

No. 3712

**POLAND
and
BULGARIA**

Convention (with Final Protocol) concerning veterinary matters. Signed at Warsaw, on 26 September 1949

Official texts: Polish and Bulgarian.

Registered by Poland on 11 February 1957.

**POLOGNE
et
BULGARIE**

Convention (avec Protocole final) concernant les questions vétérinaires. Signée à Varsovie, le 26 septembre 1949

Textes officiels polonais et bulgare.

Enregistrée par la Pologne le 11 février 1957.

[TRANSLATION — TRADUCTION]

No. 3712. CONVENTION¹ BETWEEN THE POLISH REPUBLIC AND THE PEOPLE'S REPUBLIC OF BULGARIA CONCERNING VETERINARY MATTERS. SIGNED AT WARSAW, ON 26 SEPTEMBER 1949

The President of the Polish Republic

and

The Presidium of the Grand National Assembly of the People's Republic of Bulgaria,

Desiring to bring about closer co-operation between the two States in veterinary matters, have decided to conclude an appropriate agreement and for this purpose have appointed as their plenipotentiaries :

The President of the Polish Republic :

Mr. Stanislaw Krauss,

The Presidium of the Grand National Assembly of the People's Republic of Bulgaria :

Mr. Ivan Nikiforov Chenchew,

who, having exchanged their full powers, found in good and due form, have agreed on the following provisions :

Article 1

Except where otherwise provided in this Convention, the importation, exportation and transit of solid-hoofed animals, ruminants, swine and poultry, products and raw materials of animal origin and articles liable to transmit infectious animal diseases, from the territory of one Contracting Party to or through the territory of the other Contracting Party shall be subject to control by the Government veterinary authorities of both Parties and may take place only at the following frontier points :

In the Polish Republic : at Zebrzydowice ; in the People's Republic of Bulgaria : at Dragoman.

If necessary, the above-mentioned frontier points may be changed or other points may be designated by agreement between the Parties.

¹ Came into force on 29 October 1952, thirty days after the exchange of the instruments of ratification which took place at Sofia on 29 September 1952, in accordance with article 19.

The frontier veterinary control shall be effected in the Polish Republic at the frontier point of Zebrydowice and in the People's Republic of Bulgaria at the frontier point of Dragoman.

Article 2

The importation, exportation and transit referred to in article 1 shall take place in conformity with the provisions of this Convention and shall not require prior authorization by the veterinary authorities of the Contracting Parties.

Article 3

1. The following documents shall be required for the importation, exportation or transit of animals :

- (a) A certificate of origin issued by the competent communal authority of the place of origin, and
- (b) A veterinary certificate issued by a Government veterinary officer or by a veterinary surgeon authorized by the Government.

2. The certificate of origin shall give an accurate indication of the origin of the animals. In particular, it shall indicate the names of the locality in which the animals originated and of the commune, district, and principal administrative area (in Poland : *województwo* ; in Bulgaria : *okrug*) in which that locality is situated, and contain a statement of the numbers and kind of animals involved, an accurate description of the animals and of their distinguishing marks, and the name of the owner.

In addition to the foregoing, the certificate of origin shall contain a declaration that :

- (a) The animal or animals described in the certificate have remained in the place of origin continuously for at least the preceding twenty-one days ;
- (b) The farms at which the animal or animals described in the certificate originated are free from all infectious animal diseases notification of which is required by law.

3. Solid-hoofed animals, cattle and oxen shall require individual certificates of origin. Collective certificates may be issued for sheep, goats, swine and poultry, provided that the animals are of one kind, from one farm, and consigned in one wagon to one consignee.

4. The certificate of origin shall be valid for a period of ten days. Any such certificate which expires before the animal reaches the frontier point of the exporting country may be extended for an additional ten days by the Government veterinary officer or by a veterinary surgeon authorized by the Government, provided that the animals are found on veterinary examination to be free from

symptoms of infectious disease and the result of the examination is entered in the certificate.

5. The veterinary certificate shall be drawn up at the time of the loading of the animals into wagons. The certificate shall contain : the full name of the agency, the name of the principal administrative area, the journal number, the name of the station of dispatch and the date of loading, the name of the station and country of destination, the name and address of the consignor and the serial numbers of the certificates of origin of the animals loaded.

