

Law animals

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Chapter 1. General part

§ 1. General

Article 1.1. Definitions

- 1 In this Act and the provisions based thereon, the following terms shall have the following meanings:
- *biological diagnostic*: veterinary medicinal product prepared from or with the aid of micro-organisms or parasites and whether or not mixed with other substances, intended for use in the detection of an animal disease, zoonosis or disease symptom or the immunological status of animals;
 - *veterinary act*: one of the following acts on or involving animals:
 - 1°. the prescription or performance of a treatment or the examination of an animal, with a view to preventing, curing, alleviating, identifying or eliminating a condition, animal disease, zoonosis, symptom of illness, defect, or internal or external injury or pain;
 - 2°. the prescription or use of a veterinary medicine or animal feed with medicinal properties;
 - 3°. the prescription or administration of anesthesia or sedation;
 - 4°. providing assistance in connection with the birth or removal of a fetus;
 - 5°. to make infertile;
 - 6°. the collection and transfer of embryos or oocytes, and
 - 7°. performing physical interventions in order to carry out the acts referred to in subparagraphs 1° to 6°, as well as other physical interventions;
 - *veterinary medicinal product*: any composition of single or multiple substances which:
 - 1°. is presented in any way as having therapeutic or prophylactic properties in relation to diseases in animals, or
 - 2°. in animals can be used to:
 - a. to restore, improve or modify physiological functions by exerting a pharmacological, immunological or metabolic effect, or
 - b. to make a medical diagnosis;
 - *animal products*: products of animal origin, whether or not prepared or processed, and products derived therefrom, including germinal products such as hatching eggs, semen, ova and embryos;
 - *animal by-products*: animal products not suitable for human consumption;
 - *animal feed*: any substance, product or combination of substances or products intended for use as animal feed, without prejudice to the application of a different definition in an EU regulation;
 - *medicated feedingstuff*: any mixture of a veterinary medicinal product and feedingstuff prepared before being placed on the market and intended to be administered to animals as such because of the therapeutic, prophylactic or other properties of the medicinal product referred to in the concept of veterinary medicinal product;
 - *vaccine*: a veterinary medicinal product prepared from or with the aid of micro-organisms or parasites, whether or not mixed with other substances, intended for use in the prevention or cure of an infectious or parasitic disease in animals by active immunisation;
 - *EU decision*: decision as referred to in Article 288 of the Treaty on the Functioning of the European Union;
 - *EU legal act*: EU regulation, EU directive or EU decision;
 - *EU Directive*: directive as referred to in Article 288 of the Treaty on the Functioning of the European Union;
 - *EU Regulation*: regulation as referred to in Article 288 of the Treaty on the Functioning of the European Union;
 - *homeopathic veterinary medicinal product*: a veterinary medicinal product obtained from a substance consisting of a homeopathic stock in accordance with a European Pharmacopoeia or, in the absence

thereof, with a homeopathic manufacturing process officially used in a State party to the Agreement on the European Economic Area;

- *holder*: owner, holder or keeper;
 - *immunological veterinary medicinal product*: veterinary medicinal product administered to produce active or passive immunity or to determine the degree of immunity;
 - *carcasses*: bodies of dead animals that are not processed into products intended for human consumption;
 - *Our Minister*: Our Minister of Economic Affairs, Agriculture and Innovation;
 - *Our Ministers*: Our Minister and Our Minister of Security and Justice jointly;
 - *serum*: a veterinary medicinal product prepared from the blood or lymph of animals or from animal products and which, whether or not mixed with other substances, is intended for use in the prevention or cure of an infectious or parasitic disease in animals by passive immunisation;
 - *substance*: a substance or a mixture of substances of human, animal, vegetable or chemical origin, including animals, plants, parts of animals or plants and micro-organisms and viruses;
 - *premix for medicated animal feed*: any veterinary medicinal product prepared in advance for subsequent processing into medicated animal feed;
 - *pathogen*: a micro-organism, parasite or other biological entity that can cause an animal disease or zoonosis.
- 2 Trade also includes: possession with a view to sale, including offering, any form of transfer, whether free of charge or not, to third parties, as well as the sale and other forms of transfer themselves.

Article 1.2. Scope

- 1 The provisions of this Act and pursuant to this Act concerning animals apply to kept animals, unless otherwise provided.
- 2 The provisions of and pursuant to this Act concerning animal products apply, insofar as the product is also a foodstuff, to:
- a. the inspection, cutting, packaging, marking, storage and transport of meat;
 - b. the prevention, control and prevention of the spread of pathogens that are harmful to animals, and
 - c. promoting the quality of animal products.

Article 1.3. Intrinsic value

- 1 The intrinsic value of the animal is recognized.
- 2 Recognition of the intrinsic value as referred to in the first paragraph is understood to mean recognition of the intrinsic value of animals, being sentient beings. When establishing rules under or pursuant to this Act, and taking decisions based on those rules, full account shall be taken of the consequences that these rules or decisions have for this intrinsic value of the animal, without prejudice to other legitimate interests. In doing so, provision shall be made in any case to prevent infringement of the integrity or welfare of animals, beyond what is reasonably necessary, and to ensure that the care that the animals reasonably require is assured.
- 3 For the purposes of the second paragraph, the care that animals reasonably require shall in any event be deemed to include that animals are protected from:
- a. thirst, hunger and improper nutrition;
 - b. physical and physiological discomfort;
 - c. pain, injury and disease;
 - d. anxiety and chronic stress;
 - e. restriction of their natural behaviour;

to the extent that this can reasonably be expected.

Article 1.4. General duty of care

[Enters into force at a date to be determined]

This part has not yet entered into force; see the [overview of changes](#)

Chapter 2. Animals

§ 1. Acts with animals

Article 2.1. Animal abuse

[Effective 01-07-2014]

This part has not yet entered into force; see the [overview of changes](#)

Article 2.2. Keeping animals

1 [Editor: This member has not yet entered into force.]

2 [Editor: This member has not yet entered into force.]

- 3 [Editor: This member has not yet entered into force.]
- 4 [Editor: This member has not yet entered into force.]
- 5 It is prohibited to keep animals in which substances have been used in violation of the provisions of or pursuant to [Article 2.25](#) .
- 6 [Editor: This member has not yet entered into force.]
- 7 [Editor: This member has not yet entered into force.]
- 8 [Editor: This member has not yet entered into force.]
- 9 Rules are laid down by or pursuant to general administrative measures for the implementation of binding EU legal acts on the keeping of animals belonging to animal species or animal categories designated by that measure.
- 10 By or pursuant to general administrative measure, rules may be laid down for the subject referred to in the ninth paragraph, for animals or for animals belonging to certain animal species or animal categories, which relate to, among other things:
- a. a ban on the presence on or near a company of certain:
 - 1°. animal feed;
 - 2°. veterinary medicines, or
 - 3°. other substances or materials which may pose a risk to animal health, animal welfare, public health, the environment or the quality of an animal product;
 - b. [Editor: this part has not yet entered into force;]
 - c. [Editor: this part has not yet entered into force;]
 - d. [Editor: this part has not yet entered into force;]
 - e. the use and storage of certain animal feeds or certain veterinary medicinal products, as well as a ban on them;
 - f. [Editor: this part has not yet entered into force;]
 - g. [Editor: this part has not yet entered into force;]
 - h. [Editor: this part has not yet entered into force;]
 - i. [Editor: this part has not yet entered into force;]
 - j. the company guidance by a veterinarian;
 - k. [Editor: this part has not yet entered into force;]
 - l. the maintenance, consultation, checking, storage and reporting of data, including:
 - 1°. [Editor: this part has not yet entered into force;]
 - 2°. [Editor: this part has not yet entered into force;]
 - 3°. [Editor: this part has not yet entered into force;]
 - 4°. the origin, receipt, preparation, processing, treatment and further treatment, storage and preservation of animal feed and veterinary medicines, as well as the use of animal feed or the application of veterinary medicines, as well as the keeping of records or the entering of data regarding the use of veterinary medicines or animal feed with medicinal properties in a centralised registration system for veterinary medicines;
 - m. [Editor: this part has not yet entered into force;]
 - n. [Editor: this part has not yet entered into force;]
 - O. [Editor: this part has not yet entered into force;]
 - p. the cases in which a veterinarian or another person authorised to perform a veterinary act on a professional basis is consulted;
 - q. the conditions under which, with regard to the manner in which animals are kept on the farm, an exclusive designation designated by or pursuant to the measure may be used, and
 - r. a ban on keeping certain animal species, animal categories, or a specific animal, if the rules set for that animal or those animals as referred to in parts b to q have not been complied with.
- 11 The provisions under the tenth paragraph, part e, also apply to animals other than kept animals.

