

These are *draft* standards.

18 AAC 36 is amended by adding a new article to read:

ARTICLE 6. ANIMAL CARE STANDARDS

Section

500. Purpose and applicability

510. Equines

520. Cattle and small ruminants

530. Swine

540. Dogs

550. Poultry

560. General care standards

18 AAC 36.500. Purpose and applicability. (a) Establish minimum standards of care for animals to include adequate food and water sufficient to maintain good health, a healthy and safe environment, and reasonable medical care.

(b) This article provides general guidelines for humane care of animals and for treatment of ill and injured animals.

(c) The provisions of 18 AAC 36.500 - 18 AAC 36.550 apply to a person that owns or transports animals. (Eff. ___/___/200_, Register ____)

Authority: AS 03.55.100 AS 03.55.110 AS 03.55.130 AS 03.55.190

Editor's note: Per AS 03.55.110, investigation of animal cruelty complaints may be

performed by a peace officer and determinations about the animal's condition and fate are to be made by a veterinarian or by the peace officer in consultation with a veterinarian. This article provides minimum standards for some species that veterinarians or the Department will use for determination of animal body condition and environmental conditions in cases of potential neglect.

18 AAC 36.510. Equines. (a) Determinations for horses must take into account the age, breed, type, size, physiologic condition, production level or stage of development of the animal, daily maintenance requirements necessary for that particular animal, and environmental conditions.

(b) Each horse must have daily access to sufficient and nutritious feed to allow for growth and maintenance of adequate body weight or body condition to score at least a level 3.0 on the Henneke Body Condition Scoring (BCS) method. Photographs and explanatory diagrams can be found at <http://www.vetmed.ucdavis.edu/ceh/docs/special/pubs-HorseCareStandardsRev2-sec.pdf>.

(c) The horse's environment must provide relief from adverse environmental conditions such as excessive wind, excessive temperature and excessive precipitation that result in hyperthermia, hypothermia, or are detrimental to the horse's health.

(1) Any enclosure where a horse is primarily kept shall be of sufficient size to enable the horse to comfortably stand up, turn around and lie down.

(2) The minimum ceiling height of a structure must be one foot above the horse's head when held at its highest level in normal standing posture.

(3) All enclosures and shelters must be free of hazards that may cause injury to horses.

(4) Excessive feces, urine, mud, standing water or other waste products must not accumulate within the housing enclosures or to the extent that these cause unhealthy conditions.

(5) Ventilation in enclosed areas must be sufficient to control excessive ambient temperature and prevent the accumulation of toxic gases, such as ammonia.

(6) Horses confined to minimal enclosed areas must have access to adequate exercise area. Confined is defined as being housed within the designated space continually, without free access to a paddock, turnout, or other exercise area.

(d) Horses being transported shall not be deprived of food or water or held on a transport vehicle for more than 28 consecutive hours within the state of Alaska. Exception: Horses being transported across water by barge or other means may be held on the vehicle for more than 28 hours but must have room to lie down.

(e) Transport vehicles must be designed and constructed in a manner that protects the health and well being of the horse(s), with adequate ventilation and be free of hazards that might cause injury to the horse. The vehicle must be of sufficient size to allow the horse(s) to stand with head and neck extended to its fullest postural height. The vehicles must be equipped with doors or ramps of sufficient size and location to provide for safe loading and unloading.

(f) All horses must receive adequate hoof care to maintain hooves in a proper functional condition.

(g) Tack and equipment shall be appropriate and fit properly, so as not to cause chronic or repeated serious physical harm (carrying a substantial risk of death, permanent or substantial temporary maiming, or prolonged or severe suffering).

Authority: AS 03.55.100 AS 03.55.110 AS 03.55.190

18 AAC 36.520. Cattle. (a) Determinations for cattle must take into account the age, breed, type, size, physiologic condition, production level/stage of development of the animal, daily maintenance requirements necessary for that particular animal, and environmental conditions.

(b) Dairy cows must have daily access to sufficient and nutritious feed to allow for growth and maintenance of adequate body weight or body condition to score at least a level 2.0 on the BCS method described in Patton R.A., Bucholtz H.F., Schmidt M.K., and F.M. Hall, *Body Condition Scoring –A Management Tool*, Department of Animal Science, Michigan State University, East Lansing, Michigan, Sept 1988. Body condition scoring (BCS) descriptions and photographs for dairy cows can also be found at http://www.uaex.edu/Other_Areas/publications/PDF/FSA-4008.pdf.

