

## **ADMINISTRATIVE AND LEGAL ASPECTS OF THE IMPLEMENTATION OF THE STATE VETERINARY AND SANITARY CONTROL AND SUPERVISION**

***L. Yu. GALAYDYUK, senior lecturer,  
National University Life and Environmental Sciences of Ukraine***

*This paper examined the relationship between the state veterinary and sanitary control and supervision, defined the legal status of the entities responsible for state veterinary and sanitary control and supervision, analyzes regulations and the correct conclusions.*

***State veterinary and sanitary control and supervision, state inspectors of veterinary medicine authorized veterinary, chief inspector of veterinary medicine of Ukraine, official veterinary.***

As a result, a considerable spread and frequency of internal consumption, agricultural products - are the basis of food and serious demographic factors. Ensuring proper regulation veterinary supervision and control over the storage and sale of agricultural products of animal origin ensures protection of the population antropozoonoziv - diseases common to animals and humans. Unfortunately, legislation on veterinary and sanitary requirements for animal products is characterized by a low degree of compliance with legal acts of the European Union, which in turn not only contributes to consumer protection, but also prevents the release of Ukrainian agricultural products to world markets. Therefore, the relevance of this issue is beyond doubt, since the conclusion of contracts, including with countries - members of the European Community, is an important factor in the further development of the industry.

State veterinary and sanitary control and supervision in meat processing, fishing, fish processing, dairy processing enterprises and storage of animal products is to ensure the well-being of epizootic when receiving and processing raw materials of animal origin and monitoring compliance with the necessary veterinary-sanitary, sanitary requirements for the safety of finished products of animal origin.

At present, the law of Ukraine "On veterinary medicine" of 25 June 1992 p. № 2498-XII, which determines the general legal, organizational and financial principles of operation of veterinary medicine requirements for veterinary and sanitary quality and safety of animal products and markets and coordination plant, environmental protection, and the powers of public authorities, rights and obligations of businesses and individuals in the field of veterinary and epizootic welfare, animal quarantine, the state veterinary and sanitary control and supervision.

However, questions remain insufficiently studied correlation veterinary control and supervision methodological foundations of their separation.

Section III of the Law of Ukraine "On veterinary medicine" is fully consistent with the specified issue - "State veterinary and sanitary control and supervision." In the analysis of regulations in this section of the Act could be argued that the legislature distinguishes between these concepts, defining the actual range of officials performing veterinary-sanitary control and isolating subjects veterinary supervision. Completely agree with the opinion of the legislator.

In Art. 10 of the Law of Ukraine "On veterinary medicine" indicates that state veterinary and sanitary control is carried out by state inspectors of veterinary medicine. Chief Inspector of Veterinary Medicine of Ukraine can provide veterinarians working in public institutions of Veterinary Medicine, and licensed veterinary authority of the State veterinary inspector for the state veterinary control. Interference in the work of authorized veterinarians on the state veterinary control is prohibited.

State veterinary supervision carried Chief Inspector of Veterinary Medicine of Ukraine, Chief Inspector of Veterinary Medicine of the Autonomous Republic of Crimea, Kyiv and Sevastopol, cities, districts, Chief Inspector of Veterinary Medicine of regional services, their deputies and state veterinary inspector.

Thus, supervision, according to the legislator, as compared to the control is somewhat larger than the range of methods to influence the supervised objects. Control is a actually monitor the controlled object, and surveillance measures involves the use of state coercion (issue orders imposing administrative penalties on those who break the veterinary and sanitary rules). In addition, monitoring involves

inspecting the state veterinary control. So in general we can say that the concept of veterinary supervision is larger than the veterinary and sanitary control. No doubt many signs of control and supervision match. For example, the lack of institutional subordination, the existence of a special object of which is the regulations contain certain requirements, standards, etc; compliance organizations, citizens, the right to use coercive measures. The main difference from control supervision is that the control aims not only to achieve law and order, but also to ensure efficiency and feasibility. The purpose of surveillance is accurate and strict implementation of laws is not accompanied by the reasonability of acts adopted and actions taken. But some scientists do not share this view and argue that audits are carried out by relevant authorities in respect of the individuals and entities in which they can carry out its regulatory influence behavior is always controlled entities or temporarily regulated by these bodies.

It should be noted that the Law of Ukraine "On veterinary medicine" distinction veterinary supervision and monitoring areas check is performed. Thus, in art. 16-19 out the following types:

- State veterinary and sanitary control and supervision of the markets (Art. 16);
- State control and supervision of the safety and quality of veterinary drugs, substances and means of Veterinary Medicine (Art. 17);
- State veterinary and sanitary control and supervision on the state border of Ukraine and transport (Art. 18);
- State veterinary and sanitary control and supervision while hunting (Art. 19).

Thus, in the present conditions control reflects primarily managerial, organizational aspect of state authorities and actually is integrable, universal organizational and legal category, which combines various types and forms of the test, as well as various forms of response to violations. Because of this control includes a review of the legality of certain actions and decisions of officials and their feasibility. In terms of the analyzed problems should note a legislator does not clearly delineated concept of supervision and control in art. 17-19 of the Law of Ukraine "On veterinary medicine". In particular, Art. 17 no clear demarcation of subjects and objects of supervision and control; Art. 18 does not clearly state control subjects; Art.

19 never used such terms as "Control" and "supervision" instead provides a definition of one of the control methods - "survey." These shortcomings in the legal regulation of causing much confusion and lead to the emergence of certain "gaps" in the circle surveyed objects, in turn, affects the well-being of epizootic. This determines the need for a detailed and thorough study of each type of veterinary supervision and control of fixed laws of Ukraine.