The veterinary certificate shall declare that the animals :

- (a) Were examined at the time of loading by a veterinary officer and found to be free from symptoms of infectious animal diseases and in sufficiently sound condition to be transported to the place of destination ;
- (b) Come from localities free from infectious animal diseases notification of which is required by law and which the animals concerned are liable to contract ; and
- (c) In transit from the locality of origin to the place of loading, passed only through places which are likewise free from infectious animal diseases notification of which is required by law and which the animals concerned are liable to contract.

In addition to the foregoing, in the case of animals subject to :

- (a) Cattle plague and contagious peri-pneumonia of cattle,
- (b) Dourine, infectious anemia or infectious encephalomyelitis of swine,
- (c) Swine fever or sheep-pox,
- (d) Foot-and-mouth disease, fowl cholera or fowl pest, or
- (e) Swine erysipelas ;

the certificate shall confirm that the diseases under (a) have not occurred in any part of the country for at least the preceding six months ; that the diseases under (b) have not occurred in the district (in Poland, *powiat* ; in Bulgaria, *okoliya*) of origin of the animals for at least six months ; that the diseases under (c) have not occurred for at least sixty days ; that those under (d) have not occurred either in the locality of origin or in neighbouring localities for at least forty days ; and that those under (e) have not occurred in the form of a major outbreak in the locality of origin for at least fourteen days.

6. Furthermore, in the case of animals not intended for slaughter the veterinary certificate shall confirm the following : in the case of all cattle, that immediately before dispatch, and in no case more than eight days preceding the date thereof, the animals were found by means of an intra-cutaneous tuberculin test to be free from tuberculosis and that they come from farms found to be free from brucellosis

by means of a blood test conducted in a State laboratory not more than fourteen days before dispatch ; in the case of cows, that the animals come from farms found to be free from infectious mastitis by means of milk tests conducted in a State laboratory not more than fourteen days before dispatch ; in the case of solid-hoofed animals, that the animals have undergone three blood tests for dourine, with negative results, the tests having been effected at three-week intervals and the last test not more than twenty-one days before dispatch.

7. Cases of rabies among dogs or cats shall not preclude the issue of certificates of origin and veterinary certificates in respect of other kinds of animals. Likewise, cases of sheep and goat scabies shall not preclude the issue of certificates of origin and veterinary certificates in respect of solid-hoofed animals and vice versa.

Isolated cases of anthrax, symptomatic anthrax and exanthema vesiculosum among horses and cattle and of swine erysipelas shall not preclude the issue of certificates of origin and veterinary certificates in respect of animals intended for slaughter, provided that the diseases aforesaid have not occurred in the farms from which the animals to be exported originate. Isolated cases of such diseases shall nevertheless be reported in certificates of origin and veterinary certificates.

Isolated cases of such diseases occurring at the place of loading shall not preclude the loading of animals intended for exportation.

Article 4

A veterinary certificate issued by a Government veterinary officer or by a veterinary surgeon authorized by the Government shall be required for the exportation or importation of fresh chilled or frozen meat and all meat products intended for consumption ; the certificate shall confirm that the said meat or products derive from animals slaughtered in public or export slaughter-houses under constant veterinary supervision, that the animals were inspected by a veterinary officer before and after slaughtering and were found to be free from infectious animal disease liable to be transmitted by means of the exported articles, that the meat obtained from the said animals has been found to be wholly fit for human consumption and, in the case of pork, that the meat has been tested for trichinosis with negative results.

In addition, in the case of meat products, the certificate shall confirm that they were produced in plants under constant veterinary supervision and that they contain no additives the use of which is prohibited by law in the country of destination.

Each certificate shall relate exclusively to meat of one kind, belonging to one owner and consigned to one consignee.

Fresh meat (chilled or frozen) shall be stamped with the name of the slaughter-house in which it was produced.

Meat products shall be marked by the packer in such a way as to permit the identification of the plant in which they were produced.

Article 5

In order to facilitate frontier veterinary control, fresh meat (chilled or frozen) shall be consigned as follows :

- (a) Beef other than the meat obtained from calves up to six weeks old : in halves or quarters ;
- (b) Meat obtained from calves up to six weeks old, mutton and goat meat : in whole carcasses, skinned or unskinned, or in halves ;
- (c) Pork : in whole carcasses or halves, skinned or unskinned, with or without fat (external or internal).