(c) Beef cattle must have daily access to sufficient and nutritious feed to allow for growth and maintenance of adequate body weight or body condition to score at least a level 2.0 on the BCS method described in Westendorf M.L. and R.C. Mickel, *Beef Cow Condition Scoring* (1994), Rutgers Cooperative Extension, New Jersey Agricultural Experiment Station, Rutgers, The State University of New Jersey, New Brunswick, New Jersey. Copies can be downloaded at <http://njaes.rutgers.edu/pubs/publication.asp?pid=FS764>.

(d) Other bovines for which such BCS standards are not published must meet or exceed an appearance comparable to the most appropriate BCS referenced.

(e) Cattle being transported shall not be deprived of food or water or held on a transport vehicle for more than 28 consecutive hours within the state of Alaska. Exception: Cattle being transported across water by barge or other means may be held on the vehicle for more than 28 hours but must have room to lie down.

(f) Cattle transported for any purpose must be handled and transported in a manner that minimizes injury, illness, and death. They must be able to stand in normal posture within the vehicle and should not be overcrowded so as to cause unnecessary injury or hyperthermia.

(g) Cattle shall be grouped according to size and behavior when in a vehicle.

(h) Non-ambulatory disabled cattle and other animals unable to move shall be separated from ambulatory cattle for transport. Such animals shall not be dragged while conscious, except when necessary to provide life saving treatment.

(i) Cattle shall be handled humanely at all times, even if they are to be slaughtered or euthanized, so as not to cause unnecessary pain and injury.

(j) For cattle intended to be raised as veal, the owner must provide an environment that prevents injury to calves and allows proper ventilation, temperature and humidity control. The calves must be permitted to stretch, stand, turn around and lie down comfortably.

(k) Small ruminants such as sheep and goats should be treated in a manner consistent with the standards for cattle listed above. Body condition can be assessed using the most appropriate cattle BCS system as a general guideline.

(l) Small ruminants not in transit may be tied using neck halters or neck bands in stalls or to stationary objects for up to 12 hours if feed and water are not available or for up to 48 hours during transport if feed and water are offered at 12 hour intervals and they can lie down safely.

Authority: AS 03.55.100 AS 03.55.110 AS 03.55.190

Editor's note: Copies of the referenced body condition scoring documents may be procured by contacting the OSV, 5251 Dr Martin Luther King, Jr Ave, Anchorage, Alaska, 99507.

18 AAC 36.530. Swine. (a) Determinations for swine must take into account the age, breed, type, size, physiologic condition, production level/stage of development of the animal, daily maintenance requirements necessary for that particular animal, and environmental conditions.

(b) Swine must have access to sufficient and nutritious feed to allow for growth and maintenance of a BCS of at least level 2.0 using the method described by Coffey R.D., Laurent K.M. and G.R. Parker in *Assessing Sow Body Condition*, University of Kentucky, College of Agriculture, Cooperative Extension service, Publication ASC-158 Copyright 10-1999. The document can be accessed at <http://www.ca.uky.edu/agc/pubs/asc/asc158/asc158.pdf>.

(c) Swine being transported shall not be deprived of food or water or held on a transport vehicle for more than 28 consecutive hours within the state of Alaska. Exception: Swine being transported across water by barge or other means may be held on the vehicle for more than 28 hours but must have room to lie down.

(d) Swine transported for any purpose must be handled and transported in a manner that minimizes injury, illness, and death. They must be able to stand in normal posture within the vehicle.

(e) Swine shall be grouped according to size and behavior when in a vehicle.

(f) Non-ambulatory disabled swine unable to move shall be separated from ambulatory animals for transport. Such animals shall not be dragged while conscious, except when necessary to provide life saving treatment.

(g) Swine shall be handled humanely at all times, even if they are to be slaughtered or euthanized, so as not to cause unnecessary pain and injury.

(h) Stalls may be used to feed and monitor individual sows and gilts and to minimize injury to piglets.

(1) The stall size shall not be so small as to require the sow's head to rest on an adjacent feeder or water trough.

(2) The sow's rear quarters must not be in contact with the back of the stall with her nose in contact with the front of the stall at the same time.

(3) A pregnant sow's stall must be wide enough to allow the sow to stand up and lie down unimpeded, rest, and move its head freely.

Authority: AS 03.55.100 AS 03.55.110 AS 03.55.190

Editor's note: Copies of the referenced body condition scoring document can be obtained from the OSV, 5251 Dr Martin Luther King, Jr Ave, Anchorage, Alaska, 99507.

18 AAC 36.540. Dogs and cats. (a) The dog's environment must provide relief from adverse environmental conditions such as excessive wind, temperature and precipitation that result in hyperthermia, hypothermia, or other conditions that are detrimental to the animal's health.

(1) Constructed shelters should be of sufficient size to allow the animal to turn around and stretch out while protected.

(2) Constructed shelters should be elevated or drained to disallow accumulation of water, urine, and fecal material.