Article 2.3. Use of animals

[Effective 01-07-2014]

This part has not yet entered into force; see the [overview of changes](#)

Article 2.4. Identification of animals

[Enters into force at a date to be determined]

This part has not yet entered into force; see the [overview of changes](#)

Article 2.5. Transport of animals

[Effective 01-07-2014]

This part has not yet entered into force; see the [overview of changes](#)

Article 2.6. Breeding of animals

[Effective 01-07-2014]

This part has not yet entered into force; see the [overview of changes](#)

Article 2.7. Trade in animals

- 1 By or pursuant to a general administrative measure, rules are laid down for the implementation of binding parts of EU legal acts regarding the sale, keeping in stock for sale, offering for sale, purchasing, renting, delivering, placing on the market and bringing into or out of the Netherlands of animals belonging to animal species or animal categories designated by that measure.
- 2 By or pursuant to general administrative measure, rules may be laid down for the subject referred to in the first paragraph, which may relate to, among other things:
 - a. a ban on selling, keeping in stock for sale, offering for sale, purchasing, renting, delivering, marketing or bringing into or out of the Netherlands:
 - 1°. animals to which substances have been applied in violation of the provisions of or pursuant to [Article 2.25](#), [and](#)
 - 2°. other designated animals, animal species or animal categories;
 - b. the origin of the animals;
 - c. the documents accompanying the animals or submitted;
 - d. the health of the animals;
 - e. the examinations to be carried out on the animals;
 - f. the person who places the animals on the market, sells them, stocks them for sale, offers them for sale, buys them, rents them out or delivers them;
 - g. the data to be maintained and submitted;
 - h. the business premises;
 - i. the quality of the animals;
 - j. the origin and destination of the animals;
 - k. hygiene, preventing the spread of animal diseases, zoonoses and disease symptoms and preventing pathogens;
 - l. the professional competence of the person who markets, sells, stocks for sale, offers for sale, buys, rents or delivers the animals, and
 - m. a prohibition on the sale of animal species or categories of animals designated by or pursuant to that measure to a person who has not been established as having reached an age specified in that measure.

Article 2.8. Veterinary acts

- 1 It is forbidden:
 - a. [Editor: this part has not yet entered into force;]
 - b. to use veterinary medicinal products for which no permit as referred to in [Article 2.19, first paragraph](#), [has been granted](#), or
 - c. to use veterinary medicinal products in violation of the regulations referred to in [Article 2.19, third paragraph, part a](#), which are attached to the permit issued for that veterinary medicinal product.
- 2 The prohibition referred to in the first paragraph shall not apply to:
 - a. [Editor: this part has not yet entered into force;]
 - b. [Editor: this part has not yet entered into force;]
 - c. [Editor: this part has not yet entered into force;]
 - d. the use of veterinary medicines as referred to in the first paragraph, parts b and c, in cases designated by or pursuant to general administrative measures.
- 3 Rules for the implementation of binding parts of EU legal acts on the performance of veterinary acts are laid down by or pursuant to general administrative measures.
- 4 By or pursuant to general administrative measure, rules may be laid down for the subject referred to in the third paragraph, which may relate to, among other things:
 - a. [Editor: this part has not yet entered into force;]
 - b. the manner in which and the conditions under which veterinary acts are performed;
 - c. the designation of animals on or in relation to which the veterinary acts designated therein may be performed;
 - d. [Editor: this part has not yet entered into force;]

- e. the quality, the availability or stock, the offering, the delivery, the sale, the purchase, the marketing, the bringing into and outside the Netherlands and the use of aids, including equipment, used in performing veterinary procedures, and
 - f. the reporting and maintenance of records relating to veterinary procedures performed, the storage and submission of those records and related documents, as well as the method of control by the holder of the records, or the entry of data into a centralised registration system for veterinary medicinal products.
- 5 For the purposes of the third paragraph and the provisions based thereon, the use of a veterinary medicinal product on an animal shall be deemed equivalent to the use of a veterinary medicinal product on material of animal origin, with the exception of cell or tissue cultures.
- 6 The provisions of and pursuant to the first to the fifth paragraphs also apply to animals other than kept animals.
- 7 The provisions of and pursuant to the first to sixth paragraphs also apply to animal feed with medicinal properties.

Article 2.9. Authority to perform veterinary acts

[Effective 01-07-2014]

This part has not yet entered into force; see the [overview of changes](#)

Article 2.10. Killing of animals

[Effective 01-07-2014]

This part has not yet entered into force; see the [overview of changes](#)

Article 2.11. Prohibition of intentional contamination

[Enters into force at a date to be determined]

This part has not yet entered into force; see the [overview of changes](#)

Article 2.12. Notification obligation for animal diseases and zoonoses

[Enters into force at a date to be determined]

This part has not yet entered into force; see the [overview of changes](#)

Article 2.13. Prohibition on the use of animals as prizes

[Effective 01-07-2014]

This part has not yet entered into force; see the [overview of changes](#)

Article 2.14. Prohibition of animal fighting

[Effective 01-07-2014]

This part has not yet entered into force; see the [overview of changes](#)

Article 2.15. Competitions with animals

[Effective 01-07-2014]

This part has not yet entered into force; see the [overview of changes](#)

Article 2.16. Showing of animals

[Effective 01-07-2014]

This part has not yet entered into force; see the [overview of changes](#)

§ 2. Rules on animal feed

Article 2.17. Safety and soundness of animal feed

- 1 It is prohibited to perform an act aimed at preparing, processing, handling, packaging, labelling, marketing, bringing into or outside the Netherlands, transporting or offering, promoting, delivering, receiving, having in stock or having in stock animal feed, in violation of a provision established by or pursuant to a general administrative measure for the implementation of an EU directive:
- a. which are not pure, sound, or of usual merchantable quality;
 - b. which pose a risk to human or animal health or to the environment if not used correctly, or
 - c. that can adversely affect animal production.
- 2 The first paragraph applies mutatis mutandis to other substances or products intended for animal feed.

Article 2.18. Further rules on animal feed

- 1 Rules for the implementation of binding parts of EU legal acts relating to animal feed and other substances or products intended for animal feeding are laid down by or pursuant to general administrative measures.
- 2 By or pursuant to general administrative measure, rules may be laid down for the subject referred to in the first paragraph, which may relate to, among other things:

- a. a ban on the preparation, processing, handling, packaging, labelling, holding or stocking, transporting, delivering or placing on the market of certain animal feed, as well as acts referred to in [Article 2.17](#), the procedures and standards to be used in such acts, including the information to be provided in such acts;
- b. the quality of animal feed, including the presence of veterinary medicinal products, substances or other substances contained in animal feed;
- c. the preparation, processing and treatment of animal feed;
- d. the packaging and labelling of animal feed;
- e. the receipt, possession or stocking, placing on the market, bringing into or outside the Netherlands, transporting, delivering, offering and promoting of animal feed;
- f. areas in which animal feed is prepared, processed, treated, packaged, labelled or kept or stocked, including the layout and use of those areas;
- g. the resources, including equipment, used in the preparation, processing, handling, packaging, labelling, storing and transporting of animal feed;
- h. the qualifications of persons involved in the preparation, processing, handling, packaging or transport of, or trade in, animal feed, including their training;
- i. controls by preparers, processors, processors, packers, transporters or holders of, or traders in, animal feed, including the method of controls and sampling, the recording of control results and the storage and submission of control results and samples;
- j. the maintenance of records relating to the stock, preparation, processing, handling, receipt, origin, delivery, destruction, destination, consumption and feeding of animal feed, the storage and submission of those records and related documents, as well as the manner in which the holder of the records exercises control;
- k. hygiene, preventing the spread of animal diseases, zoonoses and disease symptoms, and keeping pathogens out, and
- l. the disposal of remains and empty packaging of animal feed.

