

Animal Protection Act

Promulgated, SG No. 13/8.02.2008, effective 31.01.2008, amended, SG No. 80/9.10.2009, SG No. 8/25.01.2011, effective 25.01.2011, amended and supplemented, SG No. 92/22.11.2011

Chapter One GENERAL PROVISIONS

Article 1. (1) This Act shall regulate animal protection and means for its implementation.

(2) Animal protection shall comprise protection of animals' life, health, and good condition; protection from inhumane, cruel, and extremely cruel treatment; ensuring proper care and living conditions, adapted to their physiological and behavioural specifics.

Article 2. Executive and local government authorities, together with non-governmental organisations, shall prepare and implement educational programs related to animal protection as well as animal keeping, breeding, training, and trading in compliance with the provisions of this Act.

Article 3. Professional high schools and schools of higher education, which train professionals in the fields of veterinary medicine, agricultural and animal farming, biology, environment science, etc. shall also conduct animal protection training in compliance with under the requirements of the ordinance under Article 19, Paragraph 5 of the Veterinary Practices Act.

Article 4. Veterinarians' Professional Organisation in Bulgaria, animal protection organisations, and animal farmers' associations shall promote animal protection measures.

Article 5. The Bulgarian Food Safety Agency shall assist in the conduct of trainings referred to in Article 3.

Article 6. (1) Any inhumane treatment of animals shall be forbidden.

(2) Inhumane treatment shall be defined as any action causing pain, suffering, or strong fear to animals.

Article 7. (1) Any cruelty to animals shall be forbidden.

(2) Cruelty shall be defined as:

1. (amended, SG No. 92/2011) any act or failure to act, resulting in continuous or repeated suffering of the animal, injury, or distress;

2. acts as per Article 151 of the Veterinary Practices Act;
3. any violation of the principle of good practice in animal keeping, where it is harmful to the animals' health;
4. promoting aggressive behaviour in animals through selection or training in aggressive behaviour towards other animals and humans;
5. any usage of choke collars or electric collars, electric prods, irritating or injuring chemical substances, or any equipment, auxiliary means or devices, designed to modify animal behaviour by inflicting strong fear and pain;
6. organising training activities and races conducted on limb-injuring surfaces;
7. any usage of animals for the purposes of film, advertising, exhibitions, which cause pain, suffering, injury, or distress to animals;
8. forcing animals to exercise any effort causing pain, suffering, injury, or distress;
9. exposing animals to temperature or other harmful weather conditions, lack of oxygen, or restriction of free movement, causing pain, suffering, injury or distress to animals;
10. any abandonment of animals;
11. any usage of living animals for animal feeding, with the exception of those, whose biology requires it;
12. any animal deprivation of rest;
13. any physical burden imposed on ill, injured, or distressed animals;
14. releasing human-raised animals in the wild, if they have not been previously prepared to survive in a natural environment;
15. any amputation or neutering using an elastic ring;
16. any full or partial amputation of animal body parts or removal of organs;
17. any attachment of harmful shoes to ungulates;
18. any keeping, using, and killing of dogs and cats for fur and meat, for food production, as well as any import and export of dog and cat fur and meat;
19. any clipping of ears and tails for purposes of appearance modification;
20. any removal of claws, teeth and vocal cords;

21. any display in stores, restaurants, and other entertainment or beverage-serving establishments of any kind of mammals, primates, reptiles, and dangerous decorative animals;

22. any propaganda, promotion, or any other direct or indirect inducement to violence towards animals;

23. any sexual abuse of animals.

(3) Actions under Paragraph 2, Items 16, 19, and 20 shall be permissible, where:

1. such actions are prescribed by a veterinarian or the procedure is required in order to preserve the animal's life, health, and good condition;

2. the procedure is carried out for scientific and research purposes under the Veterinary Practices Act;

3. the sterilisation or neutering is required in order to contain animal overpopulation;

4. they are carried out in compliance with the requirements of the Hunting and Game Protection Act;

5. the procedure is required in order to:

a) prevent serious injury to animals;

b) protect other animals.

Article 8. No actions shall constitute cruelty to animals, where having been carried out for the purposes of:

1. containing or eliminating contagious diseases among animals;

2. professional disinfestations;

3. hunting and fishing carried out under the Hunting and Game Protection Act and under the Fisheries and Aquaculture Act;

4. application of training methods, aimed at the acquisition and/or development of hunting, guarding, tracking, or guiding qualities in dogs;

5. medical experiments and drug testing;

6. putting hobbles on shepherd or stray dogs to restrict their capabilities of chasing game.

Article 9. The Minister of Agriculture and Food, the Minister of Interior, and the Minister of Defence shall issue a regulation on the dog training rules.

Article 10. (Repealed, SG No. 92/2011).

Chapter Two

ANIMAL KEEPING AND CARE

Article 11. (1) No sale of animals shall be allowed to persons under 18 years of age without the consent of a parent or legal guardian.

(2) Where the owner of an animal is not capable of providing care to the animal, the owner shall release the animal to an animal shelter, emergency centre, another animal farming facility, or to a new owner, who shall keep the animal in accordance with its physiological and behavioural specifics.

Article 12. Animal owners shall provide conditions for animal keeping under Article 149, Paragraph 1 and Article 150 of the Veterinary Practices Act.

Article 13. (1) Animals, which are not naturally gregarious, shall be kept separately.

(2) Animals, who are naturally gregarious, shall not be kept separately.

