses a risk for the environment, public veterinary or animal health.
- f) Those who incur in unauthorized fabrication, falsification, manipulation or fraudulent use of animal markings or those identification documents that protects them.
- g) Those who import animals, products and byproducts, hazardous substances, veterinary medicine, animal feed, biotechnological products, without the documentation and requirements imposed by this Law, before bringing them on board, when dealing with individuals or corporations or companies dedicated to the international, national and in transit shipping.
- h) Those who provide false documentation to the authorities or use them to move or transport animals.
- i) Those who label, insufficiently or unapproved, blends, pre-blends, additives, raw materials, substances and products employed in animal feed, in conformance with that established in Law No.6883 of 25 August 1983.
- j) Those who trade veterinary medicine, hazardous and reagent substances from veterinary laboratories in the margin with current standards.

- k) Those who trade domestic, wild, aquatic or other animal, its genetic matter, its products, byproducts, derivatives, biotechnological products of animal origin or those that affect animals, animal waste and animal feed, in the margin with current standards.
- l) Those who produce, transform and distribute products or byproducts of animal origin or animal feed that are not safe for the environment, or human or animal consumption.
- m) Those who infringe the provision, duly promulgated, established in matters of traceability.
- n) Those who transport diseased or possibly diseased animals that can diffuse high-risk diseases.
- o) Those who do not respect internal or external animal or product quarantines, established by SENASA.
- p) Those who violate SENASA seals, customs stamps and other similar documents.
- q) Those who, unjustifiably, reject or delay access to SENASA authorities to the establishment or hinder performing activities such as the investigation, inspection, prevention or combating animal plagues and diseases.
- r) Those who issue certificates, records, veterinary guides, laboratory reports and equivalent that do not conform to technical and true criteria.
- s) Those who do not seek animal welfare according to current legal, technical, ethical and professional standards.
- t) Those who infringe on sanitary measures established by SENASA in conformance with Article 89 of this Law.
- u) Those who infringe any other provision of this Law.
- v) Those who use, trade or release to the environment, genetically modified organisms of animal origin, without proper authorization of the competent authorities.

ARTICLE 79. **Criteria for the Application of Sanctions.** Those who infringe this Law will be sanctioned in consideration of the sanitary risk that the act or omission can represent for the public health, animal health or the environment, as well as severity of the infraction and background of violator.

ARTICLE 80. **Administrative Sanctions.** Those infractions indicated in Article 78 of this Law, will be sanctioned with a fine of one to five base salaries for a university licentiate professional.

If the infraction incurs a risk or produces any type of damage to the environment, animal or human health, the livestock sanction to be imposed, will be the following:

- a) For clauses a), b), h) i), n) and o) from five to twenty base salaries for a university licentiate professional.
- b) For clauses c), d), e), f) g), j), k), l), m), p), q), r), s), t), u) and v) from seven to fifty base salaries for a university licentiate professional.

In order to apply these sanctions, SENASA will grant an audience to the interested party in accordance to that stipulated in the Regulation of this Law.

ARTICLE 81. **Sanction Increase.** When dealing with a reoccurring violator, the sanction can be increase by one third.

Therefore, the circumstances of the responsible party, the characteristics of the exploitation or production system, the degree of the offense or negligence, the benefit obtained or expected, the number of animals affected, the damage or risk to people or to the livestock capital, as well as the infringement of previous warnings and social alteration that could be provoked must be considered.

ARTICLE 82. **Administrative Sanctions Maximum.** SENASA must consider the economic situation of the violator. In any case, the maximum limit of penalties indicated above, can be exceeded up to double the benefit obtain by the violator, when said benefit exceeds the maximum number of penalties.

ARTICLE 83. **Principles of Legality and Due Process.** SENASA must apply the measures established by this Law or in its Regulation, adhering to the principles of legality and due process. In regards to procedures, upon the lack of an expressed standard in this Law, the general provisions of the administrative procedure of the General Law of Public Administration will be applicable.

ARTICLE 84. **Limitation.** The authority to impose the administrative sanctions contemplated in this Law will lapse after four years of having committed such act or omission.

ARTICLE 85. **Unlawful Actions from Public Officers.** The sanctions stipulated in this chapter can be increased by one third, if that responsible for such action or omission is a public officer or de facto. Furthermore, a special disability can be imposed, when discharged from a public post and the impossibility to be reposted in any public post during five years. This is without prejudice of applicable penal and civil infractions.

ARTICLE 86. **Penal and Civil Responsibility.** The sanctions indicated in this Chapter, will be applicable without prejudice of the resulting penal or civil responsibility.

ARTICLE 87. **Professional Responsibility.** Those sanctions indicated in this Chapter will be applied without prejudice of the resulting responsibility and sanction in accordance with the corresponding professional association normative.

ARTICLE 88. **Procedures.** Any resolutions from SENASA, issued in a penalizing process, will have an appeal for annulment resolved by the body that dictated this act, and the appeals, by the Minister of Agriculture and Livestock. The proceedings from these appeals will be governed by that disposed in Title VIII from Book II from the General Law of Public Administration.

