

DECREE N. 27,932, OF MARCH 28, 1950.

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**Approves the regulation to apply the
measures of animal health protection.**

The President, by the powers invested in him on article 87, paragraph I of the Constitution, and in view of the disposition on article 8 of Law n. 569, of December 21, 1948, hereby declares:

Art. 1 – The regulation that accompanies this is approved and signed by the Secretary of States for Agricultural Matters, in reference to the measures for animal health protection referred to Law n. 569, of December 21, 1948.

Art. 2 – This Decree shall take effect on the date of the publication, being revoked any contrary dispositions.

Rio de Janeiro, March 28, 1950, 129th of the Independence and the 62nd of the Republic.

EURICO G. DUTRA
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**REGULATION CONCERNING THE APPLICATION OF MEASURES FOR SANITARY
ANIMAL DEFENSE, AS STATED IN LAW N. 569, OF DECEMBER 21, 1948.**

Art. 1 – The slaughter of animals contaminated with any zoonosis specified in the following article and the destruction of things and rural constructions, as public health interest or protection and rural constructions, are hereby authorized by Director of the Department of Animal Health Protection (D.D.S.A), National Animal Production Department (N.P.A.), the Secretary of Agriculture, by proposition of the Regional Chief of Inspection, in the same Division, and whose jurisdiction the application of the referenced measures applies.

Paragraph 1 – The compliance with the provisions in this article shall be carried out in the least amount of time possible, after the evaluations mentioned in articles 5 and 6.

Paragraph 2 – If the reason for the slaughter justifies immediate attention and is out of the Federal District, the authorization might be given by the Regional Chief Inspector, and later ratified by the Director of Animal Health Protection Division.

Art. 2 – Animals are subject to slaughter if contaminated by diseases such as glanders, rabies, pseudo-rabies, tuberculosis, pullorum disease, swine plague and any other infectious diseases not officially recognized as existing in the Country, as well as any others that came in contact, direct or indirect, with sick animals, being considered suspected of contamination and could pose a threat of dissemination of the disease as determined by the health authority.

Art. 3 – When the slaughter is authorized, pursuant to article 1 of this Regulation, the Regional Chief Inspector of Animal Health Protection shall issue order designating the Evaluation Committee as per the art. 5 of Law 569, of

December 21, 1948, and stating the name of the representative from the Federal Government who will be in charge of the Committee Presidency.

Paragraph I – If there is a Rural Association in the region, he/she shall be named the president who can delegate to another trusted member the right to represent him/her on the Evaluation Committee.

Paragraph II – In the event that there is no Rural Association in the region, a farmer of renowned ability, chosen by the interested party, shall be nominated to replace the representative of that entity.

Paragraph III – When the measures stated by art 1 shall be taken in the Capital, the provisions in this article, in the scope of the Regional Chief Inspector, will be taken by the Director of Animal Health Protection Division.

Art. IV – When a ruling is made pursuant to the previous article, the authority who draws it up will communicate his/her decision to the state body and to the proper Rural Association, or the latter and the interested party, according to what is stated in paragraph II of the previous article, who will be responsible for taking the necessary measures to have their representative present at the location where the animals will be sacrificed or objects or rural constructions destroyed.

Art. 5 – The assessment of the animals to be sacrificed will be made based on its value in face of racial characteristics, age, sex, economic purpose and other elements, per the committee's judgment.

Sole paragraph – In the case of things or rural buildings, the assessment will be made based on the estimated expenses that, determined by the Committee, will be necessary to rebuild or acquire the things.

Art. 6 – The assessment of the animal must be done immediately after its slaughter and necropsy, performed before the Evaluation Committee, in order to confirm the diagnoses.

Paragraph 1 – After the necropsy, samples will be collected for further tests at the DNPA laboratory, in case there are questions regarding the diagnostics.

Paragraph 2 – As determined by the Evaluation Committee, in case there is conditional use of the animal, the slaughter shall be done at the nearest slaughterhouse, and the Regional Inspector shall be responsible for taking measures to avoid any possibility of dissemination of the disease.

Art. 7 – The disposal of bodies, objects and buildings shall be made by deep burial or fire, depending on the case.

Art. 8 – The value given by the Evaluation Committee to the sacrificed animals and objects and buildings destroyed, pursuant to art. 5 and paragraph shall be the basis to calculate the indemnification referred by article 1 of Law 569, of December 21, 1948, per the following items:

I – the indemnification amount shall correspond to the total assessed value:

- a) when it is not by the necropsy or later tests;
- b) when it is referred to objects or rural buildings, with confirmed diagnoses.

II – if diagnosed with tuberculosis, the indemnification amount shall be a fourth of the assessed value.

III – the indemnification amount shall correspond to half of the assessed value for all other cases, with exceptions stated in paragraph II of this article.

Paragraph I – When there is conditional use; the indemnification amount will be the difference between what is determined per this article and the amount

received from the use, with valid proof, except in the case of breeders with racial characteristics of zootechnical value, in which case there will be no discount.

Paragraph II – There will be no indemnification when the zoonosis causing the slaughter are rabbis, pseudo-rabbis or any other considered incurable or lethal.

Art. 9 – After the arbitration of the indemnification, the Evaluation Committee will issue an evaluation report, with three copies, of which the first will be given, as notice, to the interested party, the second will be sent to the DDSA, to be attached to the indemnification process which will be initiated by request of the interested party, pursuant to article 10, and the third will be filed with the respective Regional Inspector or the DDSA, in case it occurs in the Capital.

Paragraph 1 – The assessment report mentioned in this article, in addition to other details, as determined by the Committee shall contain:

- a) declaration of slaughter of the animal or animals and the destruction of objects or rural buildings;
- b) owner's name, nationality, residence and profession;
- c) species, breed, approximate age, mark and other characteristics of the animal or animals sacrificed;
- d) nature of the objects and description of the buildings destroyed;
- e) assessed value of the animal or animals and the objects or buildings, pursuant to art. 5;
- f) necropsy report referred in art. 6;
- g) test result referred in paragraphs 1 to 6 if it is the case;
- h) assessment amount, calculated according to item in art. 8.

Paragraph II – There can be recourse to the Evaluation Proceeding, within thirty days, to the Secretary of Agriculture, through the Regional Chief, and it should be filed:

- a) by a representative of the Federal Government, when it is thought that the evaluation is excessive or the indemnification is not applicable;
- b) by the owner of the animal, objects or rural premises, when the indemnification is denied or the evaluation is considered insufficient.

Paragraph III – The established period in the previous paragraph will begin as of the date of filing, if the recourse is filed by the Federal Government representative, or as of the date the notification is received, if the recourse is filed by the interested raiser.

Art. 10 – The interested raiser will have 90 (ninety) days to request the rightful indemnification to the Secretary of Agriculture, through the Regional Chief Inspector in the States or the Director of the D.D.S.A., in the capital, who will forward the request with the process that contains the elements for the indemnification arbitration and indicate the funds to cover the expenses, according to art. 6 and its paragraph, of Law n. 569/48.

Sole paragraph – The deadline referred by this article will started as of the date that the animal is killed or object is destroyed; however, the resolution for the request will depend on the previous recourse decision, if it is the case.

Art. 11 – The indemnification payment processing will be considered urgent and shall be made in the least amount of time possible.