(3) When keeping animals, one shall ensure they can communicate in accordance with their physiological and behavioural specifics.

Article 14. (1) Owners of animal farming facilities shall:

1. ensure sufficient number of properly qualified and experienced keepers to provide animal care to the extent required by the animals' number, age, and health condition;
2. be responsible to observe the animal protection rules;
3. organise initial and follow-up staff training.

(2) Keepers under Paragraph 1, Item 1 shall not cause distress, pain, suffering, and injury to animals in their care.

Article 15. Animal owners shall take action to provide veterinary help, when the animal owner identifies any symptoms of illness, injury, exhaustion or birth complications. Any ill or injured animal shall be isolated and accommodated in a suitable room with a dry and comfortable bedding.

Article 16. (1) (Amended, SG No. 80/2009) Anyone finding an ill or an injured animal shall inform the animal shelter, the relevant local government authorities, the regional police department, or the regional units of the Executive Forestry Agency.

(2) The authorities under Paragraph 1 shall cooperate in providing emergency veterinary aid

and accommodating the animal in a shelter or another facility under Paragraph 6, Items 1-3.

(3) In the facility accommodating the animal under Paragraph 1, immediate action shall be taken to treat the animal.

(4) Using the media or other proper means, shelter managers shall provide information on the animals accommodated in their shelters in order to track the owner or find a new owner.

(5) When a marked animal is accommodated in the shelter, the manager shall track and inform its owner or a person under Article 47, Paragraph 3.

(6) When the animal owner cannot be found within 14 days after the animal's accommodation in the shelter, the animal may be released to:

1. a zoo;
2. an emergency centre;
3. a farm;
4. an animal protection organisation.

Article 17. (1) Animal movement shall not be restricted in a way causing pain, suffering, or strong fear to the animals.

(2) In all enclosures used for animal keeping, the owner shall provide enough space, according to their physiological and behavioural specifics, as well as enough space to move and rest.

Article 18. Animals kept outdoors shall be provided with free movement, daily walks, and protection from bad weather, predators, and harmful physical and chemical impact.

Article 19. The Minister of Agriculture and Food shall issue regulations on animal keeping conditions, in accordance with their physiological and behavioural specifics.

Article 20. Animal owners shall provide constant monitoring of animals' health in order to avoid any unnecessary suffering of animals.

Chapter Three

SPECIFIC CONDITIONS OF ANIMAL KEEPING AND USAGE

Article 21. (Amended, SG No. 92/2011) It shall be prohibited to import, acquire, sell, own, or keep any specimens of the order of primates, as well as any wild cats, with the exception of zoos and emergency centres.

Article 22. (1) (Amended, SG No. 92/2011) Any owner of wild animals, kept outside zoos, centers for breeding and reproduction of protected animal species, emergency centres and farms for intensive rearing of game, with the exception of those under Article 21, shall register them with the regional inspectorate of environment and water within 14 days after their acquisition.

(2) No acquisition and keeping of protected animal species under Article 37 and 47 of the Biological Diversity Act shall be allowed. Any such species kept shall be seized in favour of the State, where no special permit by the Ministry of Environment and Water is held.

(3) The Minister of Environment and Water shall issue an ordinance on conditions for keeping the wild animals under paragraphs 1 and 2, in accordance with their physiological and behavioural specifics.

Article 22a. (New, SG No. 92/2011) (1) The Regional Inspectorates of Environment and Water shall issue registration cards for the registration under Article 22, paragraph 1.

(2) The registration cards shall contain

1. owner's name;
2. species of the specimen kept;
3. gender and year of the specimen's birth/hatching;
4. marking, if any;
5. address, where the specimen is kept;
6. document, indicating the specimen's origin, in case it had been donated, purchased, imported into this country's territory or otherwise acquired by another natural or legal person, including a state institution;
7. number of the permit, if one is required under the procedure of Article 22, paragraph 2.

(3) In case of change of ownership of the specimen the original of the registration card shall be handed over to the new owner for use in subsequent registration.

Article 23. (1) Any owner of a circus, theatre, or variety-show, using animals in its programmes, shall register the facility under the procedure of Article 137 of the Veterinary Practices Act.

(2) Upon registration under Paragraph 1, the director of the relevant regional food safety directorate shall issue passports to animals under the procedure of Article 7 of Commission Regulation (EC) No 1739/2005 laying down animal health requirements for the movement of circus animals between Member States.

(3) Upon any change in the number and type of animals under Paragraph 1, the owner shall notify the relevant regional food safety directorate.

Article 24. Veterinary-sanitary requirements on movement of circus animals shall be governed by Commission Regulation (EC) No 1739/2005 laying down animal health requirements for the movement of circus animals between Member States.

Article 25. (1) Circus owners shall notify in writing the director of the relevant regional food safety directorate, specifying the place and time of residence, the type and number of participating animals, and shall attach the show programme.

(2) The notice under Paragraph 1 shall be submitted at least 7 days prior to the animals' arrival in the territory of the relevant regional food safety directorate.

(3) If the epizootic conditions are not favourable, the director of the regional food safety directorate shall notify in writing all persons under Paragraph 1 to the effect that the circus shall not be allowed at the respective territory.

Article 26. Conditions and minimum requirements for keeping and using animals in circuses, variety-shows, and other entertainment facilities, as well as all required qualifications of all persons taking care of the animals, shall be governed by an ordinance jointly issued by the Minister of Agriculture and Food and the Minister of Environment and Water.