§ 3. Rules on veterinary medicines

Article 2.19. Authorisation for veterinary medicinal products

- 1 It is prohibited to perform an act aimed at preparing, processing, handling, packaging, labelling, placing on the market, bringing into or outside the Netherlands, transporting, offering, promoting, delivering, receiving, having in stock or having in stock a veterinary medicinal product or a medicinal animal feed, insofar as this act is not permitted under a permit issued pursuant to a regulation established by or pursuant to a general administrative measure implementing a binding part of an EU legal act or a regulation designated by ministerial regulation of an EU regulation concerning the placing on the market, manufacture, import, possession of, trade in or supply of a veterinary medicinal product.
- 2 The prohibition referred to in the first paragraph does not apply to veterinary medicinal products designated by or pursuant to a general administrative measure, where appropriate taking into account EU legal acts, or in cases designated by or pursuant to that measure.
- 3 The permit referred to in the first paragraph shall be issued upon application if:
 - a. on the basis of research it may be assumed with reasonable certainty that the veterinary medicinal product, when used in accordance with the conditions attached to the permit to be granted pursuant to [Article 7.7](#) :
 - 1°. has the stated effect, and
 - 2°. does not pose a risk to the health of humans, animals and plants or to the environment;
 - b. the veterinary medicinal product has the specified properties and qualitative and quantitative composition and the specified methods for checking these are adequate;
 - c. the veterinary medicinal product complies with rules laid down by ministerial regulation regarding the substances of which it is composed;
 - d. the veterinary medicinal product, insofar as it is an immunological veterinary medicinal product or biological diagnostic agent, has not been prepared from or with the aid of substances designated by EU regulation, EU decision or ministerial regulation that are likely to pose a risk to animal health or to disrupt animal disease control;
 - e. procedures established by EU regulation or by or pursuant to general administrative measures have been observed;
 - f. principles and guidelines established by ministerial regulation designated by the European Commission have been observed, and
 - g. there is no ground for refusal pursuant to an EU regulation or a general administrative measure.
- 4 Rules shall be laid down by or pursuant to general administrative order for the assessment methods for the application of the conditions referred to in the third paragraph, parts a to d, as well as rules regarding the method by which the regulations to be established on the basis of the third paragraph, part a, opening sentence, are determined, insofar as these regulations are permitted by or pursuant to general administrative order.

- 5 Rules regarding the research methods to be applied in an investigation as referred to in Article 7.6, paragraph 2, sub b, shall be established by or pursuant to general administrative measures.
- 6 The third paragraph, part a, under 1°, does not apply to an application for a homeopathic veterinary medicinal product.
- 7 A permit as referred to in the first paragraph shall be issued, and a regulation as referred to in the third paragraph, part c, and fourth paragraph shall be established in consultation with Our Minister of Health, Welfare and Sport.
- 8 Chapter 7 applies mutatis mutandis to a permit as referred to in the first paragraph, provided that Article 7.1 does not apply and Article 7.3, first and second paragraphs, only apply to amendments to a permit as referred to in the first paragraph.

Article 2.20. Veterinary medicines

- 1 Rules for the implementation of binding parts of EU legal acts relating to veterinary medicinal products or animal feed with medicinal properties are laid down by or pursuant to general administrative measures.
- 2 By or pursuant to general administrative measure, rules may be laid down for the subject referred to in the first paragraph, which may relate to, among other things:
- a. the preparation, processing, handling, packaging, labelling, placing on the market, bringing into or outside the Netherlands, transporting, offering, promoting, delivering, receiving, having in stock or on hand of:
 - 1°. veterinary medicines, or
 - 2°. substances used in the preparation of veterinary medicinal products;
 - b. a ban on the preparation, processing, handling, packaging, labelling, delivering, receiving, having in stock or possession, placing on the market, bringing into or outside the Netherlands, transporting, delivering, offering or promoting veterinary medicinal products or substances as referred to in subparagraph a, under 2°, as well as acts as referred to in Article 2.19, first paragraph, and the procedures and standards to be applied in such acts, including the information to be provided;
 - c. the withdrawal from the market and destruction of veterinary medicinal products;
 - d. the disposal of residues and empty packaging of veterinary medicinal products;
 - e. areas in which veterinary medicinal products are prepared, processed, treated, packaged, labelled, stored or kept in stock, including the layout and use of those areas;
 - f. the resources, including equipment, used in the preparation, processing, handling, packaging, labelling, storage and transport of veterinary medicinal products;
 - g. the qualifications of persons involved in the preparation, processing, handling, packaging or transport of, or trade in, veterinary medicinal products, including their training, and any measures to be taken against such persons if necessary;
 - h. controls by preparers, processors, packers, transporters or holders of, or traders in, veterinary medicinal products, including the method of controls and sampling, the recording of control results and the storage and submission of control results and samples;
 - i. the recording and reporting of adverse reactions to a veterinary medicinal product and the establishment of a veterinary drug monitoring system;
 - j. the maintenance of records relating to the stock, preparation, processing, handling, receipt, origin, delivery, destruction, destination and consumption of veterinary medicinal products, the storage and submission of those records and related documents, as well as the manner in which the holder of the records exercises control;
 - k. the inspection of batches of veterinary medicinal products, and
 - l. hygiene, preventing the spread of animal diseases, zoonoses and disease symptoms, and preventing pathogens.
- 3 The first and second paragraphs apply mutatis mutandis to substances designated by ministerial regulation that are not veterinary medicinal products but can be used as such.

Article 2.21. Canalization

- 1 By or pursuant to a general administrative measure, it shall be stipulated that veterinary medicines, medicinal animal feed, premixes for medicinal animal feed or semi-finished products thereof designated therein shall only be delivered to, or kept in stock or available by, persons designated therein, under the conditions set therein.
- 2 A designation as referred to in the first paragraph shall only be made if an EU legal act so requires, or if the veterinary medicinal products or medicated animal feed, premixes or semi-finished products could pose a risk to human or animal health or to the environment without the intervention of a veterinarian.

Article 2.22. Use of pathogens

- 1 Rules for the implementation of binding parts of EU legal acts relating to pathogens are laid down by or pursuant to general administrative measures.
- 2 By or pursuant to general administrative measure, rules may be laid down for the subject referred to in the first paragraph, which may relate to, among other things:
 - a. the preparation, processing, handling and mixing of pathogens;
 - b. the possession or stocking, transport of pathogens and the placing on the market of pathogens by persons preparing immunological veterinary medicinal products or biological diagnostics;
 - c. the prevention, dissemination and destruction of pathogens;
 - d. keeping records and providing data on pathogens, and
 - e. a ban on the transport of certain pathogens.
- 3 By ministerial regulation, pathogens may be designated whose presence or stocking is only permitted for:
 - a. scientific or research institutions designated by ministerial regulation in accordance with Our Minister whom it also concerns, insofar as the pathogens are intended for use for scientific purposes, or
 - b. preparers of sera, vaccines or biological diagnostics, to the extent that the pathogens are intended for the preparation or control of such products.
- 4 The third paragraph shall not apply to pathogens intended for the preparation or control of therapeutic or diagnostic agents intended for use in research or treatment of humans.

§ 4. Biotechnology

[Effective 01-07-2014]

This part has not yet entered into force; see the [overview of changes](#)

§ 5. Miscellaneous

Article 2.25. Prohibited substances

- 1 It is prohibited to perform any acts in any way that conflict with rules laid down by or pursuant to general measures for the implementation of binding parts of EU legal acts on the use of veterinary medicinal products, animal feed, substances or other substances or products in animals.
- 2 The prohibition referred to in the first paragraph does not apply in cases designated by ministerial regulation, where appropriate taking into account EU legal acts.
- 3 By or pursuant to a general administrative measure, rules may be laid down for animal species or animal categories to be designated by this measure regarding the use of veterinary medicines, animal feed, substances designated by or pursuant to that measure or other substances or products in animals, which rules may relate to, among other things:
 - a. the nature of the substance;
 - b. the purpose for which the substance is used;
 - c. the manner in which the substance is applied;
 - d. the animal species or category of animals to which the animals belong to which the substance may only be used;
 - e. the time of application, and
 - f. the safeguards provided in the interests of animals or public health.
- 4 To the extent that a designation of a substance as referred to in the third paragraph is made pursuant to a general administrative measure and if such designation is wholly or partly in the interest of public health, it shall be made in accordance with Our Minister of Health, Welfare and Sport.

Chapter 3. Animal products

§ 1. General rules on animal products

Article 3.1. General

- 1 Rules for the implementation of binding parts of EU legal acts on animal products are laid down by or pursuant to general administrative measures.
- 2 By or pursuant to general administrative measure, rules may be laid down for the subject referred to in the first paragraph, which may relate to, among other things:
 - a. the production, processing, handling, stocking or possession, transport, storage, collection, handling, use, disposal, placing on the market and bringing into or out of the Netherlands of animal products;
 - b. a ban on the production, processing, handling, stocking or possession, transport, use, placing on the market and bringing into or out of the Netherlands of certain products;
 - c. the registration of the person who produces, processes, processes, has in stock or available, packages, transports, markets or brings the products into or outside the Netherlands;
 - d. the collection, processing, mixing, storage, trading and use of sperm, ova and embryos, the facilities where this takes place and the business operations there;

- e. the documents accompanying the products and which are submitted;
 - f. the origin of the products to be brought into the Netherlands;
 - g. the identification and registration of the products;
 - h. keeping records;
 - i. the layout of the space where the products are produced, processed, processed, packaged, stored or kept in stock;
 - j. the impact and the outcome;
 - k. the origin, destination, nature, quality, composition, labelling, name and packaging of products, and the information provided in relation to the products;
 - l. the transport of the products and the means of transport;
 - m. the treatment of products to combat pathogens or prevent their presence, and
 - n. hygiene, preventing the spread of animal diseases, zoonoses and disease symptoms, and preventing pathogens.
- 3 The first and second paragraphs apply mutatis mutandis to products other than animal products, insofar as they may pose a risk of spreading a pathogen.