Where meat is consigned not in whole carcasses but in parts (halves, quarters, heads), each part shall be marked in such a way as to permit its identification with a given carcass.

In addition to the foregoing, the following conditions shall apply to imported meat :

- (a) In the case cattle, sheep and goats the pleura, peritoneum and kidneys, and in the case of cows also the udder and all lymph glands, shall be left unsevered ; meat obtained from animals over six weeks old shall be accompanied by the head or lower jaw with jaw muscles ;
- (b) In the case of pork, the head together with the tongue and throat, and the pleura, peritoneum, kidneys and all lymph glands shall be left unsevered.

Article 6

A veterinary certificate shall be required for the importation, exportation and transit of processed and unprocessed products of animal origin other than meat and meat products ; such certificate, issued by a Government veterinary officer or by a veterinary surgeon authorized by the Government, shall identify the products and confirm that they were produced from animals free from infectious diseases and may be exported without danger of transmitting such diseases.

The aforementioned certificate shall not be required for the importation or transit of the following :

- (a) Milk, milk products and eggs, other than duck eggs and incubated eggs ;
- (b) Feathers and down ;
- (c) Wool, mechanically or chemically washed, packed in sewn bags or sealed parcels ;

- (d) Hair, dried, rabbit and hare ;
- (e) Pelts, dried, of rabbits and wild animals ;
- (f) Hides, processed or tanned ;
- (g) Hair, bristles, horsehair and waste of hides, if boiled or treated chemically or with steam.

Likewise, the certificate shall not be required for the transit of :

- (a) Canned meat ;
- (b) Rendered pork and beef fat ;
- (c) Intestines, stomachs and bladders, if dried or salted and packed in hermetically sealed boxes or barrels ;
- (d) Horns, hooves and bones, if boiled, de-fatted or completely dry with soft parts removed.

Article 7

Transit consignments shall carry a permit authorizing passage through the next country of transit or, if the country of destination is immediately adjacent to Poland or Bulgaria, entry into the country of destination.

The permit shall be attached to the waybill and mention thereof shall be made in the space provided for such entries ; alternatively, it may be presented to the Customs of the country concerned at the point of entry, provided that mention thereof is duly made as aforesaid. The aforementioned requirement shall be waived only if the next country of transit or the country of destination has undertaken to receive such consignments without special transit or importation restrictions and regardless of their sanitary condition.

Transit consignments of goods other than animals shall not be obstructed in individual instances where the said transit permit is not attached to the waybill or where no mention appears in the waybill of the place at which the missing document was presented, provided that the consignor enters in the waybill a declaration that in the event of his failure to produce in due time a permit to pass through the next country of transit or to enter the country of destination the consignment shall be returned beyond the frontier at his expense and on his responsibility.

Article 8

Consignments of animals shall be transported from the station at which they are loaded directly to the frontier station, without any unloading, transloading or additional loading of animals during transport. Where transloading becomes necessary by reason of *force majeure* the animals shall be re-examined at the time of transloading by a Government veterinary officer or by a veterinary surgeon

authorized by the Government, who shall enter the result of the examination at the transloading point in the certificate issued by the veterinary surgeon at the loading station.

Where an animal dies during transport, the carcass shall be removed in the presence of a Government veterinary officer or a veterinary surgeon authorized by the Government, who shall record in the veterinary certificate issued at the station of dispatch the fact that the dead animal has been removed, the cause of death and the identifying marks of the animal.

Article 9

With a view to ascertaining the health of the animals and the general sanitary conditions, all consignments of animals shall be subject to control by a Government veterinary officer, or by a veterinary surgeon authorized by the Government, at the frontier point of exportation.

Where any animals in a given consignment are found to be suffering from an infectious disease or are suspected of such disease or of infection therewith and it is established that such consignment fails to meet the sanitary and veterinary conditions laid down in this Convention, such consignment shall be refused export clearance.

All consignments shall be subject to control at the frontier station of entry by the State frontier authorities, in conformity with the regulations in force in the importing country or country of transit.

The Contracting Parties undertake to organize at frontier stations of entry service adequate to meet commercial requirements.

