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- Ministarstvo Poljoprivrede, Šumarstva i Ruralnog Razvoja - Ministry of Agriculture, Forestry and Rural Development

ADMINISTRATIVE INSTRUCTION (MAFRD) – NO. 13/2024 ON THE ASSESSMENT AND COMPENSATION OF ANIMALS DESTROYED DUE TO INFECTION DISEASES

¹ Administrative Instruction (MAFRD) - No. 13/2024 on the assessment and compensation of animals destroyed due to infection diseases signed by the Minister of Agriculture, Forestry and Rural Development by Decision with Ref.KM-250/24 dated on 10.07.2024.

Minister of the Ministry of Agriculture, Forestry and Rural Development

Pursuant to article 9, paragraph 9.1., 9.2, (b) 9.3 and 9.4, article 10 paragraph 10.2 of the Law No. 2004/21 on Veterinary, (Official Gazette of the Republic of Kosovo No. 18/01 November 2007), article 11 paragraph 1 sub paragraph 1.5 of the Law No. 08/L-117 on the Government of the Republic of Kosovo, (Official Gazette No. 34/18 November 2022) as well as article 9, paragraph 2 of the Regulation (GRK)-No. 17/2024 of Rules and Procedure of the Government of the Republic of Kosovo (21.06.2024),

Issues:

ADMINISTRATIVE INSTRUCTION (MAFRD) – NO. 13/2024 ON THE ASSESSMENT AND COMPENSATION OF ANIMALS DESTROYED DUE TO INFECTION DISEASES

I. GENERAL PROVISIONS

Article 1 Purpose

The present Administrative Instruction defines the amount of damage's compensation for the destruction of live animals that are destroyed due to infectious diseases determined according to the list of diseases from the First Program and the Second Program of Law on Veterinary No. 2004/21.

Article 2 Scope

The provisions of this Administrative Instruction are mandatory for implementation by the Food and Veterinary Agency and all official veterinarians as well as all persons participating in the damage's compensation process for the disposal of live animals that are destroyed due to infectious diseases.

Article 3 Definitions

1. Expressions used in this Administrative Instruction have the following meaning:

1.1. **Ministry** means the Ministry responsible for agriculture, forestry and rural development;

1.2. **FVA** means the Agency responsible for food and veterinary;

1.3. **Person** means the natural and legal person.

2. Other expressions used in this Administrative Instruction have the same meaning as specified by the Law on Veterinary No. 2004/21.

Article 4 Compulsory slaughter of animals

1. In order to ensure the prevention, control and eradication of infectious animal disease given in the List from the first and second program of Law on Veterinary No. 2004/21, animals proven to be infected will be slaughtered under the control of the official veterinarian.

2. In case of an outbreak of any disease from the First Program List, the FVA defines the protected and observed areas and the animals owners receive financial contribution from the FVA for the eradication of the disease, as the Minister may decide for each particular case, depending on the conditions of which the implemented measures consist, at least, the isolation of the property from the time of suspicion of the presence of the disease until the official confirmation of the existence of the disease, as well as:

2.1. FVA orders the forcible slaughter of animal species susceptible to diseases, which are affected or contaminated or suspected of being affected or contaminated and their destruction;

2.2. FVA orders the destruction of contaminated food and contaminated equipment, in cases where the contaminated items cannot be disinfected in accordance with this article, and

2.3. FVA orders the cleaning, disinfect and deratiozation of properties and equipment on those properties.

Article 5 Compensation of damage

1. The owner to whom the animals were slaughtered or destroyed due to infectious diseases:

1.1. That have been eliminated because they have tested positive for infectious diseases during diagnostic tests carried out by the regional veterinary service in implementation of the state program of veterinary prophylactic measures, after field tests and based on the results of analyzes carried out in authorized laboratories or in the Food and Veterinary Laboratory.

