

Act 90

173.41(10) Standards of Care. A person who is required to be licensed under sub. (2) shall do all of the following with respect to each dog kept by the person:

Food and Water

- (a) Provide sufficient food to maintain the dog in good health.**
- (b) Provide sufficient water to maintain the dog in good health. If fresh water is not available to the dog at all times, the person shall provide fresh water daily and in sufficient quantity for the health of the dog.**

Colorado

12.00 DOG BREEDER FACILITY REGULATIONS

C. CARE AND HANDLING OF PET ANIMALS

1. Food and Water:

- a. Pet animals shall be fed consistent with the nutritional needs for the age of the animal, at least once a day, except when under special veterinary care. The food shall be of such nutritional value necessary to meet the normal daily requirements for the condition and size of the animal. Perishable food shall be refrigerated.
- b. Except when under special veterinary care, if potable water is not continually available to dogs, it must be offered to the dogs as often as necessary to prevent dehydration or heat prostration .
- c. Open food and water containers shall be accessible to the pet animal and located to minimize contamination by excreta. Disposable containers may be used if discarded after each use. Self feeders and waterers may be used if cleaned regularly.
- d. Other Cleaning. Water and food containers and all other utensils shall be cleaned and sanitized using heat or chemical sanitizing solution. A dishwasher which utilizes heat or chemical sanitizing solution may suffice. These containers shall be cleaned and sanitized as often as necessary to maintain sanitary conditions.

Pennsylvania

§ 459-207. Requirements for kennels

(viii) Provide potable water at all times, unless otherwise directed by a veterinarian in a writing that shall be kept in the kennel records.

(10) All dogs must be provided with adequate food that is clean and free from contaminants.

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Sec. 3.9 Feeding.

(a) Dogs and cats must be fed at least once each day, except as otherwise might be required to provide adequate veterinary care. The food must be uncontaminated, wholesome, palatable, and of sufficient quantity and nutritive value to maintain the normal condition and weight of the animal. The diet must be appropriate for the individual animal's age and condition.

(b) Food receptacles must be used for dogs and cats, must be readily accessible to all dogs and cats, and must be located so as to minimize contamination by excreta and pests, and be protected from rain and snow. Feeding pans must either be made of a durable material that can be easily cleaned and sanitized or be disposable. If the food receptacles are not disposable, they must be kept clean and must be sanitized in accordance with Sec. 3.11(b) of this subpart. Sanitization is achieved by using one of the methods described in Sec. 3.11(b)(3) of this subpart. If the food receptacles are disposable, they must be discarded after one use. Self-feeders may be used for the feeding of dry food. If self-feeders are used, they must be kept clean and must be sanitized in accordance with Sec. 3.11(b) of this subpart. Measures must be taken to ensure that there is no molding, deterioration, and caking of feed.

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Sec. 3.10 Watering.

If potable water is not continually available to the dogs and cats, it must be offered to the dogs and cats as often as necessary to ensure their health and well-being, but not less than twice daily for at least 1 hour each time, unless restricted by the attending veterinarian. Water receptacles must be kept clean and sanitized in accordance with Sec. 3.11(b) of this subpart, and before being used to water a different dog or cat or social grouping of dogs or cats.

Veterinary Care

Act 90 173.41

(c) Ensure that necessary and standard veterinary care is provided in a timely manner

Colorado

12.00 DOG BREEDER FACILITY REGULATIONS

C. CARE AND HANDLING OF PET ANIMALS

g. Pet animals under quarantine or treatment for a suspected communicable disease shall be physically separated from other susceptible animals to minimize the dissemination of disease.

h. Each pet animal shall be observed by the animal caretaker in charge, or by someone under the caretaker's direct supervision, on a daily basis. Sick, diseased or injured dogs shall be provided with timely veterinary care or disposed of in a humane manner, pursuant to § 35-80-102(7).

i. Dogs shall be groomed to prevent severely matted hair and overgrown nails and so that they have freedom of movement and can perform normal bodily functions.

Pennsylvania

§ 459-207. Requirements for kennels

8) A dog shall be examined by a veterinarian at least once every six months. During the examination, the veterinarian shall use appropriate methods to prevent, control, diagnose and treat diseases and injuries.

§ 459-402. Notice requiring examination of dog

(a) Authority.--A State dog warden may issue a written notice requiring that a dog be examined by a licensed doctor of veterinary medicine within a maximum of 72 hours if:

(1) the State dog warden personally observes the condition of the dog in the course of an inspection of a kennel or other facility at which a dog is kept; and

(2) the dog exhibits signs of illness, injury or neglect.