Article 10

If any infectious disease notification of which is required by law in the importing country or country of transit is discovered at the frontier of a Contracting Party in a consignment of animals coming from the territory of the other Contracting Party, animals which are diseased or suspected of being diseased or infected shall be placed under observation by the veterinary service.

The veterinary service shall have the right to order the animals in question to be slaughtered at the frontier or sent to a slaughter-house designated for that purpose, in either case at the expense of the owner, or it may apply such other measures as it may deem necessary.

The use of meat and products derived from animals slaughtered in the circumstances described above shall be governed by the procedure applicable to animals of domestic origin.

The owner may under any circumstances and at any time request the slaughter of all or any of his animals which are under veterinary observation.

The frontier veterinary officer shall enter in the veterinary certificate accompanying the animals a signed declaration stating the reason for which the animals were slaughtered or placed under veterinary observation. He shall thereupon forward the certificate, together with a statement of the circumstances and the action taken, to the central veterinary authority of his country, which shall in turn notify the occurrence to the corresponding authority of the country of origin.

Article 11

Where an outbreak of cattle plague or contagious peri-pneumonia is discovered in the territory of one of the Contracting Parties, the other Contracting Party shall have the right to prohibit or restrict, for such time as there is danger of infection, the importation and transit of ruminants, swine, products of animal origin and all articles liable to transmit disease.

Article 12

Where, as a consequence of the importation, exportation or transit of any animals or articles referred to in article 1, any infectious disease notification of which is required by law is transmitted from the territory of one of the Contracting Parties to the territory of the other Contracting Party, or where a serious outbreak of such disease occurs in the territory of either Party, the other Party shall have the right, for such time as there is danger of infection, to restrict traffic in animals of the kinds susceptible to the disease in question coming from areas affected or threatened by the disease. Any restriction or prohibition imposed in such circumstances may be expressly stated to apply also to products of animal origin and articles liable to transmit disease.

Such restrictions and prohibitions may be imposed only in areas affected by the disease and in neighbouring areas. The term "area" means: in Bulgaria, *okolija*; and in Poland, *powiat*. The prohibited area may be extended by agreement between the central veterinary authorities of the two Contracting Parties, particularly if a disease such as foot-and-mouth disease, dourine, sheep-pox, swine fever, infectious encephalomyelitis or fowl pest should cause widespread mortality or assume a dangerous character. The period of danger of infection from any disease enumerated in article 3 shall be deemed to correspond to the relevant period specified in that article. The period shall be reckoned from the date of official notice that the disease has been eradicated.

Outbreaks of anthrax, symptomatic anthrax, infections of wild animals and cattle, rabies, distemper, mange, exanthema vesiculosum, swine erysipelas or tuberculosis shall not constitute grounds for imposing a prohibition on exports, imports or transit traffic.

Article 13

Both Contracting Parties undertake to publish on the first and fifteenth day of each month a bulletin indicating the situation with respect to infectious animal diseases. On publication, the bulletin shall be transmitted directly to the other Contracting Party. The material shall be presented in standardized form, so as to give accurate information regarding the situation with respect to infectious diseases in the various parts of the country.

Article 14

If an outbreak of cattle plague or contagious peri-pneumonia, dourine or foot-and-mouth disease, in malignant form and causing large-scale mortality or assuming a dangerous character, is discovered in the territory of one of the Contracting Parties, the central veterinary authority of the other Contracting Party shall be notified immediately and directly by telegraph of the nature and extent of the infection.

Article 15

Wagons used for the transport of animals shall be duly cleaned and disinfected before loading and after unloading. If the cleaning and disinfecting of wagons, ramps, platforms and the like used in the transport or loading of animals is effected in accordance with the regulations in force in the territory of one of the Contracting Parties, it shall be recognized as adequate by the other Contracting Party. The Contracting Parties shall keep each other informed of the regulations in force in their respective countries regarding the disinfecting of wagons.

Article 16

The veterinary certificates referred to in this Convention shall be drawn up in conformity with models established by agreement between the central veterinary authorities of the two Contracting Parties.

Article 17

Each of the Contracting Parties shall be entitled, on a basis of reciprocity, to send to the territory of the other Party, after prior agreement, temporary or permanent veterinary representatives for the purpose of collecting information on the animal health situation and on measures, arrangements and conditions relating to the execution of this Convention.

Each Contracting Party shall instruct its competent agencies to provide the veterinary representatives of the other Party with such assistance and information as they may request.

