

Legal forms of veterinary safety provision

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Abstract. In the article, there is defined the conception and content of veterinary safety and also are stated the problems of veterinary safety enforceability of the country under the conditions of integration process and world economy globalization. On the ground of theoretical provisions' analysis of contemporary experience of Kazakhstan, applicable Kazakh legislation, there were developed recommendations and proposals for veterinary safety improvement of the Republic of Kazakhstan.

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Introduction

Global trends also testify about that the majority of governments try to reduce the administrative load upon business entities including the load of control and supervision of state activity. All this is accomplished for improving of business environment and promotes further development of business, employment problems solution and development of these countries' economic generally. Agricultural industry is one of the integral constituent parts of Kazakh economy. Under market conditions, there are changed the forms and methods of influence upon participants in different public interrelations. In connection to this, we advance a view that state regulation of agricultural interrelations is by nature of purposeful activity of the state for creating of legal, economical, social and other conditions for development of competitive national agricultural production, the provision of food supply security, implementation of market instruments into agricultural activity organization, the development of international cooperation in agrarian sector upon the conditions and within the limits provided by applicable legislation [1, 138 c.].

Control is the most important and one of the important authoritative function of the state allowing to ensure compliance with the obligatory regulations and requirements and most of all to prevent the commission of delinquencies and in case of their presence to apply the measures of punishment. In the opinion of S.T. Kulteev, the state control in the field of agricultural industry is a part of common state control, the most important legal measure of compliance with the agrarian legislation provision, the function of state management and legal institution of agrarian law [2, 102 c.]. Veterinary control is a part of state supervision in the field of agrarian field which has certain specificity in a view of that

veterinary is complex of specific science knowledge and practical basis, directed to diseases research and food intoxication (affection) of animals their preventive measures, diagnosis, medical treatment and liquidation, the provision of state veterinary-sanitary control institutions compliance with legal requirements in the field of veterinary and also the protection of people against diseases which are common for humans and animals simultaneously [3].

The importance of veterinary control is shown in many foreign researches[4]. There are many various organizations of state veterinary control in foreign countries. In the USA, the functions of veterinary safety are implementing by Animal and Plant Health Inspection Service (APHIS), a part of United States Department of Agriculture [5]. Veterinary safety in the USA is an aim of various non-government organizations too, for example the National Association of State Public Health Veterinarians (NASPHV)[6].

State veterinary control is implemented in the following fields:

1. in the field of requirements fulfillment of the legislation of Republic of Kazakhstan in the field of veterinary;
2. in the field of distribution and storage, transportation (delivery) and usage of purchased veterinary preparations according to the state programs including their republican reserve;
3. in the field of veterinary account management and reporting and their representation in stated order;
4. in the field of state veterinary-sanitary control objects safety provision and veterinary-sanitary situation;
5. revelation and definition of the reasons and conditions supportive for appearance and

spreading of animal diseases and their food intoxication;

State veterinary control is performed:

1. in the markets which are specially equipped places for trade including the places of trade in animals, products and raw materials of animal origin, veterinary preparations, forage and livestock supplements;

2. in the organizations specialized in manufacture, procurement (slaughter) storage, processing and sale of animals, products and raw materials of animal origin;

3. over the persons conducting the following nature of business activity:

4. veterinary medical and preventive;

5. manufacture and sale of the veterinary preparations of medical purpose:

6. manufacture and sale of livestock supplements including non-traditional, mineral additional fertilizing vitamins added for animals;

7. sale of medical means for veterinary purposes, biological preparations, zoohygienic means and accessories of zooveterinary purpose;

8. disinfection, disinfestation and extermination of insects of livestock facilities;

9. veterinary-sanitary examination of products and raw materials of animal origin on markets;

10. laboratory-diagnostic activity;

11. in republican state enterprises established for the purpose to perform the functions related to state monopoly;

12. diagnostics of extremely dangerous animal diseases;

13. registration testing, approbation of veterinary preparations, forage and livestock supplements and also the control of veterinary preparations lines (consignment) during their reclamation;

14. elimination of focuses of extremely dangerous infectious animal diseases included to the list approved by the Government of Republic of Kazakhstan;

15. disinfection of modes of transport at the veterinary control posts on the state border;

16. storage of state veterinary preparations reserve;

17. in frontier and customs stations (checkpoints through the state border) while transportation of cargos across the state border of Republic of Kazakhstan;

18. while transportation (movement) loading, unloading of cargos under controlled of state veterinary supervision institutions;

19. in all means of transport, concerning all types of packagings, packing materials which may be factors of transfer of animal diseases agents;

20. on cattle-driving routs, pathways, territories of pastures and animals' watering places across of which the transportation (movement) routs lay through;

21. on compliance with zoohygienic and veterinary (veterinary-sanitary) requirements during the placement, construction, reconstruction and putting into operation the institutions of state veterinary control connected to keeping, breeding, usage, producing, procurement, (slaughter) storage, processing and sale and also during transportation of the cargos controlled by the state veterinary supervision.

