

**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, including 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, handles, 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 standards 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/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.admani.com/allianceequine/images/BodyConditionScoring/Horse%20Body%20Condition%20Score%20Card.pdf> and at <http://www.vetmed.ucdavis.edu/ceh/docs/special/pubs-HorseCareStandards-bkm-sec.pdf>.

(c) Each horse shall have daily access to water in sufficient quantity and quality to satisfy the animal's physiologic needs as evidenced by the horse's hydration status.

(d) Horses being transported shall not be deprived of food or water or held on a transport vehicle for more than 28 consecutive hours.

(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 no sharp protruberances. 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 and ramps of sufficient size and location to provide for safe loading and unloading. Floors must have adequate support for the weight of the animal and have no holes that would allow feet to fall through. Floors must provide adequate foot traction to prevent slippage during transport.

(f) All horses for public hire must have routine hoof care, medical care as needed and to the extent available, and sufficient strength and rest to maintain their health to be used for the purpose for which they were hired.

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](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.

(f) Each bovine shall have daily access to water in sufficient quantity and quality to satisfy the animal's physiologic needs as evidenced by the animal's hydration status.

(g) Cattle being transported shall not be deprived of food or water or held on a transport vehicle for more than 28 consecutive hours.

(h) 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.

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

(j) 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.

(k) 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.

(k) 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.

(l) 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.

(m) 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.

**Comment [k1]:** I think this goes in a note.

**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 daily 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) Each swine shall have daily access to water in sufficient quantity and quality to satisfy the animal's physiologic needs as evidenced by the animal's hydration status.

(d) Swine being transported shall not be deprived of food or water or held on a transport vehicle for more than 28 consecutive hours.

(e) 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.

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

(g) 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.

(h) 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.

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

(1) The sow's head must not have to rest on an adjacent feeder.

(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.

(3) The sow's head must not have to rest in the water trough.

(4) 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.

Comment [k2]: Note section

**18 AAC 36.540. Dogs.** (a) The dog's environment must provide relief from the elements such as excessive wind, excessive temperature and excessive precipitation that result in hyperthermia, hypothermia, or be detrimental to the dog's health.

(1) Relief can be accomplished with natural environmental elements including but not limited to trees, land, windbreaks, overhangs, or other natural weather barriers or constructed shelters.

(2) Constructed shelters should be of sufficient size to allow the dog to stand up, turn around and stretch out while protected.

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

(b) Dogs kept on chains, cables, or tethers shall be provided at least a 5 foot tangle-free radius.

Authority: AS 03.55.100 AS 03.55.110 AS 03.55.190

**18 AAC 36.550. Poultry.** (a) Poultry cages must be large enough to allow birds to stand up, turn around, 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.

**18 AAC 36.560. General care standards.** (a) All animals must have daily access to water in sufficient quantity 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.

(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. "Excessive" is defined as adequate to cause visible skin or hoof disease.

(f) 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](http://www.avma.org/issues/animal_welfare/euthanasia.pdf). 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.

(g) 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.

**Comment [k3]:** Notes section