Article 3.2. Production of meat

- 1 In the interests of public health, rules are laid down by or pursuant to general administrative measures for the implementation of binding parts of EU legal acts on the production of meat after killing animals.
- 2 By or pursuant to general administrative measure, rules may be laid down for the subject referred to in the first paragraph, which may relate to, among other things:
- a. the subjects referred to in Article 3.1., paragraph 2 ;
 - b. the investigations on dead animals;
 - c. the persons who examine animals or who are involved in doing so;
 - d. the inspection of dead animals;
 - e. the persons who inspect dead animals or who are involved in doing so;
 - f. the conditions under which meat is fit for human consumption;
 - g. the cutting and processing of meat;
 - h. the persons who cut or process meat or who are involved in doing so;
 - i. the storage and transport of meat;
 - j. the delivery of meat and the placing on the market of meat for the purpose of further processing or treatment;
 - k. the quality of meat, and
 - l. the marking of meat.
- 3 The first, second and third paragraphs do not apply to minced meat, mechanically separated meat, meat preparations and meat products as referred to in regulations laid down pursuant to the Commodities Act .

§ 2. Additional rules on animal by-products

Article 3.3. Areas of work

- 1 With a view to the efficient provision of processing of animal by-products designated by that regulation, work areas may be established by ministerial regulation in which an entrepreneur processes these products or disposes of them by incineration to the exclusion of other entrepreneurs.
- 2 By ministerial regulation:
- a. an area of operation referred to in the first paragraph shall be established which extends to the territory of another Member State of the European Union or part thereof, if there is agreement with the Member State concerned, and
 - b. a field of activity referred to in the first paragraph shall be established for an entrepreneur established in another Member State of the European Union.
- 3 If an entrepreneur referred to in the second paragraph, part b, has been assigned a work area within the Netherlands, Articles 3.4 , 3.5 and 3.6 apply accordingly.
- 4 Rules may be established by or pursuant to general administrative measures regarding the application, determination or amendment of work areas.
- 5 By or pursuant to general administrative measures, rules may be established with regard to situations in which the first paragraph is deviated from, in the event that the entrepreneur is unable to process the animal by-products designated pursuant to the first paragraph as a result of force majeure, whereby Our Minister may temporarily permit or designate one or more other processors to process or remove the animal by-products in a work area pursuant to these rules. These rules shall apply for as long as the situation requires this.

Article 3.4. Obligations in work areas

- 1 In a work area established pursuant to the first paragraph of Article 3.3 , the holder of animal by-products designated pursuant to the first paragraph of Article 3.3 shall declare, keep at the disposal of and transfer

to the entrepreneur within whose work area the material is located such material.

- 2 The entrepreneur for whom a work area has been established collects the animal by-products indicated to him and processes or removes them.
- 3 Further rules may be laid down by ministerial regulation with regard to the obligations set out in the first and second paragraphs.
- 4 Where carcasses of companion animals have been designated pursuant to Article 3.3, first paragraph, the first to third paragraphs shall not apply to these products.

Article 3.5. Carcasses of companion animals

- 1 If carcasses of companion animals have been designated pursuant to Article 3.3, first paragraph, municipal regulations shall establish rules regarding these products with regard to:
 - a. the declaration and storage by the keeper of carcasses of companion animals;
 - b. the collection of carcasses of companion animals, and
 - c. the transfer of carcasses of companion animals to the entrepreneur within whose working area the material is located.
- 2 If an agreement has been concluded between a municipality and the entrepreneur referred to in the first paragraph, part c, regarding the subjects mentioned in the first paragraph, parts b and c, the municipal by-law need not contain provisions on those subjects.
- 3 The entrepreneur referred to in the first paragraph, part c, processes or removes the carcasses of pets transferred to him.
- 4 The provisions referred to in the first paragraph and the third paragraph shall not apply if carcasses of pets are removed by a person other than the entrepreneur referred to in the first paragraph, part c, insofar as this is done in a manner permitted under the provisions laid down pursuant to Article 3.1.
- 5 By ministerial regulation, the first, second and third paragraphs may be declared applicable mutatis mutandis to other animal by-products designated by that regulation.

Article 3.6. Compensation

- 1 Rules may be established by or pursuant to general administrative measures regarding the compensation that an entrepreneur charges to the person offering animal by-products designated pursuant to Article 3.3, first paragraph, for the collection, transport, processing or removal of these products.
- 2 The rules referred to in the first paragraph may relate to, among other things:
 - a. the manner in which the compensation is determined by the entrepreneur, and
 - b. the maximum amount of compensation.

Chapter 4. Admission of professions in the practice of veterinary medicine

[Effective 01-07-2014]

This part has not yet entered into force; see the overview of changes

Chapter 5. Measures

§ 1. General

Article 5.1. General jurisdiction

- 1 The measures referred to in this Chapter may be prescribed for one or more individual cases or in general.
- 2 The measures referred to in this Chapter may be prescribed for the whole of the Netherlands or for certain parts thereof.
- 3 The measures referred to in this chapter may be subject to regulations or restrictions. It is prohibited to act contrary to regulations as referred to in the first sentence.
- 4 Ministerial regulations shall lay down rules for the implementation of binding parts of EU legal acts relating to measures taken under this Chapter. In other cases, ministerial regulations may lay down rules on the implementation of those measures.

Article 5.2. Urgency

- 1 If, in the opinion of Our Minister, immediate provision is necessary in the interests of human or animal health, he may determine that regulations established by him pursuant to this Chapter shall enter into force immediately after their publication.
- 2 A regulation as referred to in the first paragraph may, by way of derogation from the first paragraph of Article 4 of the Publication Act, be published by Our Minister in a manner other than that mentioned therein.
- 3 Our Minister may grant a mandate to establish rules under this Chapter with regard to cases in which immediate provision is necessary in the interests of human or animal health.

- 4 The mandate referred to in the third paragraph may also relate to the powers referred to in the first and second paragraphs.
- 5 A decision to be taken pursuant to this Chapter need not first be set out in writing if, in the interest of preventing or combating contagious animal diseases, zoonoses or symptoms of disease or of warding off pathogens, immediate implementation of a measure is necessary. In that case, Our Minister shall ensure that it is set out in writing and published as soon as possible.

§ 2. Prevention and control of contagious animal diseases, zoonoses and symptoms of diseases

[Enters into force at a date to be determined]

This part has not yet entered into force; see the [overview of changes](#)

§ 3. Administrative measures

Article 5.10. Animals and products

- 1 Our Minister may take measures with regard to:
 - a. animals and animal products in respect of which the provisions of or pursuant to this Act have not been complied with, or of which this is suspected;
 - b. animals and animal products which carry or are suspected of carrying a pathogen which could pose a serious risk to humans, animals or the environment, and
 - c. animals, whether kept or not, which have ingested or are suspected of having ingested, or are at risk of ingesting, a harmful substance through feeding, drinking, inhalation or any other form of exposure, as well as in relation to animal products derived from such animals.
- 2 The measures referred to in the first paragraph with regard to animals are:
 - a. an obligation to isolate, to stall, to confine, to keep in a designated place, to secure or to lock up;
 - b. an obligation to feed, water, care for or treat;
 - c. an obligation to mark, identify and register;
 - d. a ban on removal from a company, placing on the market, or bringing into or outside the Netherlands;
 - e. an obligation to return the animal, if it comes from another country, or to release captured animals, if they come from the wild;
 - f. a prohibition on killing, possessing, stocking, hunting, fishing or trapping, and on the use of certain methods or materials by means of which such hunting, fishing or trapping may be effected; and
 - g. an obligation to kill and destroy, to the extent that:
 - 1°. this is necessary to prevent a serious danger to humans or animals, or
 - 2°. an EU legal act requires this.
- 3 The measures referred to in the first paragraph with regard to animal products are:
 - a. an obligation to isolate or keep in a designated place;
 - b. an obligation to return, if the product comes from another country;
 - c. an obligation to destroy;
 - d. a ban on disposal from a company or placing on the market;
 - e. a ban on bringing into or out of the Netherlands;
 - f. an obligation to recall or withdraw the product from the market;
 - g. an obligation to use it for purposes other than those for which it was intended;
 - h. an obligation to treat, and
 - i. an obligation to identify and register.
- 4 The first and third paragraphs apply mutatis mutandis to products other than animal products, insofar as the product may pose a risk of spreading a pathogen.
- 6 Measures taken pursuant to the first paragraph, part c, with regard to animals that may pose a serious risk to public health due to the ingestion, suspected ingestion or risk of ingestion of harmful substances shall be taken in consultation with the Minister of Health, Welfare and Sport.