Article 27. (1) (Amended, SG No. 92/2011) No wild mammals, including species of the order of primates shall be used in circuses, variety-shows, and other entertainment facilities.

(2) The prohibition under Paragraph 1 shall not apply to the species of the Cetacean order, the Delphinidae - *Tursiops truncatus* and *Delphinus delphis*, reared and used for dolphin park shows, provided that the specimens are marked, at least third-generation born and raised in captivity, not kept separately, and hold a permit issued by the Minister of Environment and Water under the Biological Diversity Act.

Article 28. (1) Any participation of animals in races, exhibitions, commercial and film shootings, shall be allowed after notifying the regional food safety directorate of the territory where the event is to take place.

(2) In cases under Paragraph 1, the director of the regional food safety directorate shall undertake actions pursuant to Article 134 of the Veterinary Practices Act.

(3) When using wild animals for film shooting, the shooting organiser shall ensure the presence of an ethologist consultant from a list, approved by the Minister of Environment and Water.

Article 29. Pet store owners shall provide:

1. veterinary care to the animals;

2. employees, who have qualifications and experience in keeping the respective animal species;

3. conditions for keeping the animals until their sale, as per the requirements of this Act;

4. information materials on animal keeping and humane treatment.

Article 30. (1) Only a person, who has passed a course in animal protection and humane treatment, shall be allowed to own or work in a pet store.

(2) Pet store employees shall provide customers with information and advice on animal keeping, proper care, required vaccination, and registration.

Article 31. (1) While observing the prohibitions under Article 21, pet stores shall only keep and sell:

1. healthy animals, which have passed the required veterinary prophylaxis;

2. animals with a document of origin or acquisition;

3. dogs and cats, having a veterinary passport, free of parasites, and vaccinated; all dogs shall be marked by a microchip;

4. wild animals, marked in accordance with the type of the specimen, with the marking placed so as not to harm the animal's health.

(2) The owner of a pet store selling wild animals shall submit data, containing the name and address of the person purchased the animal, to the regional inspectorate of environment and water.

Article 32. (1) When shipping animals, the owner or the person shipping them shall:

1. use vehicles ensuring the animal protection requirements are met and ensuring the safety of the other traffic participants and the animals;

2. at proper intervals provide food, water, and rest to the animals in accordance with their kind.

(2) No delay of animal transportation vehicles shall be permitted, unless it is required to preserve the animals in good condition.

(3) In cases of delays of animal shipments, the competent authorities shall take all actions necessary to minimise animal suffering.

Chapter Four

PET ANIMALS

Article 33. Owners of pet animals shall keep them in accordance with the animal protection requirements under this Act and under the Veterinary Practices Act.

Article 34. (1) No dogs and cats shall be kept in condominium apartment buildings within an area smaller than:

1. for a dog:

- a) small breeds up to 10 kg - 6 sq. m;
- b) medium breeds up to 25 kg - 8 sq.m minimum;
- c) large breeds over 25 kg - 10 sq.m minimum;

2. for a cat - 6 sq.m minimum.

(2) The area shall be calculated as the area shared with the people living in the apartment.

(3) Dogs kept outdoors shall be provided with a shelter or a doghouse providing protection from bad weather.

(4) Dogs kept most of the time on a leash shall be provided with 5 meters of wire (rope) to allow them free movement, as well as with daily walk.

Article 35. (1) The pet owner shall take all measures to prevent the animal from leaving on its own the area, in which it is kept, and from entering other people's or public property.

(2) The owner shall prevent any unwarranted aggressive behaviour by the dog in public places and in situations threatening the lives and health of people and animals.

(3) Dog owners shall not violate the peace and hygienic conditions of the condominium co-owners.

(4) Exceptions under Paragraph 1 shall be allowed only for shepherd dogs, hunting dogs, tracking dogs, mountain rescue and seeing-eye dogs for disabled persons under a procedure, established by the Bulgarian Food Safety Agency.

(5) Any owner of a dog, kept for breeding purposes, shall be registered under Article 137 of the Veterinary Practices Act and shall pay a fee in the municipality.

(6) The fee under Paragraph 5 shall not be paid by breeders and members of kennel clubs, members of Bulgarian National Canine Federation, or of other Bulgarian or international canine federations engaged in purebred dog breeding.

Article 36. (1) Pet owners shall ensure pets' sterilisation, unless they are capable, upon reproduction, to keep the newborn animals or release them to new owners.

(2) Owners of neutered dogs shall not pay the fee under Article 35, Paragraph 5 and the fee under Article 175, Paragraph 1 of the Veterinary Practices Act.

Article 37. (1) Dog registration shall be carried out under the procedure of Article 174 of the Veterinary Practices Act.

(2) The following data shall be entered in the database:

1. name of the dog's country of origin;
2. name, sex, colour, and breed;
3. dog's date and place (address) of birth;
4. owner's address and name;
5. data about the veterinarian, who has placed the chip;
6. the date of placing the chip or tattoo;
7. all veterinary procedures performed;
8. dog neutering.

(3) The data under Paragraph 2 shall be entered by the veterinarian, who has placed the chip or tattoo.

(4) Within 7 days after a change of address, a change of ownership, or a death of the dog, the owner shall notify the relevant regional food safety directorate.

(5) When the chip or tattoo has been placed by a veterinarian, who does not have access to the database, the veterinarian shall submit all data on a paper medium to the regional food safety directorate in the veterinarian's territory of practice.