(b) Contents of notice.--The written notice requiring that a dog be examined by a veterinarian within 72 hours shall set forth:

(1) information sufficient to identify the person or persons to whom the notice is directed;

(2) information sufficient to identify the dog which must be examined;

(3) the specific signs of illness or injury exhibited by the dog and observed by the State dog warden;

(4) the date and time by which a veterinary examination of the dog must be conducted;

(5) the manner and time in which a report of the results of the veterinary examination shall be delivered to the State dog warden;

(6) a requirement that the report of the results of the veterinary examination address the specific signs of illness or injury observed by the State dog warden; and

(7) a reference to the authority pursuant to which the written notice is issued.

(c) Issuance and service of notice.--The written notice requiring that a dog be examined by a veterinarian within 72 hours shall be issued upon the kennel licensee or the owner of the facility at which the dog is kept. Service of the notice may be accomplished by the State dog warden's leaving a copy of the notice with an employee or other responsible person at the kennel or facility.

(d) Illegal to fail to respond to notice.--It shall be unlawful for a kennel licensee or the owner of a facility at which the dogs are kept to fail to comply with a written notice issued under authority of this section.

Nebraska

54-640. Commercial breeder; duties. A commercial breeder shall:

(10) Provide veterinary care without delay when necessary.

Enclosure Standards

Act 90 173.41 (10)

- (d) Ensure that the dog is not kept in an enclosure unless all of the following apply:**
 - 1. The enclosure is of an appropriate size, as determined by the department, based on the size, age, and number of dogs kept in the enclosure and the length of time the dog is kept in the enclosure.**
 - 2. The enclosure is structurally sound and maintained in good repair to protect the dog from injury.**
 - 3. If wire flooring is used, it is coated, is of a sufficient gauge to ensure that it will not cause injury to the dog, and is used only in the manner specified by the department.**
 - 4. The enclosure is maintained in a clean and sanitary condition.**

- (e) Ensure that the dog is not kept in an enclosure for a period that the department determines to be excessive, considering the size of the enclosure and any other factors that the department considers relevant.**

- (f) Ensure that the dog is kept outdoors only if all of the following apply:**
 - 1. The dog is of a breed or type that is typically kept outdoors.**
 - 2. The dog is acclimated to the outdoors.**
 - 3. The person provides adequate shelter from the sun and inclement weather.**

- (g) Ensure that all facilities in which the person keeps the dog have adequate lighting and ventilation and that a proper temperature is maintained for the dog, considering its type or breed.**

- (h) Ensure that the dog is provided adequate daily access to exercise, as determined by the department.**

- (i) **Ensure that the dog is observed every day by the caretaker of the premises at which the person operates or an individual under the direct supervision of the caretaker to monitor the health and temperament of the dog and to provide care to the dog as needed.**

Colorado

12.00 DOG BREEDER FACILITY REGULATIONS

2. General Standards:

a. Interior Surfaces. The interior facility surfaces shall be constructed and maintained so that they are water resistant and can be cleaned and sanitized. These surfaces need not extend more than 18 inches beyond the perimeter of any animal enclosure or sink. Floors directly beneath all animal enclosure areas, except where those enclosures are of solid sides or so constructed as to prevent the leakage of urine or feces, must be of a material which is water resistant and can be cleaned and sanitized.

f. Protect animals kept there from injury, ensure containment of pet animals within the pet animal facility and restrict entry of other animals and humans from outside by either a building or a fence designed to be escape-proof.

B. ANIMAL ENCLOSURE STANDARDS

1. Primary Enclosure Defined. Primary enclosures are those animal enclosures in which the animal rests or sleeps. Such enclosures may be used temporarily or permanently.

a. Primary enclosures shall be structurally sound and maintained in good repair. They shall be constructed and maintained to enable the animals to remain dry and clean.

b. The floors of the primary enclosures shall be constructed to prevent injury to the animals' feet and legs. Enclosures for dogs may have wire flooring provided that the wire is of adequate gauge to prevent sagging under the weight of the animals, and the mesh is small enough to prevent the animals' feet from passing through.

c. Dog Houses with Chains.

(1) The use of dog houses with chains (tethering) as a primary enclosure is

prohibited.

(2) Facilities that breed, train or house Alaskan dog breeds or Alaskan breed crosses, specifically for the purpose of pulling dog sleds, may request the Commissioner in writing for a waiver of the prohibition against dog houses with chains (tethering) as a primary enclosure. Such a request for waiver shall be submitted annually with each application or reapplication for licensure. Granting such waiver is in the sole discretion of the Commissioner.

(a) No female dogs in whelp or with puppies shall be tethered.

(b) If dog houses with chains are used as primary enclosures for dogs kept outdoors, the chains used shall be so placed or attached that they cannot become entangled with the chains of other dogs and any other objects. Such chains should be a minimum of 6 feet and of a type commonly used for the size dog involved and shall be attached to the dog by means of a wellfitted, nontightening collar or harness. All tethering chains shall have a swivel.

(c) If tethering is used, a fence perimeter shall surround the entire tethering area to protect the tethered dogs from predators, stray animals and humans.

d. Indoor Facilities or Portions thereof.