Article 5.11. Animal feed, veterinary medicinal products and compositions thereof

- 1 Our Minister may take measures with regard to:
 - a. animal feed, veterinary medicines and compositions thereof in respect of which the provisions of or pursuant to this Act have not been complied with or in respect of which this is suspected, and
 - b. animal feed, veterinary medicinal products and compositions thereof that may endanger human or animal health or the environment.
- 2 The measures referred to in the first paragraph may include:
 - a. a ban on transport, processing or handling and placing on the market;

- b. an obligation to temporarily store;
- c. an obligation to recall or withdraw the product from the market;
- d. an obligation to destroy;
- e. a ban on bringing into or out of the Netherlands;
- f. an obligation to return, if the product comes from another country;
- g. an obligation to inform holders or suspected holders without delay and in an effective manner;
- h. an obligation to identify and register animal feed, veterinary medicines and compositions thereof;
- i. an obligation to disinfect or apply another appropriate treatment;
- j. an obligation to collect marketed animal feed, veterinary medicinal products and compositions thereof and to store them at a location designated by the measure;
- k. an obligation to use the feed, veterinary medicinal products and compositions thereof for other purposes, and
- l. a ban on feeding, using or bringing near animals.

Article 5.12. Companies, establishments and locations

1 Our Minister may take measures with regard to companies, establishments or locations that could endanger the health of humans or animals and:

- a. in respect of which the provisions of or pursuant to an EU regulation, EU decision or this Act have not been complied with or in respect of which this is suspected;
- b. where animals or products are or have been present in respect of which the provisions of or pursuant to an EU regulation, EU decision or this Act have not been complied with or in respect of which this is suspected.

2 The measures referred to in the first paragraph may include:

- a. complete or partial closure of the companies, establishments or locations for a period to be determined by Our Minister;
- b. suspension or withdrawal of a permit, recognition, authorisation, registration, certificate of professional competence, approval or certification granted to the companies, establishments or locations by or pursuant to an EU regulation, EU decision or this Act, and
- c. an obligation to establish hygiene procedures or to perform other acts or omissions that are necessary to ensure the safety of animals and products on the farm, establishment or location, or to comply with the rules on animal welfare, public health or animal health on the farm, establishment or location laid down by or pursuant to an EU regulation, EU decision or this Act.

Article 5.13. Powers of the mayor

[Effective 01-07-2014]

This part has not yet entered into force; see the [overview of changes](#)

Article 5.14. Costs

The costs of the measures taken pursuant to this paragraph shall be borne by the holder of the animal, the product, the animal feed, the veterinary medicinal product or the composition of an animal feed and a veterinary medicinal product, or the operator of the business, establishment or location.

Article 5.15. Duty to report irregularities

- 1 Any person who prepares, processes, handles, has in stock, stores, packages, markets, trades, transports, brings into or outside the Netherlands, feeds or examines animal feed, veterinary medicines or compositions thereof or animal products, shall immediately inform Our Minister if he finds or suspects that these products do not comply with the provisions of or pursuant to this Act or may endanger human or animal health or the environment, as well as of the measures he has taken to prevent risks to human or animal health or to the environment.
- 2 The first paragraph applies mutatis mutandis to raw materials for the preparation of the animal feed, veterinary medicinal products or compositions thereof referred to in the first paragraph and animal products.
- 3 The obligation referred to in the first paragraph applies mutatis mutandis to veterinarians and other persons referred to in [Article 4.3, first paragraph](#), and to those who have been granted a permit as referred to in [Article 2.19, first paragraph](#).
- 4 Further rules may be laid down by ministerial regulation regarding the provision of the information referred to in the first paragraph and regarding the measures taken to prevent risks to human or animal health or to the environment.

Chapter 6. Implementation of EU legal acts

Article 6.1. EU legal acts

This chapter applies to:

- a. the implementation of EU legal acts adopted pursuant to Articles 43, 114, 207, 168, 169 or 192 of the Treaty on the Functioning of the European Union and
- b. the implementation of EU legal acts adopted pursuant to the legal acts referred to in point (a).

Article 6.2. Criminalisation of violations of EU regulations

- 1 It is prohibited to act in conflict with provisions of EU regulations designated by or pursuant to general administrative measures or ministerial regulations concerning subjects to which this Act applies.
- 2 [Editor: This member has not yet entered into force.]

Article 6.3. Designation of competent authorities EU regulations

- 1 Rules are laid down by or pursuant to general administrative measures for the implementation of parts of EU legal acts in which an EU legal act instructs or leaves a choice to a body belonging to the government or a person appointed by the government.
- 2 [Editor: This member has not yet entered into force.]

Article 6.4. Level of delegation of regulations for the implementation of binding parts of EU regulations or EU decisions

- 1 Our Minister may lay down rules for the implementation of a binding part of an EU regulation or an EU decision, insofar as the EU regulation or the EU decision concerns subjects referred to in Articles 2.2, tenth paragraph , 2.3, fourth paragraph , 2.4, second or third paragraph , 2.5, second paragraph , 2.6, second or third paragraph , 2.7, second paragraph , 2.8, fourth paragraph , 2.10, third paragraph , 2.15, second or fourth paragraph , 2.16, second paragraph , 2.18, second paragraph , 2.19, second, fourth and fifth paragraphs , 2.20, second paragraph , 2.21, first paragraph , 2.22, second paragraph , 2.23 , 2.25, third paragraph , 3.1, second paragraph , 3.2, second paragraph , 4.1, third and fifth paragraphs , 4.5, second paragraph , 5.4, second paragraph , 5.6, fourth and fifth paragraphs , 7.2, first to third paragraphs , 7.3, third paragraph , 7.4, first paragraph , 7.6, first paragraph , 7.8 , 10.1 and 10.2 .
- 2 Article 7.3, second paragraph , applies mutatis mutandis to a ministerial regulation as referred to in the first paragraph.

Article 6.5. Notification of amendments to EU legal acts

- 1 An amendment to an EU legal act referred to in rules adopted pursuant to this Act shall, for the purposes of those rules, apply from the date on which the amendment must be implemented or, failing that, from the date on which the amendment is adopted.
- 2 Our Minister may decide that an amendment as referred to in the first paragraph, in deviation from that paragraph, will apply at an earlier time. This decision will be published in the Staatscourant.

Chapter 7. Permits, recognitions, permissions, authorisations, registrations, notifications and registers

Article 7.1. Basis

The rules established pursuant to this Act may stipulate that a notification or a decision to grant a permit, recognition, permission, authorisation, registration, proof of professional competence, approval or certification is required for an act to which those rules relate.

Article 7.2. Register

- 1 By or pursuant to a general administrative measure, it shall be stipulated that, for the implementation of binding parts of EU legal acts, a register shall be kept of a notification or a decision as referred to in Article 7.1. Further rules may be laid down by ministerial regulation regarding the register, the registration and the amendment thereof.
- 2 By or pursuant to a general administrative measure, it may be stipulated that a register shall be kept of a notification or a decision as referred to in Article 7.1. By ministerial regulation, rules may be laid down on registers relating to:
 - a. the degree of accessibility of the registers, including the manner in which the data contained in the registers can be accessed;
 - b. the purpose for which the register serves;
 - c. the proper and careful processing of the data in the registers;
 - d. the arrangement of the registers;
 - e. the data entered in the registers;
 - f. the manner in which data are recorded in the registers;
 - g. the period within which data and changes thereto are processed in the register;
 - h. the cases in which an entry in the registers is amended or crossed out;
 - i. the person or body that manages and maintains the registers, and

- j. the minimum or maximum duration for which data is retained in the register.
- 3 By or pursuant to general administrative measure, it may be stipulated that an act for which a notification as referred to in Article 7.1 is required may only be performed after the notification has been recorded in a register as referred to in the first or second paragraph.

Article 7.3. Granting and amendment

- 1 A decision as referred to in Article 7.1 shall be granted or amended upon request by Our Minister if the requirements set out in the rules referred to in Article 7.1 have been met.
- 2 If a decision as referred to in Article 7.1 is required in whole or in part in the interest of public health, it may be provided by or pursuant to a general administrative measure or by ministerial regulation that it is granted or amended in accordance with or after consultation with Our Minister of Health, Welfare and Sport.
- 3 By or pursuant to a general administrative measure or a ministerial regulation, it shall be stipulated that a decision as referred to in Article 7.1 shall be granted or extended by operation of law if, after the expiry of a period established by a general administrative measure or ministerial regulation, no decision as referred to in Article 7.1, or no extension or amendment thereof, has been taken, unless EU legal acts, the interests of human, animal or plant health, the interests of animal welfare or the interests of the environment oppose this.