Article 38. The Bulgarian Food Safety Agency shall create and maintain a national electronic database on all registered dogs.

Article 39. No fee under Article 175, Paragraph 1 of the Veterinary Practices Act shall be paid for a dog with a microchip placed for the first year of its registration.

Chapter Five

STRAY ANIMALS

Article 40. (1) Municipal councils shall adopt programmes to contain stray dog population and shall allocate funds for implementation thereof.

(2) Municipal mayors shall organise the implementation of all programmes under Paragraph 1 and shall submit a report thereof before the executive director of the Bulgarian Food Safety Agency on an annual basis.

(3) The Minister of Agriculture and Food shall annually submit a report on the implementation of all programmes under Paragraph 1, which shall be adopted by the Council of Ministers.

(4) (Amended, SG No. 92/2011) The veterinary practices in regard to stray dogs shall be implemented within registered mobile or stationary ambulatory facilities by the municipalities or the animal protection organisations.

(5) (New, SG No. 92/2011) In order to implement the programs under paragraph 1 the municipal councils shall adopt ordinances to control the stray dog population.

(6) (Renumbered from Paragraph 5, supplemented, SG No. 92/2011) Animal protection organisations, registered under the procedure of the Non-Profit Legal Entities Act, shall participate in the preparation and may participate in the implementation of programmes under Paragraph 1 and the ordinances under paragraph 5.

Article 41. (1) Stray animals shall be accommodated by the authorities and organisations under Article 40, Paragraphs 2 and 4 in shelters, registered under Article 137, Paragraph 1 of the Veterinary Practices Act.

(2) Local government authorities shall build stray animal shelters.

(3) City and village mayors shall be responsible for the activities of the shelters under Paragraph 2.

(4) Stray animal shelters shall be managed by the municipalities and/or animal protection organisations, registered under the procedure of Non-Profit Legal Persons Act.

(5) Animal protection organisations may create their own stray animal shelters.

(6) Each shelter shall develop and implement a public information system about all animals offered for keeping, including web page and media publications.

Article 42. (1) Stray animal catching shall be allowed in a way and under conditions ensuring animals' health and minimum suffering, by properly qualified persons instructed by a veterinarian.

(2) Transportation of dogs, caught under Paragraph 1, to the shelter shall be carried out using properly equipped and marked vehicles with sufficient ventilation.

(3) All members of stray animal catching teams shall have passed a course in animal protection and humane treatment.

(4) Stray animal catching teams shall be led and supervised by a veterinarian.

(5) A collar with an identification number shall be placed on any dog caught.

Article 43. (1) Mayors and animal protection organisations managing shelters shall:

1. execute and terminate an employment contract with a shelter manager, who shall have a degree of higher education;

2. ensure a veterinarian providing veterinary care to the animals;

3. ensure the required number and types of employees;

4. provide free public access to the shelter;

5. create conditions for public supervision;

6. provide means to contact the shelter.

(2) All persons under Paragraph 1, Items 1-3 shall pass a course in animal protection.

Article 44. (1) The animal shelter manager shall:

1. take action upon receiving notification about stray animals;

2. supervise the accommodation and care for the animals in the shelter;

3. carry out a program to find new owners for the animals in the shelter;

4. keep a log with data about all sheltered animals.

(2) The log under Paragraph 1, Item 4 shall contain:

1. the collar identification number;

2. date and place of catching;

3. individual characteristics of the animal;

4. date and grounds for leaving the shelter;

5. owner's name and address.

(3) For each case of animal transportation, the shelter manager, or a person authorised thereof shall prepare a transportation document stating the date and time of departure of the vehicle, the area visited, as well as data about the number and the identity of all animals collected

or returned.

Article 45. The veterinarian under Article 43, Paragraph 1, Item 2 shall:

1. monitor all animals' health and compliance with the animal protection requirements;
2. carry out the programme of the Bulgarian Food Safety Agency for taking samples for lab study of animals infectious diseases and shall send the samples to a lab;
3. have all results from lab testing and veterinary procedures and treatments reflected in an ambulatory log;
4. supervise disinfection and disinfestations;
5. carry out medical and prophylactic procedures, animal neutering and marking;
6. register all dogs under Article 174 of the Veterinary Practices Act upon acquisition by an owner;
7. fill out the death certificate of an animal stating the time, reason and/or diagnose of death;
8. when euthanasia is prescribed, fill a separate report containing the grounds for its prescription; the report shall be signed by the veterinary, the shelter manager, and a third person.

Article 46. (1) All dogs in the shelter shall be accommodated observing the animal protection requirements.

(2) Upon any arrival of an animal, an ownership identification review shall be carried out, as well as a medical examination and, if needed, lab studies, the results of which shall be entered in the ambulatory log.

(3) All ill and injured animals shall be provided with veterinary aid.

(4) Over the course of their stay, animals shall be provided with enough food, water, and space to move and rest.

Article 47. (1) Sheltered dogs shall be neutered, treated for parasites, and vaccinated against rabies.

(2) All dogs under Paragraph 1 shall be released free of charge to persons, who wish to keep them as pets, and shall be registered under Article 174 of the Veterinary Practices Act.

(3) All dogs, for which no persons under Paragraph 2 have appeared, shall be marked and accommodated in provisional shelters designated by the respective municipal council, or shall be returned to the places, from which they were taken. The dogs shall be under the supervision and care of the municipalities, the animal protection organisations, or other persons having signed a statement to comply with the requirements of Article 49 and 50.