1.2. Have died as a result of the implementation by the regional veterinary service of the measures of the national program of veterinary prophylaxis;

1.3. Have died as a result of a disease whose control is supported;

1.4. Animals slaughtered in slaughterhouses for public consumption ascertained by the veterinary inspector, slaughtered animals ascertained by the veterinarian based on the characteristics, signs of the disease and also confirmed by the veterinary inspector - FVA, without laboratory analysis only with Minutes and photos from the scene.

2. The Food and Veterinary Agency made the compensation for the destroyed animals in accordance with the legislation in force for animals of the following types:

2.1. Cattle, infected by: TBC, TSE, Brucellosis, Leukosis, Bovine Enzotic, Foot and Mouth Disease and Anthrax:

2.2. Sheep and goats infected by: Brucellosis, Anthrax, Foot – and – mouth disease and TBC;

2.3. Pigs infected by: Classical Swine Fever, African Swine Fever;

2.4. Birds infected by: Atypical Fowl Plague and Avian Flu, and

2.5.Bees – hives infected by: American and European Mortar of Bees.

II – ASSESSMENT AND COMPENSATION OF DAMAGE

Article 6

Compensation for damage to bovine animals

1. The owner of the bovine animal is entitled to compensation for the damage to the slaughtered animals respectively, destroyed, certified as infected by the disease from article 5 paragraph 2, of this Administrative Instruction.

2. The level of compensation for damage to bovine animals proven to have infectious diseases from Article 5 paragraph 2 of this Administrative Instruction is set according to breed, gender and age in accordance with the level of the value of compensation defined in table 1 of this Administrative Instruction.

3. For the compensation of buffaloes destroyed as a result of infectious diseases, the compensation value defined in the table below is applied for noble breed animals respecting the data on age and gender defined in the table below.

Table No. 1

Male				Female			
Age	The amount of compensation in euro			Age	The amount of compensation in euro		
	Bush breed	Mixed breed	Noble breed of cattle		Bush breed	Mixed breed	Noble breed of cattle
Until the age of 3 months	300€	350€	450€	Until the age of 3 months	300€	350€	420€
From 4 months to 6 months	460€	550€	700€	From 4 months to 6 months	450€	550€	700€
Form 7 months to 9 months	650€	800€	1000€	From 7 months to 9 months	650€	750€	850€
From 10 months to 12 months	750€	900€	1250€	From 10 months to 12 months	700€	900€	1200€
From 13 months to 16 months	1000€	1250€	1500€	From 13 months to 16 months	900€	1100€	1400€
From 17 months to 20 months	1100€	1300€	1700€	From 17 months to 20 months	1000€	1200€	1600€
From 21 months to 36 months	1200€	1400€	1750€	From 21 months to 84 months	1000€	1500€	1700€
From 37 months	1100€	1300€	1600€	From 85 months	900€	1250€	1550€

Article 7
Compensation for damage to sheep and goats

1. The owner of sheep and goats is entitled to compensation for the damage for slaughtered or destroyed animals, proven to be infected by the disease from Article 5, paragraph 2, under paragraph 2.2, of this Administrative Instruction.

2. The level of compensation for damage to the owner of sheep and goat animals, from article 5, paragraph 2, under paragraph 2.2, of his Administrative Instruction, is made in accordance with the amount of compensation according to age as defined in table 2, of this Administrative Instruction.

Table No.2

Sheep	The amount of compensation
0-2 months	40€
3-6 months	60€
7-12 months (the first progeny)	90€
Over 12 months	120€
Goats	The amount of compensation
0-2 months	40€
3-6 months	60€
7-12 months (the first progeny)	90€
Over 12 months	115€

Article 8
Compensation for damage to pigs

1. The owner of the pig – type animal is entitled to compensation for the damage for slaughtered, respectively destroyed animals, proven to be infected with the disease from Article 5, paragraph 2, under paragraph 2.3, of this Administrative Instruction.

2. The level of damage compensation from article 5, paragraph 2, under paragraph 2.3, of this Administrative Instruction is determined according to age as presented in table 3 of this Administrative Instruction.

Table No. 3.