## CHAPTER X

### Application of Sanitary Measures

ARTICLE 89. **Sanitary Measures.** SENASA must perform any sanitary measures that it may deem necessary in order to comply with the objectives of this Law.

The following sanitary measures will be considered:

- a) Temporary shutdown of the establishments indicated in Article 56 of this Law.
- b) Cancellation or suspension of the Certificate of Veterinary Operation, including the shutdown of the establishment.
- c) Seizures.
- d) Retention

- e) Denaturalization
- f) Quarantine, internal and external
- g) Destruction
- h) Return or redestination
- i) Medication
- j) Sacrifice
- k) Annulment of proceeding or documentation authorized by SENASA
- l) Cancellation of authorizations and registrations
- m) Any other duly justified sanitary measures that SENASA considers pertinent to apply.

ARTICLE 90. **Prevalence of Technical Criteria.** Sanitary measures will be based on technical, scientific and professional criteria.

ARTICLE 91. **Obligation of Sanitary Measures.** Due to public interest and with the objective of protecting the environment and the health of people and animals, the application of the measures indicated in this Law is mandatory by SENASA, and compliance by the administered is also mandatory. These will be established in function of the corresponding technical criteria.

## TITLE IV

### Emergency Provision

ARTICLE 92. **Declaration of State of Emergency.** In case of regional or national emergency in regards to this matter, SENASA will request the Executive Branch to declare a state of regional or national emergency, accordingly.

ARTICLE 93. **Ad Hoc Emergency Commission.** SENASA will integrate an Ad Hoc Commission that will function as the advisory and consulting body for each national or regional emergency.

ARTICLE 94. **Authorization from Autonomous Bodies.** Autonomous bodies are authorized to dispose items and other resources deemed necessary to aid SENASA, when a national or regional emergency is declared.

ARTICLE 95. **Emergency Accumulative Fund.** SENASA will dispose and manage an accumulative fund to exclusively attend emergencies. Fund resources arise from loans, donations, assignments, penalties or any other legal source of finance. The Executive Branch is authorized to negotiate international loans with bilateral and multilateral international bodies, only if and when such funds are destined, solely and exclusively, for the attention of regional or national, duly declared, emergencies in accordance with Article 92 of this Law. Such fund can be managed in a trust, which will be constituted according with title II of this Law.

Furthermore, SENASA must submit dated statements of any expenses incurred, three months after such emergency was declared. If this has not finalized, it must submit a budget of expenditures to be incurred for the subsequent six months for its respective approval before the Comptroller's General Office of the Republic. If the emergency continues, it must then submit the corresponding budget for the following three months.

ARTICLE 96. **Exception to the Fiscal Law.** Expenses for supplies and personal expenditures, or both, incurred by SENASA, arising from the emergency fund, will not be subjected to the laws of fiscal regulation.

ARTICLE 97. **Investiture of Authority.** In case of emergency or upon a high sanitary risk situation, all veterinarians, legally exercising their profession, will be duly authorized to carry out the first sanitary measures and require the mandatory collaboration of local authorities to enforce such measures, until a SENASA authority can adequately intervene; this, without prejudice of the corresponding civil or penal responsibilities for the violation of these functions or from the abuse in exercising such.

The investiture of authority does not imply that any veterinarian will be considered an official veterinarian of SENASA, even when duly and legally exercising their profession in an emergency.

ARTICLE 98. **Special Funds for Indemnification in Case of Emergency.** In order to cover indemnification in cases of emergency, the producers can create a fund for such purposes, according to the characteristics and possibilities of each sector.

In case of an emergency or upon a situation of high sanitary risk, duly classified as such by SENASA, the Ministry of Agriculture and Livestock can establish a table of indemnification percentages for producers.

## T I T L E V

### Final Provisions and Transitory

ARTICLE 99. **Food Control for Animal Consumption.** The law for the control of the elaboration and distribution of animal feed, No. 6883 of 25 August 1983, will be valid as long as it does not oppose this Law.

ARTICLE 100. **Rates.** A zero point five percent rate (0.5%) on the declared CIF value for each import of veterinary medicine and its raw material, destined for animal use, will be paid to SENASA for each customs clearance authorization request. Said funds will be used, solely as a financial resource for SENASA, and must be managed in a trust authorized by this Law to be destined to the surveillance of the veterinary medication.

ARTICLE 101. **Derogations.** The following provisions are derogated:

- a) The Law on Animal Health, No. 6243 of 2 May 1978, and its reforms.
- b) Law No.1207 of 9 October 1950, which declares the campaign against bovine tuberculosis as public utility.