(4) All provisional shelters under Paragraph 3 shall be located outside the respective populated area limits, shall be fenced and kept in good hygienic condition under requirements established by the Bulgarian Food Safety Agency, the Veterinary Practices Act, and this Act.

(5) Work organisation and keeping conditions for all dogs in provisional shelters under Paragraph 4 shall be set forth in a regulation of the respective municipal council and implemented under the constant monitoring of the animal protection organisations.

(6) The marking of dogs under Paragraph 3 shall be an electronic chip, or an identification number tattooed on one ear and V-shaped clipping of the other ear, or another visible earmarking.

(7) The shelter manager shall enter all dogs in a registry and shall issue a veterinary passport for each dog.

(8) The shelter manager shall send the registry data under Paragraph 7 to the mayor of the respective municipality.

Article 48. It shall not be allowed to return dogs under Article 47, Paragraph 3 to nursery school, kindergarten, school playgrounds, hospital courtyards, or in the vicinity of children playgrounds, motor highways, and airports.

Article 49. Persons responsible for animal supervision and care, animal protection organisations, or municipalities shall quarterly disinfest and revaccinate all animals returned under Article 47, Paragraph 3.

Article 50. All organisations and persons under Article 49 shall:

1. certify the dog's passport on an annual basis at the relevant municipal office regarding all disinfestations and vaccinations performed;
2. take measures to prevent the dogs' aggressive behaviour towards people or animals.

Article 51. Euthanasia of sheltered dogs shall be allowed under the provisions of Article 179, Paragraph 3, Items 1, 2, and 4 of the Veterinary Practices Act after diagnosing through medical examination and testing.

Article 52. Animal corpses in the shelter shall be stored under the requirements of Article 272 of the Veterinary Practices Act.

Article 53. (1) Upon sheltering a registered pet dog, the shelter manager shall track and send a written notice to the animal's owner.

(2) If within 7 days upon receipt of the written notice under Paragraph 1 the dog owner does not appear to have the dog back or cannot be found, the dog shall be released to a new owner under the procedure of Article 47, Paragraph 2 or shall be accommodated in a shelter run by animal protection organisations.

(3) Pet dogs under Paragraph 1 shall be released to their owners after the owner presents a veterinary passport and reimburses all expenses for their stay.

Article 54. A registry of all dogs under Article 47, Paragraph 3 shall be kept by every municipal office or the shelter, containing:

1. date and place of animal catching;
2. date and place of animal return;
3. dates of disinfestations, neutering, and vaccination against rabies;
4. the responsible supervisory person or organisation.

Article 55. After blocking the reproductive abilities of stray dogs within the town/village, they shall be gradually accommodated in shelters under owner finding programmes or for a lifetime keeping.

Article 56. (1) In cases of stray cat overpopulation, the provisions of Articles 40 - 47, Articles 51, 52, and Article 54 shall apply.

(2) No stray cat catching using opiates shall be allowed.

Chapter Six

IMPLEMENTATION AND SUPERVISION

Section I

Public supervision

Article 57. Public supervision on implementation of this act shall be carried out by authorised representatives of legal entities, registered under the Non-Profit Legal Persons Act, having animal protection activities in their founding regulations.

Article 58. When carrying out public supervision, all persons under Article 57 shall be allowed to:

1. receive full information about compliance with animal protection requirements from competent authorities;
2. take part in all preparatory work on decisions by competent authorities on any animal protection issues, and to cooperate in the implementation thereof;
3. notify the competent authorities by request for auditing the compliance with the animal protection requirements, as well as to receive information on the results from the audits thereof;

4. receive cooperation by the Ministry of Interior and other executive government authorities to prevent cruelty towards animals;

5. take part in all inspections under Article 170 of the Veterinary Practices Act and in all checks and actions taken by authorities exercising government control over the implementation of this Act.

Section II Supervision

Article 59. (1) (Amended, SG No. 80/2009) The supervision under this act shall be carried out by the Minister of Agriculture and Food through the Bulgarian Food Safety Agency.

(2) (Amended, SG No. 80/2009, SG No. 92/2011) The supervision over all wild animal protection measures shall be carried out by the Minister of Environment and Water and the Minister of Agriculture and Food through the Executive Forestry Agency.

(3) Local government authorities shall exercise supervision:

1. over all animal abandonment in the territory of the municipality;
2. over all dog identification and registration;
3. over all compliance with the animal protection requirements at all shelters in the territory of the municipality;
4. over all dogs and places under Article 47, Paragraph 3.

(4) The supervision shall be exercised through:

1. regularly scheduled inspections;
2. inspections performed upon requests, complaints, and signals on violations of animal protection rules, submitted by government authorities, natural persons, and legal entities.

Article 60. (1) Supervisory authorities shall have the right to:

1. identify the animal owner;
2. access all sites and all documentation required to carry out the inspection;
3. enter, after being provided with access by the owner, all real estate and vehicles, where animals are being kept or where there is reason to believe that animals are being kept or processed.

(2) Animal owners shall also provide access to their sites and where emergency aid needs to be rendered to an animal threatened by death or severe health injury.

Article 61. (1) Executive and local government authorities, public organisations, natural persons, and legal entities shall provide all the cooperation required by Bulgarian Food Safety Agency employees in carrying out their supervisory functions.

(2) Upon finding any evidence of violation under this Act, authorities and persons under Paragraph 1 shall immediately:

1. take action within their respective mandates to stop the violation;

2. notify the Bulgarian Food Safety Agency authorities or the Ministry of Environment and Water authorities.