With a view to acquainting themselves with methods of combating infectious animal diseases and with scientific and technical advances in veterinary medicine and in the slaughtering, meat processing, cold storage and meat canning industries, both Contracting Parties agree, subject to the conditions established by mutual agreement between the central veterinary authorities of both Parties, to arrange for exchanges of veterinary surgeons.

Article 18

In the event of a dispute arising between the Contracting Parties regarding the application of this Convention, either Party may request the establishment of a Mixed Commission, the opinion of which shall be taken into account in the settlement of the matter. Each of the Contracting Parties shall appoint two members of the Commission. If the four-member Commission is unable to reach agreement, a fifth member may be appointed. At the first meeting at which the appointment of a fifth member is required, such member shall be chosen from among the citizens of the Party selected by lot ; at the following meeting the fifth member shall be chosen from among the citizens of the other Party ; and thereafter alternately as aforesaid.

Article 19

This Convention shall be ratified and the instruments of ratification shall be exchanged as soon as possible. It shall come into force thirty days after the exchange of the instruments of ratification and shall remain in force for a period of five years.

The original text of this Convention is drawn up in the Bulgarian and Polish languages, in duplicate in each language, both texts being equally authentic.

IN WITNESS WHEREOF the above-mentioned plenipotentiaries have signed this Convention and have thereto affixed their seals.

DONE at Warsaw, 26 September 1949.

S. KRAUSS

[L. S.]

I. N. CHENCHEV

[L. S.]

FINAL PROTOCOL TO THE CONVENTION CONCERNING
VETERINARY MATTERS

The Contracting Parties, desiring to facilitate and to ensure maximum uniformity in the application of the Convention concerning veterinary matters, have agreed on the following provisions :

1. The provisions of this Convention refer to goods proceeding from the territory of either of the Contracting Parties.

2. The provisions of this Convention may, if necessary, be extended by a new agreement between the Contracting Parties to apply to other known or hitherto unknown diseases.

3. The certificate of origin referred to in article 3 may be issued not only by the commune but also by any other agency duly authorized by the State Government.

4. Race horses and other horses intended for use in competition and shows may be supplied, in lieu of a certificate of origin, with a certificate issued in Poland by the president of an equestrian association and in Bulgaria by the president of a people's sporting and technical union, lists of which shall be exchanged by the Contracting Parties. The certificate shall state the name, surname and place of residence of the owner and shall contain a detailed description of the animal, its place of origin and destination and an attestation by a Government veterinary officer that the animal is in sound health and that the establishment from which the animal originates has been free from infectious animal diseases for at least forty days. The certificate shall bear the endorsement and seal of the association concerned.

5. Likewise, solid-hoofed animals, ruminants and swine belonging to circuses or menageries may be supplied, in lieu of a certificate of origin, with an accompanying letter from the director or the owner of the undertaking. The accompanying letter shall give the name, surname and place of residence of the director or owner and an accurate description of the animals and shall be endorsed with a certificate issued by a Government veterinary officer attesting that the animals were examined at the time of loading and found to be free from symptoms of infectious animal diseases and that they can be transported without danger of transmitting infectious diseases.

6. Animals may be transported only in undamaged wagons which permit of no leakage or escape of particles of food and manure, even when the wagon doors are open. Only sawdust, clean turf or sand may be used as litter.

7. Wagons used for the transport of live animals shall not be overloaded. In order to prevent overloading, the Contracting Parties shall make regulations which shall be strictly observed by loading stations. Larger and older animals may be tethered. Veterinary officers who examine animals during loading shall personally ensure that railway wagons are not overloaded.

8. The veterinary certificates referred to in article 4 of the Convention shall not be required for prepared meat and meat products carried by passengers, in quantities consistent with their needs while travelling.

9. For the purposes of the Convention, animals suspected of infection are those which :

- (a) Have been in the same wagon as diseased animals or animals suspected of disease, or
- (b) Were loaded or unloaded, watered or fed in the same place and on the same day as diseased animals or animals suspected of disease without disinfection first being carried out under veterinary supervision, or
- (c) Originate from the same locality as diseased animals or animals suspected of disease.