Article 7.4. Period of validity

- 1 Rules for the implementation of binding parts of EU legal acts concerning the period of validity of decisions as referred to in Article 7.1 shall be laid down by or pursuant to general administrative measures .
- 2 In cases other than those referred to in the first paragraph, a decision as referred to in Article 7.1 shall be valid for an indefinite period, unless:
 - a. a different period of validity has been established by or pursuant to a general administrative measure or ministerial regulation, or
 - b. the decision itself provides for a different period of validity.
- 3 If a decision as referred to in Article 7.1 is not valid for an indefinite period, Article 7.3 and the first and second paragraphs shall apply accordingly to its extension.

Article 7.5. Regulations and restrictions

- 1 Conditions and restrictions may be attached to a decision as referred to in Article 7.1.
- 2 The regulations and restrictions referred to in the first paragraph may be amended, supplemented or withdrawn upon request or ex officio after a permit, recognition, permission, admission, registration, certificate of professional competence, approval or certification has been granted.
- 3 It is prohibited to act contrary to regulations as referred to in the first paragraph.
- 4 Rules regarding regulations and restrictions as referred to in the first paragraph may be laid down by or pursuant to a general administrative measure or by ministerial regulation.

Article 7.6. Procedure

- 1 Rules are laid down by ministerial regulation regarding:
 - a. the submission of an application for a decision as referred to in Article 7.1 or for an extension or amendment thereof, or of an application for a designation as referred to in Article 2.2, first paragraph , or for an amendment thereof;
 - b. the processing of an application as referred to in subparagraph (a);
 - c. the manner in which a notification is made, and
 - d. the applicability of the provisions of Chapters 6 , 7 and 8 of the General Administrative Law Act to a decision.
- 2 The rules referred to in the first paragraph may be laid down for the implementation of EU legal acts and may also relate to, inter alia:
 - a. what data, documents or samples are submitted before an application is processed;
 - b. an investigation designated therein that is necessary before a decision as referred to in Article 7.1 is granted, extended or amended or before an animal species is designated on the basis of Article 2.2, first paragraph ;
 - c. the period within which, after a change in circumstances, an application to amend a decision as referred to in Article 7.1 is submitted or a new notification is made;
 - d. the period for making a decision on an application, or
 - e. who can submit an application or a notification.
- 3 Rules may be laid down by ministerial regulation regarding the referral by applicants for a designation as referred to in Article 2.2, first paragraph , a decision as referred to in Article 7.1 , or by persons making a

notification, to data previously provided by them or another person in an application for a designation as referred to in Article 2.2, first paragraph, a decision as referred to in Article 7.1, or a notification.

Article 7.7. Advisory committees

- 1 A ministerial regulation may stipulate that Our Minister shall be advised by a committee on the granting of a permit, recognition, permission, admission or registration, or the withdrawal thereof.
- 2 Rules may be laid down by ministerial regulation regarding:
 - a. the composition and working methods of a committee as referred to in the first paragraph, and
 - b. the appointment, term of office, suspension and dismissal of members of the Commission and their remuneration.
- 3 The members of a committee shall keep confidential all information that comes to their attention in their capacity as such, unless they are authorised or obliged to disclose it in their capacity as such.

Article 7.8. Extension, suspension and withdrawal

- 1 Rules shall be laid down by or pursuant to general administrative measures regarding the cases in which a decision as referred to in [Article 7.1](#) may be extended, suspended or withdrawn.
- 2 Rules may be established by or pursuant to general administrative measures regarding the cases in which a decision as referred to in [Article 7.1](#) lapses by operation of law.

Article 7.9. Notification

Ministerial regulations shall regulate in which cases notification shall be made in the Staatscourant for the implementation of binding parts of EU legal acts. Furthermore, ministerial regulations may lay down rules for notifications in the Staatscourant of:

- a. a decision to grant a decision as referred to in [Article 7.1](#) or to amend or extend it, or to notify;
- b. a decision to suspend or withdraw a decision as referred to in [Article 7.1](#) ;
- c. the cases in which a decision as referred to in [Article 7.1](#) lapses by operation of law and from what date, and
- d. entries in a register as referred to in [Article 7.2](#) , as well as the deletion thereof.

Chapter 8. Enforcement

§ 1. Supervision

Article 8.1. Designation of supervisors

- 1 The officials and persons designated by decision of Our Minister shall be responsible for supervising compliance with the provisions of or pursuant to this Act.
- 2 A decision as referred to in the first paragraph shall be notified by publication in the Government Gazette.

Article 8.2. Additional supervisory powers

In addition to [Article 5:15, first paragraph, of the General Administrative Law Act](#), the officials and persons referred to in [Articles 8.1, first paragraph](#) , and [8.14, first paragraph](#) , are authorised to enter a home without the resident's permission, taking with them the necessary equipment.

Article 8.3. Sampling

In the case referred to in [Article 5:18, first paragraph, of the General Administrative Law Act](#), the officials and persons referred to in [Articles 8.1, first paragraph](#) , and [8.14](#) shall package and seal the samples on site.

Article 8.4. Duty to cooperate

- 1 Any person concerned shall act in accordance with or cooperate in the execution of an order given, measure taken or action performed under this Act, and shall provide all cooperation that is reasonably necessary for the investigation of animal diseases, zoonoses, symptoms of disease or pathogens.
- 2 Any person who has or has had in his possession animals, animal products, veterinary medicines or animal feed in respect of which a measure has been taken under this Act shall, at the first request of an official as referred to in [Article 8.1, first paragraph](#) , or [Article 5.9, first paragraph](#) , provide truthful information regarding the origin and trade of these animals or products.

§ 2. Remedial measures

Article 8.5. Administrative coercion

Our Minister is authorised to impose an order under administrative coercion to enforce the provisions of or pursuant to this Act.

§ 3. Administrative fine

Article 8.6. Definitions

1 In this paragraph the following terms shall have the following meanings:

- a. *violation*: conduct that is contrary to the provisions of or pursuant to:
 - 1°. Articles 2.2, ninth and tenth paragraphs , 2.3, third and fourth paragraphs , 2.4, first, second and third paragraphs , 2.5, first and second paragraphs , 2.6, first, second and third paragraphs , 2.7, first to third paragraphs , 2.10, second, third and fourth paragraphs , 2.17 , 2.18 , 2.19, first paragraph , 2.20 , 2.21, first and third paragraphs , 2.22, first, second and third paragraphs , 3.1 , 3.2, first, second and third paragraphs , 3.4 , 3.5, first and third paragraphs , 5.1, third paragraph, second sentence , 5.4, first paragraph , 5.5, first paragraph , 5.6, first and fifth paragraphs , 5.10 , 5.11 , 5.12 or 10.2, first paragraph ;
 - 2°. one of the provisions referred to in subparagraph (a) in conjunction with Articles 6.2, first paragraph , 6.4, first paragraph , 7.1 , 7.2, first or third paragraph , 7.5, third paragraph , or 10.5, first paragraph ;
 - b. *offender*: the person who commits or co-commits the offence.
- 2 If an offence is committed by a legal entity, the offender shall also be understood to mean: the person who gave the order for the offence or who actually managed it.

Article 8.7. Authority

Our Minister may impose an administrative fine on an offender.

Article 8.8. Amount of administrative fine

- 1 Rules are laid down by or pursuant to general administrative measures regarding the maximum amount of the administrative fine that may be imposed for an offence or for categories of offences.
- 2 The administrative fine to be determined on the basis of the first paragraph shall amount to at most the amount determined for the fifth category, referred to in Article 23, paragraph 4, of the Criminal Code , per offence committed by a natural person, and at most the amount determined for the sixth category, referred to in Article 23, paragraph 4, of the Criminal Code per offence committed by a legal entity or a company, or, if this is higher, 10 percent of the annual turnover in the financial year preceding the financial year in which the fine is imposed.
- 3 The calculation of the turnover referred to in the second paragraph shall be made on the basis of the provisions of Article 377, sixth paragraph, of Book 2 of the Civil Code for net turnover.

Article 8.9. Collection by writ of execution

In the absence of full payment within the specified period, Our Minister may collect the administrative fine due by means of a writ of execution.

Article 8.10. Concurrence with criminal law

- 1 If the seriousness of the offence or the circumstances in which it was committed give reason to do so, it will be submitted to the Public Prosecution Service.
- 2 If an administrative fine has been imposed on the offender for an offence, or a notice as referred to in Article 5:50, paragraph 2, sub a, of the General Administrative Law Act has been sent, this has the same legal consequences as a notice of no further prosecution as referred to in Article 246, paragraph 1, of the Code of Criminal Procedure .