Chapter Seven

ADMINISTRATIVE PENAL PROVISIONS.

ADMINISTRATIVE ENFORCEMENT MEASURES

Section I

Administrative penal provisions

Article 62. (Amended, SG No. 92/2011) (1) Any person found guilty of cruelty to an animal under Article 7 shall pay a fine between BGN 500 and 1000, unless the offence is criminal in nature.

(2) In the cases under Article 7, paragraph 2, Item 2 the provision of Article 422 of the Veterinary Practices Act shall apply and in the cases under Article 7, paragraph 2, Items 19 and 20 - the provision of Article 427 of the Veterinary Practices Act shall apply.

(3) In the cases under paragraph 1 the animal may be seized on behalf of the State.

(4) Any person shooting at stray animals, domesticated animals or animals held in captivity and wild animals, except in cases of extreme necessity or in accordance with the Hunting and Game Protection Act or the Biodiversity Act, shall pay a fine between BGN 500 and 1000, unless the offence is criminal in nature.

(5) When the violation under Paragraph 1 and 4 is done by a veterinarian or a veterinary technician, by an official or a person whose business or profession is related to animal keeping and care, a fine between BGN 1000 and 1500 shall be imposed, and where the offender is a legal person or a sole business owner, a pecuniary sanction between BGN 1500 and 2000 shall be imposed, unless the offence is criminal in nature.

(6) When the violation under Paragraph 1 and 4 is repeated, the fine shall be between BGN

1000 and 2000.

Article 63. (1) Any person found in violation of the provisions of Chapter Three provisions, shall pay a fine between BGN 1000 and 2000 leva, and upon repeated offence - between BGN 2000 and 3000, unless the offence is criminal in nature.

(2) When the violation under Paragraph 1 is done by a veterinarian or a veterinary technician, by an official or a person whose business or profession is related to animal keeping and care, by a legal entity or a sole business owner, the fine, or pecuniary sanction respectively, shall be between BGN 1000 and 3000 , and upon repeated offence - between BGN 1500 and 2000.

(3) In cases under Paragraph 1 and 2, the animal shall be seized on behalf of the State.

Article 64. (1) Any person found in violation of Article 21 shall be imposed a fine or a pecuniary sanction between 2000 and 3000 leva.

(2) In cases under Paragraph 1, the animal shall be seized on behalf of the State, and shall be disposed of under the terms of Article 129, Paragraph 3 of the Biological Diversity Act.

Article 65. Any veterinarian, who fails to meet the requirements under Article 37, Paragraphs 3 and 5, shall pay a fine between BGN 20 and 40, and upon repeated offence - a fine between BGN 40 and 60.

Article 66. Any person allowing inhumane treatment, cruelty, or extreme cruelty towards animals by a person under her or his supervision, shall pay a fine between BGN 50 and 250, and upon repeated offence - a fine between BGN 250 and 500.

Article 67. Any animal owner failing to meet the provision of Article 60, Paragraph 2 shall pay a fine between BGN 500 and 1000.

Article 68. (1) Any person found in violation of this Act shall pay a fine between BGN 100 and 250, and upon repeated offence - between BGN 250 and 500, unless the offence is criminal in nature.

(2) When the violation is done by a veterinarian or a veterinary technician, by an official or a person whose business or profession is related to animal keeping and care, a fine between BGN 250 and 500 shall be imposed, and if the offender is a legal entity or a sole business owner - a pecuniary sanction between BGN 500 and 700 shall be imposed, and upon repeated offence, the fine shall be between BGN 500 and 700, and the pecuniary sanction shall be between BGN 700 and 1000.

Article 69. When, after the expiration of the deadline under §5, any stray dogs are found in the territory of the respective municipality, a fine between BGN 1000 and 2000 shall be imposed to its mayor, and upon repeated offence, the fine shall be doubled.

Article 70. (1) (Amended, SG No. 80/2009, supplemented, SG No. 92/2011) Violations

under this act shall be registered by means of formal records prepared by veterinarians with the Bulgarian Food Safety Agency, the respective employees of the Ministry of Environment and Water, the Regional Inspectorates of Environment and Water and the Executive Forestry Agency, the environmental inspectors of the respective municipality, or a person authorised by the mayor according to their competences.

(2) Violations under Article 69 shall be registered by means of formal record by the employees of the relevant regional food safety directorate.

(3) The penal orders shall be issued by the directors of regional food safety directorate, the regional inspectorates of environment and water, or the mayor of the relevant municipality.

Article 71. All violation findings, formal records, issuance, appeal, and execution of the penal orders shall be carried out under the procedure of the Administrative Violations and Sanctions Act.

Section II

Administrative enforcement measures

Article 72. (1) Upon any finding of violation, the supervisory authorities shall:

1. issue mandatory prescriptions on rectifying the violation within a period defined by them;
2. suspend the operation of the facility for a period defined by them, but not more than 6 months, if the violation has not been rectified within the period set forth under Item 1;
3. submit a proposal to the director of the regional food safety directorate in the territory where the facility is located to delete the facility registration and revoke the certificate under Article 138, Paragraph 1, Item 2 of the Veterinary Practices Act.

(2) After rectifying the violation within the period defined, the supervisory authority, upon request by the facility's owner, shall cancel the suspension order under Paragraph 1, Item 2.