ARTICLE 102. **Amendment.** The following provisions are modified:

- a) The Loan Agreement No. 439/SF-CR initial paragraph of article 3, subscribed between the Government of Costa Rica and the InterAmerican Development Bank for a Cattle and Animal Health Development Program (Progasa, for its Spanish Acronym), Law N°.7060 of 31 march 1987. The text reads as follows:

*“Article 3- The Direction of Animal Health from the Ministry of Agriculture and Livestock, created by Law N°.6243 of 2 May 1978, will be successively named the National Service of Animal Health. This, in coordination with livestock sub-sector bodies, will be responsible to*

*execute Progasa, which will be directed by an administrative board assigned to the Ministry of Agriculture and Livestock. [...]*

- b) The Loan Agreement No. 439/SF-CR clauses 1) and 4) of article 3, subscribed between the Government of Costa Rica and the InterAmerican Development Bank for a Cattle and Animal Health Development Program (Progasa, for its Spanish Acronym), Law N°.7060 of 31 march 1987. The text reads as follows:

*“Article 3-  
[...]*

- 1) The objectives and functions of the National Service of Animal Health will be those established in its Law of creation.  
[...]*
- 4) The Animal Health General Director will be the Executive Director of the Board. This official, in conjunction with each branch director from the Ministry of Agriculture and Livestock, will coordinate that regarding its own functions. The Executive Director cannot be a member of the Board; but must attend to sessions and will have voice but not vote; and additionally, will not receive a salary and be subject to current regulations for this type of body.  
[...]*

- c) Article 2 from Law No. 5346 of 10 September 1973. The text reads as follows:

*“Article 2- Animals referred to in the previous article will be gathered or sacrificed by authorities from the Department of the Interior and Police, the Ministry of Agriculture and Livestock and the corresponding municipalities; and when necessary, the collaboration from officers from the Ministry of Public Works and Transport.*

*If sacrificed, the products derived from the animal will be delivered to a charitable institution if its consumption does not pose a threat to human or animal health.”*

- d) Article 3 from Law no.5346 of 10 September 1973. The text reads as follows:  
*“Article 3- infraction of article 1 of this Law constitutes an infraction against public veterinary health, and the proprietor of the animal will be fined with a penalty between one and twenty base salaries for a university licentiate professional. The National Service of Animal Health will establish the penalty amount considering the provisions set forth in its Law of Creation.”*

- e) Final paragraph from Article 4 of the Law No.5346 of 10 September 1973. The text will read:

*Article 4-  
[...]*

*“Expense amounts for apprehension will be set by the Regulation of this Law, and for such effects, the branch minister will the head of the Ministry of Agriculture and Livestock.”*

- f) A new article 338 bis will be added to the General Law of Health, No.5395 of 30 October 1973. The text will read:

*“Article 338 bis.\_ **Coordination between Sanitary Authorities.** Officials from the Ministry of Health and other sanitary authorities must coordinately execute control and protection activities, under penalty of dismissal without employer’s severance payment responsibility.”*

g) Article 9 of the Animal Welfare Law, No.7451 of 17 November 1994, will read as follows:

*“Article 9. **Treatment of Animals used in sport activities or public entertainment.** The animals used in sport activities or public entertainment will not be subject, to the corresponding discipline, to the effects of any type of drugs or medication which is harmful to the animals’ health and integrity; nor will the animal be forced beyond its capacities or may any object be used to harm its physical integrity.”*

ARTICLE 103. **Regulation.** The Executive Branch will regulate by rule this Law within the subsequent sixty days after publication, but the lack of regulation will not hinder its application.

## **T R A N S I T O R Y**

**TRANSITORY I.**- Within a six-month period from the date of publication of this Law, the Ministry of Agriculture and Livestock, through SENASA, will notify the Executive Branch which executive decrees and regulations oppose this Law so that it may derogate accordingly.

**TRANSITORY II.**-Officials from the Screwworm Eradication Program, which are compensated through this agreement, can be included from now on in the Ministry of Agriculture and Livestock payroll, and compensated with funds from the National Budget.

**TRANSITORY III.**-SENASA will substitute the functions, obligations and attributions from the Direction of Health and Livestock Production, created by the General Law of Animal Health, No.6243 of 2 May 1978. Any contracts, arrangements, and other agreements that involve the Direction of Health and Livestock Production, will continue to be valid after this Law becomes comes into effect.

**TRANSITORY IV.** Officials that were employed by the Direction of Health and Livestock Production, once this Law comes into effect, will work for SENASA from now on, and will maintain each and every labor rights and conditions previously acquired.

Effective from date of publication

*Let it be known the Executive Branch*

LEGISLATIVE ASSEMBLY. San Jose, March Twenty-Eighth of Two Thousand Six. Gerardo González Esquivel, President. Daisy Serrano Vargas, First Secretary. Carlos Luis Avendaño Calvo. Second Vice-Secretary.

Given at the Presidency of the Republic. \_San Jose on April sixth two thousand six.

*Execute and publish*

ABEL PACHECO DE LA ESPRIELLA. \_The Minister of Agriculture and Livestock, Rodolfo Coto Pacheco; the Minister of Health, Maria del Rocío Sáenz Madrigal. Once. (Petition No. 43050-MAG. \_C-666050. \_(L8495-41511)