§ 4. Criminal enforcement**Article 8.11. Criminalization**

- 1 Conduct contrary to the provisions established by or pursuant to Articles 1.4 , 2.1, first paragraph , 2.2, sixth paragraph, first sentence, and eighth paragraph , 2.8, first paragraph, part a , third and fourth paragraphs with regard to the subjects referred to in the fourth paragraph, parts a, b and c, 2.9, first paragraph , 2.10, first paragraph , and 2.14, first paragraph , or one or more of the aforementioned provisions in conjunction with Article 6.2, first paragraph , Article 6.4, first paragraph , or Article 7.5, third paragraph , are criminal offences.
- 2 Conduct contrary to the provisions established by or pursuant to Articles 2.1, sixth paragraph , 2.2, first paragraph, ninth and tenth paragraphs with regard to the subjects referred to in the tenth paragraph, parts b, c and d, 2.3, third and fourth paragraphs , 2.4, first, second and third paragraphs , 2.8, third and fourth paragraphs with regard to the subjects referred to in the fourth paragraph, parts d and e, 2.9, second, fourth and fifth paragraphs , 2.14, second paragraph , 2.15, first, second, third, fifth and sixth paragraphs , and 4.4, first paragraph , or one or more of the aforementioned provisions in conjunction with Article 6.2, first paragraph , Article 6.4, first paragraph , or Article 7.5, third paragraph , are violations.

Article 8.12. Penalty

- 1 Conduct contrary to the provisions established by or pursuant to Articles 2.1, first paragraph , 2.2, sixth paragraph, first sentence, and eighth paragraph , 2.10, first paragraph and 2.14, first paragraph , or one or more of the aforementioned provisions in conjunction with Article 6.2, first paragraph , Article 6.4, first paragraph , or Article 7.5, third paragraph , shall be punishable by a prison sentence of not more than three years or a fine in the fourth category.
- 2 Conduct that is contrary to the provisions established by or pursuant to Articles 2.8, first paragraph, subparagraph a , and third and fourth paragraphs with regard to the subjects referred to in the fourth paragraph, subparagraphs a, b and c, or one or more of the aforementioned provisions in conjunction with Article 6.2, first paragraph , Article 6.4, first paragraph , or Article 7.5, third paragraph , insofar as this conduct takes place other than in the operation of a business where animals of species or categories designated pursuant to Article 2.3, second paragraph , are kept, shall be punishable by a prison sentence of not more than three years or a fine in the fourth category.
- 3 Conduct contrary to the provisions established by or pursuant to Articles 1.4 , 2.1, sixth paragraph , 2.3, third and fourth paragraphs , 2.8, third and fourth paragraphs with regard to the subjects referred to in the fourth paragraph, parts d and e, 2.9, first, second, fourth and fifth paragraphs , 2.14, second paragraph , 2.15, first, second, third, fifth and sixth paragraphs , and 4.4, first paragraph , or one or more of the aforementioned provisions in conjunction with Article 6.2, first paragraph , Article 6.4, first paragraph , or Article 7.5, third paragraph , shall be punishable by imprisonment of not more than six months or a fine of the third category.
- 4 Conduct contrary to the provisions established by or pursuant to Article 2.2, first paragraph , ninth and tenth paragraphs with regard to the subjects referred to in the tenth paragraph, parts b, c and d, and 2.4, first, second and third paragraphs , or one or more of the aforementioned provisions in conjunction with Article 6.2, first paragraph , Article 6.4, first paragraph , or Article 7.5, third paragraph , insofar as such conduct takes place other than in the operation of a business where animals of species or categories designated pursuant to Article 2.3, second paragraph , are kept, shall be punishable by imprisonment of not more than six months or a fine of the third category.
- 5 If conduct contrary to the regulations established by or pursuant to Article 2.15, third paragraph , is committed in connection with a horse race or harness racing in relation to which a totalisator as referred to in Article 23, second paragraph, of the Gambling Act is organised, the term of imprisonment provided for in the third paragraph shall be increased by one third.
- 6 If conduct contrary to the regulations established by or pursuant to Articles 1.4 , 2.1, first paragraph , 2.2, eighth paragraph , 2.8, first paragraph, part a , and third and fourth paragraphs with regard to the subjects referred to in the fourth paragraph, parts a, b and c, is committed in the exercise of a profession or business, a fine of the next higher category may be imposed.

Article 8.13. Practice of veterinary medicine despite disciplinary disqualification

[Effective 01-07-2014]

This part has not yet entered into force; see the [overview of changes](#)

Article 8.14. Designation of investigating officers

- 1 Without prejudice to Article 141 of the Code of Criminal Procedure , the officials designated by decision of Our Minister of Security and Justice shall be responsible for investigating the offences punishable under Article 8.11.
- 2 The officials referred to in the first paragraph are also charged with investigating the facts punishable under Articles 179 to 182 and 184 of the Criminal Code , insofar as these facts relate to an order, demand or action made or undertaken by themselves.
- 3 A decision as referred to in the first paragraph shall be notified by publication in the Government Gazette.

§ 5. Veterinary disciplinary law

[Effective 01-07-2014]

This part has not yet entered into force; see the [overview of changes](#)

§ 6. Guides to good practices

Article 8.44. Guides to good practices

- 1 Our Minister encourages the preparation and application of good practice guides containing recommendations for compliance with the provisions of or pursuant to this Act.
- 2 National guides to good practice may be submitted to Our Minister for assessment.
- 3 Articles 7.6 , 7.7 and 7.8 shall apply mutatis mutandis to applications for an assessment as referred to in the second paragraph.

§ 7. Miscellaneous

[Enters into effect on 01-01-2014]

This part has not yet entered into force; see the [overview of changes](#)

Chapter 9. Finances

§ 1. Fees

Article 9.1. General fees

- 1 Our Minister may impose a levy to reimburse costs in accordance with a rate determined by him in respect of the following actions:
 - a. the processing of an application for a permit, recognition, permission, admission, registration, certificate of professional competence, approval or certification prescribed by or pursuant to this Act, or an application for an extension or amendment thereof;
 - b. the maintenance of the permit, recognition, permission, admission, registration, certificate of professional competence, approval or certification granted by or pursuant to this Act;
 - c. the processing of an application for exemption from the provisions of or pursuant to this Act, or of an application for extension or amendment of the exemption;
 - d. the identification and registration of animals;
 - e. inspections as referred to in [Article 2.10, third paragraph, part p](#) , [Article 2.20, second paragraph, part k](#) , and [Article 3.2, second paragraph, part d](#) ;
 - f. the supervision of compliance with [Article 2.15](#) during a competition, at the expense of the organising institution;
 - g. investigations, checks or activities relating to animals, animal feed, veterinary medicinal products, products or objects, businesses or locations for the purpose of preventing and controlling animal diseases, zoonoses and symptoms of diseases, and for the purpose of combating pathogens, insofar as the investigations or activities are prescribed by an EU legal act or are carried out at the request of the persons concerned;
 - h. checks necessary to determine the extent of a breach of the provisions of or pursuant to this Act, to verify whether corrective measures have been taken, or to detect or prove a breach, to the extent that the levy to reimburse the costs of such checks is prescribed by an EU legal act, and
 - i. the assessment of guides as referred to in [Article 8.44](#) .
- 2 By or pursuant to a general administrative measure, a levy may be imposed to reimburse costs in accordance with a fixed rate in respect of investigations or activities specified in that measure, insofar as the investigations or activities are prescribed by or pursuant to this Act or by EU Regulation.
- 3 A rate as referred to in the first or second paragraph shall be set in such a way that the estimated revenues do not exceed the estimated costs directly related to the activities for which the rate is imposed, without prejudice to the provisions laid down in this regard by an EU legal act.
- 4 By ministerial regulation, rules may be laid down regarding the payment of the levy, and it may be stipulated that an act as referred to in the first paragraph, opening sentence, will only be carried out after payment of the levy has taken place.

§ 2. Animal Health Fund

[Enters into force at a date to be determined]

This part has not yet entered into force; see the [overview of changes](#)

§ 3. Compensation

[Enters into force at a date to be determined]

This part has not yet entered into force; see the [overview of changes](#)

Chapter 10. Miscellaneous

Article 10.1. Exemption and waiver

- 1 Our Minister may, where appropriate, with due observance of EU legal acts and insofar as the interests of human, animal or plant health, the interests of animal welfare or the interests of the environment do not conflict with this, grant an exemption or waiver from the provisions of or pursuant to this Act.
- 2 If the exemption or waiver relates to a provision that is wholly or partly intended to protect public health, it shall be granted in consultation with Our Minister of Health, Welfare and Sport.
- 3 Conditions or terms may be attached to an exemption and a waiver. They may be granted subject to restrictions.
- 4 If Our Minister intends to grant an exemption from the provisions of [Article 2.23](#) , the draft exemption will be published in the Staatscourant and everyone will be given the opportunity to submit their wishes and objections to Our Minister within four weeks of the date of publication. At the same time as the publication, the draft exemption will be submitted to both Houses of the States General and communicated to directly interested parties.
- 5 An exemption as referred to in the first paragraph may, without prejudice to the authority of Our Minister, be granted by general administrative measure.