(3) The measure under Paragraph 1, Item 3 shall be imposed only in cases where the violations have not been rectified within the period defined under Paragraph 1, Item 2, as well as in cases of proven severe and/or repeated requirement violations.

Article 73. The Bulgarian Food Safety Agency veterinarians under Article 70, Paragraph 1 shall have the right to forbid:

1. animal loading and transportation, where the established requirements are not met;
2. or terminate animal testing carried out in violation of effective regulation;
3. animal butchering in slaughterhouses upon finding that the dulling process is ineffective;

4. and block any other activities, which are not allowed or are carried out in violation of regulations.

Article 74. In cases of animal transportation and shipments without required documents, or upon violation of any animal protection requirements, the competent government authorities shall seize the animals or the shipment, as well as the means of transportation, and shall immediately notify the Bulgarian Food Safety Agency authorities.

Article 75. (Amended, SG No. 92/2011) In cases under Article 62, Paragraph 5, Article 63, Paragraph 2, and Article 68, Paragraph 2, a temporary suspension may be imposed on the animal farming facility, pet store, veterinary clinic, or ambulatory facility.

Article 76. (1) (Amended, SG No. 92/2011) Upon violation of Article 3, the supervisory authorities shall issue a prescription to reduce the number of animals within a period of two months.

(2) Upon violation of the deadline under Paragraph 1, a fine of BGN 150 shall be imposed for each animal above the number permitted, and the period to rectify the violation shall be extended by no longer than one month.

(3) Upon violation of the deadline under Paragraph 2, a fine of BGN 500 shall be imposed on the offender, and all animals above the permitted number shall be seized on behalf of the State.

(4) Upon seizing an animal on behalf of the State, it shall be temporarily accommodated in one of the places designated for this purpose or released in the wild under the provisions of the Veterinary Practices Act and this Act.

(5) Designated places under Paragraph 4 shall be:

1. zoos or emergency centres - for wild animals;
2. private or municipal shelters - for pet animals;
3. farms, designated by order of the executive director of the Bulgarian Food Safety Agency - for farm animals.

Article 77. Objects used in the violation shall also be seized on behalf of the State.

Article 78. (1) Administrative enforcement measures under this section shall be carried out upon motivated orders by the heads of the supervisory authorities under this Act in accordance with their competences.

(2) The order under Paragraph 1 may be appealed under the procedure of the Administrative Procedure Code.

ADDITIONAL PROVISION

§ 1. Under this Act:

1. "Blocking the reproductive abilities" shall be suspension of reproduction for the stray dog population and registration of pet dogs.

2. (Amended, SG No. 92/2011) "Pain, suffering and injury" shall be any harm to the health (physical, nervous/mental, and social) of the animals. This shall include any action causing illness, trauma, and physiological and nervous/mental discomfort at the moment of animal usage or later (for instance, after injecting carcinogens).

3. "Harmful shoe" shall be any shoe not suitable in form and size for the hoof of the animal and not replaced at proper shoeing intervals.

4. "Wild mammals" shall be all species of the Mammalian class, except feral specimens of domesticated mammals.

5. "Wild cats" shall be all members of the Felidae family, except domestic cats with their breeds and variations.

6. "Wild animal" shall be any living vertebrate creature, except the human, including those in the wild, excluding domesticated breeds of dogs, cats, horses, donkeys, cows, sheep, goats, pigs, geese, ducks, chicken, turkeys, and others.

7. "Good practice in animal keeping" shall be the system of common hygienic and technological rules designed to preserve the health of the animals and ensure their well-being by creating optimal living and feeding conditions, in accordance with their physiological and behavioural needs, as well as limiting to an acceptable minimum any risk of causing unnecessary pain and suffering. These rules shall apply to the design, the condition, and the maintenance of all buildings, enclosures, machines, devices, main and auxiliary equipment, disease prophylaxis, staff training, documentation, proper feeding, and timely veterinary aid.

8. "Animals used for animal feeding" shall be fish, domesticated birds under 4 weeks of age, as well as mice, rats, hamsters, guinea pigs, and rabbits, raised and killed to be used as food for animals.

9. "Pet animals" shall be all animals kept within the household or kept out of interest towards the animal, as long as those are pets or domesticated animals of the carnivorous order, rodents, hares, parrots, finch, pigeons, and animals of the Fish class.

10. "Neutering" shall be the removal of the ovaries and the uterus of the female animals and the removal of the testes of male animals.

11. "Mobile ambulatory facility" shall be a specialised vehicle for outpatient veterinary aid, having the proper equipment and materials for veterinary procedures.

12. "Containing the population" shall be the science-based control over the stray animal population, allowing to keep their number within limits and keep the streets free of them.

13. "Behavioural specifics" shall be all specifics related to the manifestation of the behaviour towards similar animals, the environment, and other animal species, which is characteristic for each separate species of animals.

14. "Animal shelter" shall be any municipal or private facility, having proper conditions to provide stray animals with veterinary aid, care, housing, and to find them a new owner.

15. "For breeding purposes" shall be animal reproduction at least once a year.

16. "Farm animals" shall be all animals kept for the purpose of production of raw materials and food of animal origin or for other farming or forestry purposes, or for work.

17. "Emergency centre" shall be location, designated by the Minister of Environment and Water, where care is provided to seized living specimens.

18. "Choke collar" shall be any collar having metal links and larynx protection with inward-pointed rounded metal pins at least 3.5 mm in diameter.

19. "Repeated violation" shall be two or more violations within a period of one year.