(b) Dogs primarily kept on chains or tethers shall be provided at least a 5 foot, 360 degree tangle-free chain radius or comparable space (78 square feet).

(c) An animal owner or custodian shall maintain all areas where an animal is kept in a clean and sanitary condition and reasonably free from objectionable odor. Animal living areas must ensure the animal freedom to avoid contact with excreta.

(d) Dogs and cats shall not be tethered by any metal collar directly on the neck. They shall not be restrained by any type of choke collar, pinch collar, or chain collar. Exception: A person is not prohibited from using such restraints when walking a dog or cat with a hand held leash or while engaged in an activity where the person is present with the animal including but not limited to hunting, field training, and off-leash dog parks.

(e) Dogs and cats must have adequate feed to maintain a BCS score of at least 2 on the Purina® Canine or Feline Health Body Condition System.

(f) A person shall not allow an animal to be capable of removing or detaching itself from a motor vehicle on a public road. Any restraint used may not allow the animal to:

(1) fall, jump, or be thrown from the vehicle; or,

(2) be exposed to prolonged adverse environmental conditions.

Authority: AS 03.55.100 AS 03.55.110 AS 03.55.190

18 AAC 36.550. Birds. (a) Bird cages must be large enough to allow birds to stand up, turn around, extend their tails and spread their wings without restriction.

(b) Feed or water may not be withdrawn from adult poultry during an induced molt. Molting may be induced by feed alteration or change of photoperiod. Mortality and body weight loss must be monitored daily throughout the molt, and normal feed must be returned if the average weight loss exceeds 30 percent of pre-molt weight.

(c) Birds being transported must have adequate space to allow all birds to rest at the same time without being forced to rest on top of each other.

18 AAC 36.560. General care standards. (a) All animals must have daily access to water in sufficient quantity, frequency, and quality to satisfy the animal's physiologic needs as evidenced by the animal's hydration status.

(b) Animals with body conditions lower than standards may be permitted for a reasonable period of time if stage or level of production, physiologic conditions, or other factors result in such an appearance, during which time the animal's management is being altered to improve the condition. For purposes of assessing body condition, "a reasonable period of time" means the amount of time it would be expected to take to restore an animal to an acceptable condition, using diligent efforts to do so.

(c) All animals must have adequate feed to maintain a healthy body condition as determined by a veterinarian licensed under AS 08.98 or peace officer in consultation with such a veterinarian. No animals should be deprived of feed or water for over 24 consecutive hours, except:

(1) Animals being transported may not be deprived of feed/water for over 28 consecutive hours.

(2) Day old poultry may be transported without feed, provided said poultry are delivered within 72 hours of hatching, and feed is provided immediately following unloading.

(3) Animals under the direct care of a licensed veterinarian who prescribes the withholding of feed or water for medical reasons.

(d) Sick or injured animals shall be promptly treated utilizing available medical care or humanely euthanized.

(e) Animals must be transported or housed in an area with adequate drainage and sanitation to prevent excessive build up of feces, urine, or water.

(f) A person shall not torture or needlessly mutilate an animal.

(g) A person shall not house or restrain an animal in a manner that causes chronic or repeated serious physical harm (carrying a substantial risk of death, permanent or substantial temporary maiming, or prolonged or severe suffering).

(h) When necessary, euthanasia must be administered in a humane manner that conforms to the American Veterinary Medical Association guidelines. These are available online at http://www.avma.org/issues/animal_welfare/euthanasia.pdf.

(1) Exception: In locations where no animal control agency or veterinarian is available, or it is the only practical method, cats and dogs may be euthanized by gunshot to the head.

(2) In cases where gunshot is the only practical euthanasia method to prevent possible human exposure to rabies, and it is necessary to preserve the brain for laboratory testing, the gunshot may be to the heart area rather than the head.

(3) When animals are euthanized by gunshot, the death must occur quickly, and without unnecessary pain and distress. If death is not apparent immediately on attempting to kill the animal, a second attempt must be made immediately. The person responsible for the euthanasia must ensure that the animal is dead before leaving the animal's body.

(4) Exception: Persons slaughtering livestock for consumption using religious ritual methods as described in Title 7, U.S. Code, Chapter 48, Sections 1902 and 1906, are exempt from the humane euthanasia guidelines referenced in 18 AAC 36.560 (h).

(i) Nothing in these rules shall prohibit owners from providing medical care and treatment to their own animals provided it is performed in a sanitary manner, in such a way as to minimize pain, and in compliance with all local, state, and federal laws.

Authority: AS 03.55.100 AS 03.55.110 AS 03.55.130 AS 03.55.190

Editor's note: A copy of the euthanasia guidelines may be obtained from the OSV at 5251 Dr. Martin Luther King, Jr. Ave, Anchorage, Alaska, 99507.