10. When the territory of one of the Contracting Parties is threatened by an outbreak of cattle plague occurring in any adjacent country, the other Party shall have the right, so long as the danger subsists, to prohibit the importation and transit of animals and processed and primary products of animal origin and articles liable to transmit infectious diseases. Such prohibition may apply to any area situated within 100 kilometres from the frontier of the adjacent country concerned ; the distance may be reduced by mutual agreement between the two Contracting Parties.

11. Transit consignments of animals may not be unloaded or transloaded within the territory of the country allowing the transit. Where transloading becomes necessary by reason of *force majeure*, it must be carried out in the presence of a Government veterinary officer or of a veterinary surgeon authorized by the Government, who shall make note of the transloading in the certificate accompanying the transit consignment. Animals in a transit consignment shall not have any direct or indirect contact with local animals.

12. Animals may be fed and watered at railway stations which have the necessary facilities for that purpose and, where necessary, in wagons. Feeding and watering shall be the responsibility of the persons accompanying the animals, who shall use their own watering pails.

13. Where foot-and-mouth disease, contagious peri-pneumonia of cattle, or swine fever or infectious encephalomyelitis of swine is discovered after a consignment has passed the frontier station of the country of import or transit, the central veterinary authorities of the country in whose territory the disease is discovered shall by the most rapid means possible notify the central veterinary authority of the country from which the consignment originated. On receipt of such notice, the latter authority shall adopt the necessary precautionary measures and, if necessary, shall discontinue the importation from specified territories of animals susceptible to the disease in question and of primary materials obtained from such animals.

Notification of the central veterinary authority shall not be required if a permanent veterinary representative of the other country is stationed in the country in question and is duly notified.

14. The certificates and attestations referred to in the Convention shall be drawn up in the language of the exporting country and shall not require a consular endorsement. Russian or French translations may be included in the certificate or attached thereto.

15. The port veterinary officers of one of the Contracting Parties may issue in respect of any separate part of a consignment of articles referred to in the Convention and destined for the other Contracting Party valid partial attestations corresponding to the original veterinary certificate covering the full consignment ; a description of the original veterinary certificate, verified by the port veterinary officer concerned, shall be attached to any such attestation.

16. Fees for veterinary examinations shall not exceed the fees charged for similar examinations of consignments from the most favoured country.

17. The central veterinary authority of the exporting country shall be notified of any shortages discovered in consignments of animals and articles referred to in this Convention, in order that it may conduct an investigation and take steps to prevent a recurrence.

18. All arrangements for the sending of the veterinary representatives referred to in article 17 of the Convention shall be made by the most rapid means possible and if necessary by telegraph or telephone. The passports of the representatives shall serve as their identity documents.

19. Consignments of live animals and products of animal origin proceeding from a third country shall be permitted to pass in transit through the territory of one of the Contracting Parties to a destination in the territory of the other Contracting Party, provided that :

- (a) The Contracting Party through which the consignment is to pass in transit has not imposed any veterinary measure restricting transit traffic from the territory of the country of origin ;
- (b) No infectious disease is discovered or suspected and no infection suspected at the time of the veterinary examination conducted at the frontier of the Contracting Party through which the consignment is to pass in transit ;
- (c) Acceptance of the consignment in the territory of the other Contracting Party is unconditionally guaranteed.

The Contracting Party to which any such consignments are being forwarded may not refuse acceptance thereof if transit has been permitted by the other Party and all the above-mentioned conditions are satisfied.

Where an infectious disease is discovered among animals in transit at the frontier station of entry of the transit country, the central veterinary authority

of that country shall notify the central veterinary authority of the importing country by the most rapid means (by telegraph or telephone) and report the action taken.

20. Each Contracting Party undertakes to support and develop a State veterinary service in conformity with the principles of the International Convention for the Campaign against Contagious Diseases of Animals signed at Geneva on 20 February 1935¹ and ratified by Poland on 23 July 1938 and by Bulgaria on 20 June 1936.

21. In order to avoid any difficulties in connexion with the execution of this Convention, the central veterinary authorities of the two Contracting Parties may in urgent cases enter into direct negotiations.

This Protocol shall form an integral part of the Convention concerning veterinary matters signed at Warsaw on 26 September 1949.

¹ League of Nations, *Treaty Series*, Vol. CLXXXVI, p. 173 ; vol. CXCIII, p. 314, and Vol. CC, p. 553.