Pigs	Amount of compensation
0-2 months	50€
3-6 months	80€
Over 6 months	120€

Article 9
Compensation of damage for the poultry category

1. The owner of the type of poultry is entitled to compensation for the damage for the slaughtered respectively destroyed poultry proven to be infected by diseases from Article 5, paragraph 2, subparagraph 2.4, of this Administrative Instruction.

2. The level of damage compensation from article 5, paragraph 2, under paragraph 2.4 of this Administrative Instruction is determined according to age as presented in table 4 and table 4.1 of this Administrative Instruction.

Table No. 4.

Category of Poultry	Price in euro
One day old birds (broilers/chicken hens)	1€
Chicks 18 weeks	6.5€
Broiler chicks until 7 weeks	3.5€
Chicken hens until 12 months	5.5€
Chicken hens until 12 months	1.5€

Table No. 4.1 Poultry of other types in the commercial /economic households

Duckling	25€
Duckling chicks	3.5€
Duck	18€
Duck chicks	3.5€
Goose	15€
Goose chicks	5€
Pigeons	10€
Chicken	14€
Chicks	2.5€
Other types of poultry	5 €

Article 10

Compensation for damage to the bee

1. The owner of the type of bees is entitled to compensation for the destroyed bees only for the companies that are present in the hive, have clinical signs of the disease and proven to be infected by the disease from article 5, paragraph 2, sub – paragraph 2.5 of this Administrative Instruction.

2. The level of compensation for damage to the owner of the type of bees is made for beehives, an is presented in table 5 of this Administrative Instruction.

Table No. 5

Bees (per hives)	Price in euro
Bee hive one ground	140€
Bee hives two ground	170€
Bee hives two or more grounds	180€

Article 11

Compensation for horses and donkeys/mules

Owners of horses and donkeys/mules are compensated according to their age, in accordance with the amount of compensation defined in table 6 of this Administrative Instruction.

Table No. 6.

Horse	Price in euro
0-3 months	100 €
4-12 months	250 €
Over 12 months	400 €
Donkeys/Mules	Price in euro
0-3 months	80 €
4-12 months	150 €
Over 12 months	200 €

III. FINANCIAL RESOURCES

Article 12 Financial means

The amount of compensation for compulsory slaughter of suspected or confirmed infected animals as well as the methods for disposal and safe disposal of their bodies is provided by the financial resources of the Food and Veterinary Agency.

Article 13 The way of compensating the damage

1. The amount of compensation for the infected – killed animals that are included in this Administrative Instruction are defined in the tables, depending on their type.
2. Animals for which, based on the legislation in force, slaughter – destruction is mandatory due to their infectious diseases are compensated by the Food and Veterinary Agency, according to the tables of this Administrative Instruction.
3. Compensation is made with a special decision to which is attached the assessment of the damage by the assessment committed and other evidence such as the minutes, photos from the place of destruction, the personal data of the owner of the animal as well as other necessary documentation.

Article 14 The table of assessment

1. The assessment table in articles 6, 7, 8, 9, 10 and 11 of this Administrative Instruction are based on current market prices and provided by the collected sales information of all categories of animals, free from diseases in animal markets in the Republic of Kosovo.
2. Animal sales data are collected annually to support the assessment tables and the prices set in the aforementioned tables.

Article 15
Statistical data analysis

For each calendar year, statistical price data for the 12 – months period are analyzed to enable the Food and Veterinary Agency to calculate the average market price for each category of compensated animal species.

Article 16
Destruction of animals due to infectious disease and compensation

1. Damage compensation, for the destruction of animals due to infectious disease from Article 5, of this Administrative Instruction, shall be made only for animals that are destroyed by the Competent Authority, namely the Food and Veterinary Agency, an the same have been identified and registered according to the legislation in force.
2. The price for compensation according to this Administrative Instruction is valid for a period of one year.
3. The term starts from the date of signing of this Administrative Instruction by the Minister of the Ministry of Agriculture, Forestry and Rural Development.
4. After the expiration of the period of one (1) year, the Administrative Instruction with prices are subject to review and, if necessary, their revision and harmonization with market prices.