20. "Third person" shall be any representative of a non-government animal protection organisation, and in those municipalities where no such organisation exists, a shelter employee, who is responsible for the protection and humane treatment of animals.

TRANSITIONAL AND FINAL PROVISIONS

§ 2. All animals under Article 27, acquired and used prior to the date this Act becomes effective, may be kept and used by 1 January 2015.

§ 3. The national electronic database under Article 38 shall be created within one year from the date this Act becomes effective.

§ 4. Within a period of three months after the date this Act becomes effective, municipal councils shall prepare and adopt programmes under Article 40, Paragraph 1 and shall designate locations for provisional shelters under Article 47, Paragraph 4.

§ 5. Within a period of three years after the date this Act becomes effective, municipal councils and municipal mayors shall ensure the accommodation of stray animals at shelters under Article 41, Paragraph 1

§ 6. All regulations on the implementation of this Act shall be issued within a period of 6 months after the date it becomes effective.

§ 7. The Council of Ministers, upon proposal by the Minister of Agriculture and Food and the Minister of Finance, may allocate funds to implement the programmes under Article 40, Paragraph 1.

§ 8. In the Veterinary Practices Act (prom. SG No. 87/2005, amended Nos 30, 31, 55, and 88/2006, Nos 51 and 84/2007), the following amendments and supplements shall be made to Article 152:

1. Existing text shall become Paragraph 1.

2. Paragraph 2 shall be created:

"(2) Experiments with animals shall be carried out for the purposes of:

1. development and production of harmless medicines for the veterinary and human medicine, as well as food and food supplements for humans and animals;

2. diagnostic of illnesses and testing new methods for treatment of illnesses;

3. research, adjustment, or modification of physiological functions in humans, animals, and plants;

4. training in vocational schools and schools of higher education;

5. environment protection."

§ 9. Article 35, Item 4 and Article 70 of the Veterinary Practices Act of 1999 (prom. SG, No. 42/1999, amended No. 83/2003; repealed No. 87/2005; amended No. 30/2006) shall be repealed.

§ 10. In the Plant Protection Act (prom. SG, No. 91/1997; amended No. 90/1999, No. 96/2001, No. 18/2004, Nos 26, 30, 31, and 96/2006) the following amendments and supplements shall be made.

1. In Article 15d, Paragraph 1, a new Item 4a shall be created:

"4a. The assessment under Item 2 and the evaluation and summary under Item 4 shall be presented in the Bulgarian language;"

2. In Article 15k, Paragraph 5:

a) in Item 1, "presented in the Bulgarian language" shall be added after the words "assessment of the risk";

b) in Item 2, "product file in the Bulgarian language, including a summary and an evaluation" shall become "product file, including a summary and an evaluation, both in Bulgarian

language,".

3. In Article 23b:

a) in Paragraph 1, Item 2 shall be amended as follows:

"2. for a term of two years - where more than two penal orders have been issued within a period of one year by the Director General of the National Service of Plant Protection;"

b) Paragraph 3 shall be created:

"(3) No appeal of the order under Paragraph 1 shall stay its execution."

4. In Article 24f, Paragraph 1, Item 9 shall be created:

"9. a product registration number under Article 24a, Paragraph 2."

5. In Article 39, Paragraph 1:

a) in Item 7, "proposes or" shall be added before the word "uses";

b) Items 8 and 9 shall be created:

"8. violates the provisions of the ordinance under Article 23d;

9. markets fertilisers marked as "EC fertiliser", in violation of the provisions of the regulation under Article 24c, Paragraph 2."

6. In Article 40, Paragraph 1, "24f" shall be added after the number "9".

7. In Article 44, Paragraph 1, the words "necessary licence" shall be replaced by "required permit" throughout.

8. In § 1 of the additional provision, Item 51 shall be repealed.

§ 11. The implementation of this Act shall be assigned to the Minister of Agriculture and Food.

§ 12. This Act becomes effective on 31 January 2008.

This Act was adopted by the 40th National Assembly on 24 January 2008 and stamped with the official stamp of the National Assembly.

TRANSITIONAL AND FINAL PROVISIONS

to the Act Amending and Supplementing the Forestry Act

(SG No. 80/2009)

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§ 67. In The Animal Protection Act (Promulgated - SG No. 13/2008) the following amendments shall be made:

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4. Everywhere in the Act the words:

a) "The Minister of Agriculture and Food Supply" and "Minister of Agriculture and Food Supply" shall be replaced with "The Minister of Agriculture and Food" and "Minister of Agriculture and Food".

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TRANSITIONAL AND FINAL PROVISIONS to the Bulgarian Food Safety Agency Act

(Amended, SG No. 8/2011, effective 25.01.2011)

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§ 10. Throughout the text of the Animal Protection Act (Promulgated, SG No. 13/2008; amended, SG No. 80/2009), "National Veterinary Service" shall be replaced by "Bulgarian Food Safety Agency", "regional veterinary service" shall be replaced by "regional food safety directorate", and "director general" shall be replaced by "executive director".

TRANSITIONAL AND FINAL PROVISIONS to the Act to Amend and Supplement

the Animal Protection Act

(SG No. 92/2011)

.....

§ 17. Not later than 31 December 2015 the municipal councils and mayors of municipalities shall ensure the accommodation of stray animals in the shelters under Article 41, paragraph 1.

§ 18. Within 6 months of entry into force of this Act the municipal councils shall draw up and adopt the ordinances under Article 40, paragraph 5.