The main part

State veterinary-sanitary inspectors performing the state veterinary-sanitary control in Republic of Kazakhstan **have the right:** to visit freely (on presentation of official ID) in order stated by legislation of Republic of Kazakhstan, objects controlled by state veterinary –sanitary supervision and also to receive the information related to activity of individuals and legal entities in the field of veterinary; to carry on the samples collection at the objects controlled by state veterinary-sanitary supervision for their diagnostics or veterinary-sanitary examination with the notification of concerned persons about the terms of their research performance; to carry on the state veterinary-sanitary control; to issue veterinary documents; in case of revelation in the territories of veterinary-sanitary prosperity and also unfavourable points of transported (moved) objects constituting danger for health of animals and humans to withdraw and exterminate in order stated by legislation of Republic of Kazakhstan, to participate in their extermination (disinfection) or processing and also to inform about the above-mentioned facts the state bodies authorized in the field of Health care; to determinate the causes, conditions of appearance and spreading of exotic and infectious diseases of animals and the origin of dangerous products and raw materials of animal origin in relation of veterinary sanitation; to request and receive necessary information from the state bodies and other organizations for performance of their duties, obligations and rights imposed on them; to suspend or forbid business and economic activity of legal entity or individuals without court judgment in cases of threats arising or spreading of extremely dangerous and other infectious diseases of animals which are common as for humans and animals in order stated by legislation of Republic of Kazakhstan in the field of veterinary science; to examine cases of

administrative punishments for violations of requirements of the legislation of Republic of Kazakhstan in the field of veterinary science; to consider complaints about administrative violations and impose administrative penalties for requirements breach of legislation of Republic of Kazakhstan in the field of veterinary science.

The expertise is the serious instrument of the provision of one or another strong requirements and standards in certain areas of social life. With respect to the environmental assessment, N.S. Baimbetov believes that the consolidation of the provisions of the environmental review is not overabundance but necessity conditioned by its importance [7].

The specific kind of assessment is carrying out in the field of veterinary science. This assessment is aimed at compliance test of the products and raw products of animal origin, forage and livestock supplements to the veterinary standards of organoleptical, sensory, biochemical, microbiological, parasitological, toxicological and radiological studies in the order prescribed by the authority. In the basic law "On Veterinary Science" the definition of the veterinary-sanitary examination term is given only, and such regulations as its principles and regulations of the procedure were ignored. In this regard, we want to note that the regulations of veterinary-sanitary examination conducting of food products to determine its safety have been approved by the Minister of Agriculture of the Republic of Kazakhstan from the 1st April of 2008 No.199. We would like to mention that the document regulates only the procedure of the veterinary-sanitary examination of food products at all stages of its life cycle and applied to all entities engaged in procurement (slaughter) of animals, production, processing and sale of food products subjected to veterinary supervision. The law of the Republic of Kazakhstan "On Food Safety" from the 21st of July, 2007 No. 301-III LRK [8] is the basis of the preparation of this document.

Veterinary-sanitary examination of food products is carried out by veterinary laboratories, laboratories of veterinary-sanitary examination and subdivisions of production control in accordance with veterinary (veterinary-sanitary) rules and regulations on the basis of the license issued in accordance with the legislation of the Republic of Kazakhstan in the field of licensing.

Food product is subjected to veterinary-sanitary expertise at all stages (processes) of its life cycle to the stage (process) of the destruction of food products. To carry out veterinary-sanitary examination the sample collection of food products is carried out, in accordance with the legislation of the

Republic of Kazakhstan in the field of veterinary science.

According to the results of veterinary-sanitary examination of food products the expert report is issued, according to the issue rules of the expert report to the veterinary laboratories according to the results of diagnostics or veterinary-sanitary examination of the objects of state veterinary supervision, approved by Order of the Deputy Prime Minister of the Republic of Kazakhstan Minister of Agriculture of the Republic of Kazakhstan from the 4th of December, 2002, No. 399, registered in the Register of State Registration of laws and regulations under the number 2100 [9]. On the basis of the expert report the veterinary document about further use of the food products, their utilization and/or destruction in accordance with the Issue Rules of the veterinary documents (veterinary-sanitary conclusion, veterinary certificate) by the veterinary inspectors for the state veterinary supervision facilities, approved by Order of the Deputy Prime Minister of the Republic of Kazakhstan - Minister of Agriculture of the Republic of Kazakhstan from the 15th of November, 2002 No. 372, registered in the Register of State Registration of laws and regulations under the number 2087 [10] is drawn up by the authorized body in the field of veterinary science. In the absence of veterinary document the food products are not permitted to the following process (stage) of its life cycle till the establishment of their origin and safety.

Conclusion

As we can see the serious problems connected with high level of the administrative barriers, exist in the veterinary science field today that was shown due to the analysis of the current situation. Primarily, it is associated with the imperfection of the mechanisms for the implementation of phytosanitary and veterinary control.

To solve this problem, it is provided the cancellation of the quarantine certificate and perfection of the phytosanitary quarantine introduction mechanisms. In addition, it is proposed to cancel the obligation to obtain import quarantine permits. They recorded what kind of products, from where, through which checkpoints and on which decontaminated warehouse in the Republic of Kazakhstan the entrepreneur can import it. Instead of this, it is proposed to provide the possibility of rapid information access of the importers via the Internet to the requirements and registries. Such decision, at the least estimated, will allow to the entrepreneurs to reduce the costs and expand the production.

For the manufacturers of the animal products the disinfection is the significant expenditure item. At present, the only organizations within jurisdiction of

the state can engage in this activity. Obviously, this commercial activity is included to the chain of control measures and coordinated, ultimately, by the control institutions. The Government of the Republic of Kazakhstan proposes to carry out the liberalization of the services supply mechanisms in the field of the quarantined products disinfection through the enabling of its implementation by non-governmental organizations in all cases.

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