Article 10.2. Rules on investigations, inspections, supervision of compliance and enforcement

- 1 Rules are laid down by or pursuant to general administrative measures with regard to investigations, inspections, supervision of compliance and enforcement, including:
 - a. the manner in which the research is conducted;
 - b. the designation of officials or persons to conduct the investigation, and
 - c. the facilities where research activities take place.
- 2 By general administrative measure, Articles 8 to 13a of the Agricultural Quality Act or parts thereof may be declared applicable accordingly for the application of Chapter 3. The application of Article 13 of the Agricultural Quality Act is without prejudice to Article 18, paragraph 2, of the Agricultural Quality Act.

Article 10.3

[Expired as of 01-01-2013]

Article 10.4. Joint administration

- 1 By or pursuant to a general administrative measure or by ministerial regulation, cooperation may be requested from the board of a product board or a trade board as referred to in Article 66 of the Industrial Organisation Act.
- 2 By or pursuant to a general administrative measure as referred to in the first paragraph, the powers to take decisions and to establish rules or additional rules, as well as tasks assigned to Our Minister, which are vested in Our Minister pursuant to the provisions of or pursuant to this Act, may be transferred.
- 3 If the cooperation referred to in the first paragraph consists of laying down rules or additional rules by regulation, such regulation requires the approval of Our Minister.
- 4 Further provisions and decisions taken pursuant to a regulation as referred to in the third paragraph shall, insofar as this is determined by the general administrative measure or regulations referred to in the first paragraph, require the approval of the authority designated therein.
- 5 Regulations referred to in the third paragraph may, among other things, grant to a body to be designated therein the power to grant exemptions and, upon request, dispensations from those regulations or regulations or restrictions to be established pursuant to them.

Article 10.5. Immediate provisions

- 1 If, in the interest of human or animal health or animal welfare, Our Minister considers that immediate provision is necessary, he may provide by regulation for the subjects determined by general administrative measure pursuant to this Act.
- 2 The regulation shall lapse one year after it has entered into force, or, if a general administrative measure replacing that regulation has entered into force within that period, at the time the measure enters into force. The period may be extended once by Our Minister for a maximum of one year.

Article 10.6. Animal Testing Act

[Effective 01-07-2014]

This part has not yet entered into force; see the overview of changes

Article 10.7. Fisheries Act 1963

[Effective 01-07-2014]

This part has not yet entered into force; see the overview of changes

Article 10.8. Animal Affairs Council

- 1 There is an Animal Affairs Council which consults on issues concerning national and international policy in the field of animal health and animal welfare.
- 2 Our Minister shall appoint the members of the Council in consultation with Our Minister of Health, Welfare and Sport.
- 3 Rules regarding the composition and working methods of the Council are laid down by general administrative measure.

Article 10.9. Involvement of other ministers in the creation of general administrative measures

A proposal for the adoption, amendment or withdrawal of a general administrative measure as referred to in Articles 2.18, first and second paragraphs, 2.20, first and second paragraphs, and 2.22, first and second paragraphs, shall be submitted to Us by Our Minister in agreement with Our Minister of Health, Welfare and Sport and after consultation with Our Minister of Social Affairs and Employment.

Article 10.10. Preliminary proceedings

The proposal for a general administrative measure to be established pursuant to Articles 2.1, third and fifth paragraphs, 2.2, second, third, seventh and tenth paragraphs, 2.3, second and fourth paragraphs, 2.4, second

paragraph , 2.5, second paragraph , 2.6, second and third paragraphs , 2.7, second paragraph , 2.8, second paragraph, part b, and fourth paragraph , 2.10, first, third and fourth paragraphs , 2.15, second paragraph , and 2.16, first paragraph , and 2.24, insofar as it concerns a proposal for a measure also with or with a view to the protection of animal welfare, shall not be made before four weeks after the draft has been submitted to both Houses of the States General.

Article 10.11. Evaluation provision

Within five years of the entry into force of this Act, Our Minister shall send a report to the States General on the effectiveness and effects of this Act in practice.

Chapter 11. Amendments to other laws and transitional law

§ 1. Transitional law

Article 11.1. Transitional law

- 1 Decisions, not containing a generally binding regulation, taken by or pursuant to the Animal Health and Welfare Act , the Animal Feed Framework Act , the Veterinary Medicines Act , the Animal Protection Act , the Veterinary Practice Act 1990 or, insofar as they relate to subjects to which this Act applies, pursuant to the Agricultural Quality Act or the Agricultural Act , which are in force at the time of entry into force of this Act, shall be deemed to have been taken on the basis of this Act, subject to the same regulations, restrictions and conditions. Further rules may be laid down by or pursuant to general administrative order with regard to regulations, restrictions and conditions insofar as the implementation of binding parts of EU legal acts so requires.
- 2 Notifications made in compliance with obligations under or pursuant to the Animal Health and Welfare Act , the Animal Feed Framework Act , the Veterinary Medicines Act , the Animal Protection Act , the Veterinary Practice Act 1990 or, insofar as they relate to subjects to which this Act applies, pursuant to the Agricultural Quality Act or the Agricultural Act , shall be deemed to have been made on the basis of this Act. Further rules may be laid down by or pursuant to general administrative order with regard to regulations, restrictions and conditions insofar as the implementation of binding parts of EU legal acts so requires.
- 3 With regard to decisions as referred to in the first paragraph, Our Minister shall publish in the Government Gazette, by type, divided according to the provision or provisions on which the decisions were based, the provision or provisions on which they are deemed to be based from the moment the law enters into force.
- 4 The applications and requests for a decision as referred to in the first paragraph that are pending at the time of entry into force of this Act shall be pending in the state in which they are located at that time and shall, from the time of entry into force of this Act, be dealt with in accordance with the provisions of and pursuant to this Act.
- 5 Objections pending at the time of entry into force of this Act and relating to the taking of a decision as referred to in the first paragraph shall be pending in the state in which they are at that time and shall be dealt with and decided in accordance with the relevant provisions of the laws referred to in the first paragraph.
- 6 Cases pending before the Trade and Industry Appeals Tribunal at the time of entry into force of this Act which relate to the taking of a decision as referred to in the first paragraph shall be handled and decided in accordance with the relevant provisions of the laws referred to in the first paragraph.

§ 2. Amendment of other laws

Article 11.1a. Amendment of the General Administrative Law Act

[Ed: Amends the General Administrative Law Act.]

Article 11.2. Amendment of the Civil Code

[Ed: Amends Book 3 of the Civil Code.]

Article 11.3. Amendment of the Flora and Fauna Act

[Effective 01-07-2014]

This part has not yet entered into force; see the overview of changes

Article 11.4. Amendment to the Animal Health and Welfare Act

[Ed: Amends the Animal Health and Welfare Act.]

Article 11.5. Amendment of the Agricultural Quality Act

[Effective 01-07-2014]

This part has not yet entered into force; see the overview of changes

Article 11.6. Amendment of the Fisheries Act 1963

[Effective 01-07-2014]

This part has not yet entered into force; see the [overview of changes](#)

Article 11.7. Amendment of the Environmental Management Act

[Ed: Amends the Environmental Management Act.]

Article 11.8. Amendment of the Economic Offences Act

[Ed: Amends the Economic Offences Act.]

Article 11.9

[Expired as of 01-01-2013]

Article 11.10

[Expired as of 01-01-2013]

Article 11.11. Amendment of the Turnover Tax Act 1968

[Ed: Amends the Turnover Tax Act 1968.]

Article 11.12. Amendment of the Code of Criminal Procedure

[Effective 01-07-2014]

This part has not yet entered into force; see the [overview of changes](#)

Article 11.13

[Expired as of 01-01-2013]

Article 11.14. Transitional law on the entry into force of the amendment of the Judicial Officers' Legal Status Act and some other laws

[Enters into force at a date to be determined]

This part has not yet entered into force; see the [overview of changes](#)

Chapter 12. Final provisions

Article 12.1. Withdrawal of laws

The following laws are repealed:

- a. [Animal Feed Framework Act](#) ;
- b. [Veterinary Medicines Act](#) .

Article 12.2. Entry into force

The Articles of this Act shall enter into force on a date to be determined by Royal Decree, which date may be different for the various Articles or parts thereof.

Article 12.3. Citation title

This Act may be cited as the Animal Act.

Original closing form and signature