Article 17
Documentation and timelines for compensation

1. For the realization of compensation for animals infected and destroyed by infectious diseases, the subject must contain the following condition:
 - 1.1. The minutes of the inspector from the place of the event – the farm;
 - 1.2. The result of laboratory analyzes by FVL;
 - 1.3. Proof of TB Test result;
 - 1.4. The decision of the inspector for destruction;
 - 1.5. Assessment of the commission for compensation of damage to the farmer;
 - 1.6. Bank account of the owner;
 - 1.7. Copy of ID;
 - 1.8. The decision of the Executive Director of FVA for compensation;
 - 1.9. The request from the relevant unit – SSHK for making the payment.

2. The elimination or burial of animals is done:
 - 2.1. Within 30 days, for animals found to be infected during their control for brucellosis;
 - 2.2. Within 30 days for animals found to be infected during their tuberculosis control;
 - 2.3. Immediately after official confirmation in the case of Rabies;
 - 2.4. Immediately, in the case when it is suspected and officially reported by the owner of the animal to the official veterinarian, that the death was caused by distemper.
3. The deadline for killing animals is no longer than 30 (thirty days) from the date of confirmation of the disease.
4. The deadline for completing the case with the relevant documentation is no longer than 15 (fifteen) days from the day of disposal.
5. The deadline for the preparation of the decision by the legal office for compensation is no longer than 15 (fifteen) days from the date of receipt of the physical copy of the case, if the case is completed by the inspector.
6. The term of payment is 30 days from the acceptance of the decision.

Article 18
Non – compensation

1. Animals for which the owner does not comply with Article 27 of the Veterinary Law the keeper and the trader are not compensated unless:
 - 1.1. Respect the obligations arising from the Veterinary Law regarding communicable diseases and implement the rules related to them. These persons do not cooperate and assist in the control of infectious and contagious diseases and in declaring and notifying the FVA of any suspected contagious disease from the list of the First Program, including the obligation to stop the movement of animals and people, the slaughter of animals, the destruction of animal products, animals feed and equipment and the cleaning and disinfection of facilities, material and accompanying equipment;
 - 1.2. Identify and register animals and declare the movement of animals for which they are responsible;
 - 1.3. Declare and notify the FVA of any suspicion of the occurrence of any disease from the list of the Second Program, which are the object of the Kosovo program for the eradication of the disease, and do not respect the obligations imposed by the FVA in terms of the suspected occurrence of diseases from the Second Program List are the object of the Kosovo eradication program, including the obligations in terms of animal movement restrictions, animal slaughter, destruction of animal products, animal feed and equipment and cleaning and disinfection of facilities, relevant materials and equipment;

1.4. Meet the conditions regarding the import of live animals, foreign operators with the relevant certificate models, which are used regarding different types of live animals, the disease in animals appears during import or during quarantine of imported animals and when the owner is himself responsible for the outbreak of the disease by buying sick or suspicious animals, not accompanied by a veterinary certificate;

1.5. Act in accordance with the suspension or withdrawal of any official approval by FVA Officials, based on the results of the inspection carried out by such officials;

1.6. Respect the period of withdrawal from the sale and use of live animals and products of animal origin, according to the provisions of this Veterinary Law and Order by FVA officials.

IV. FINAL AND TRANSITIONAL PROVISIONS

Article 19 Implementation

The compensation of the damage as specified according to this Administrative Instruction – to farmers of animals that are destroyed due to the presence of infectious diseases shall be made from March 27, 2024.

Article 20 Repeal

With the entry into force of this Administrative Instruction, the Administrative Instruction (MAFRD) – No. 08/2023 on the assessment and compensation of animals destroyed due to infectious disease of the date 31.07.2023 is repealed.

Article 21 Entry into force

This Administrative Instruction shall enter into force seven (7) days after the Publication in the Official Gazette of the Republic of Kosovo.

Faton PEÇI

Minister of the Ministry of Agriculture, Forestry and Rural Development