(1) Heating and Cooling. Housing for pet animals shall be sufficiently heated or cooled when necessary to protect animals from cold or heat to provide for their health. The ambient temperature shall be consistent with the requirements of the specific pet animals. Heating shall be deemed necessary when the inside temperature of the facility falls below 50 degrees Fahrenheit for a period of 4 consecutive hours and cooling shall be deemed necessary when the temperature of the facility rises above 90 degrees Fahrenheit. The ambient temperature shall be consistent with the requirements of the specific breed, the age of the animal, or that to which the animal is acclimated. Ambient temperatures below 50 degrees Fahrenheit may be acceptable for dogs so acclimated.

(2) Ventilation. Housing for pet animals shall be ventilated with fresh or filtered air to minimize odors and moisture, and to provide for the health and comfort of the animals at all times. Means shall be provided to exhaust the air from the animal area to the outside of the building, which may be by natural or mechanical means.

(3) Lighting. Housing for pet animals shall have well distributed natural or

artificial light for routine inspections, and to facilitate routine cleaning and the proper care and maintenance of the pet animals.

(4) Only the portions of the building or home designated as a dog breeding facility need meet the requirements set forth in this subparagraph d.

e. Outdoor Facilities or Portions thereof.

(1) Shelter from Sunlight. A shaded area will be provided to all dogs housed in an outdoor primary enclosure to allow protection from the direct rays of the sun. The shaded area provided shall be of a size directly proportional to the size of the dog being protected and shall be positioned so that maximum shade protection is provided.

(2) Shelter from Rain or Snow. A shelter will be provided to allow all dogs housed in an outdoor primary enclosure to remain dry during rain or snow.

(3) Shelter from Cold Weather. Shelter shall be provided which is a moisture-proof structure of suitable size to accommodate the animal and allow retention of body heat, made of durable material with a solid floor raised off the ground. For sled dogs a solid raised floor shall not be required.

(4) Drainage. Outdoor enclosures shall be so designed and constructed to suitably demonstrate drainage to eliminate natural or other excess water, regardless of surfacing material.

f. Spatial Requirements.

(1) Temporary primary enclosures will have a minimum length equal to the length of dog from the tip of its nose to the base of its tail and shall allow a minimum clearance in height at the shoulders of 3 inches, while the dog is standing normally and permit the dog to turn around and lie down. The primary enclosures with these dimensions are to be used only when the dog is sleeping or eating, when the run or exercise areas are being cleaned, during behavior modification, or when the caretaker is absent from the facility for a period of less than 10 hours. These primary enclosures are not to be used for exercise or socialization areas. Primary enclosures with these dimensions will be used to house one dog only at any given time. Confinement in an enclosure of this size shall not exceed 18 hours per day.

(2) Permanent primary enclosures which are used for housing other than when the dog is sleeping or eating, or when the exercise areas are being

cleaned, and which do not have access to a run or exercise area shall be larger to allow the dogs additional space. Minimum space standards (measured from the outside of the enclosure or by using the manufacturer's published list of measurements):

Size of Dog Min. Space Height

Extra Small (<10 inches high) 4.5 sq. ft. 18 in.

Small (<16 inches high) 6 sq. ft. 18-24 in.

Medium (<22 inches high) 9 sq. ft. 24-33 in.

Large (<26 inches high) 12 sq. ft. 33-39 in.

Extra Large (<30 inches high) 16 sq. ft. 39-45 in.

Giant (any dog >30 inches high) 20 sq. ft. 45-48 in.

If more than one dog occupies these primary enclosures, space will be figured for the first dog, with each additional dog needing one-half of the minimum space required.

(3) Whelping Areas. A whelping area will allow the mother to lie stretched out on her side, permitting all puppies to nurse. The number of puppies and the temperament of the mother will be an additional factor in determining the size of the whelping area. The bitch should have enough room to leave the whelping nest. As the puppies grow, the calculations for additional dogs as specified in Subsection B1f(2) immediately above shall apply.

(4) Nursery. Primary enclosures for puppies from weaning to age 4 months will be large enough to accommodate all occupants, allowing them to turn around, stand up, lie down, exercise normal postural movements, and to encourage socialization and exercise. The calculations for additional dogs as specified in Subsection B1f(2) above shall apply.

(5) Runs or primary enclosures that are indoor/outdoor in combination shall be deemed one exercise run or primary enclosure for measuring purposes and shall be measured from the extreme inside to the extreme outside.

(6) Runs and Exercise Areas. The length of runs and exercise areas shall be a minimum of three times the length of the dog from the tip of the nose to the base of the tail; the width shall be not less than one-third of this figure plus six inches; and the height shall be 1½ times the height of the dog at the shoulders, with the maximum required height of 48 inches and the minimum allowed of 18 inches.

All dogs housed in temporary primary enclosures as specified in Subsection B1f(1) above shall be provided with runs or exercise areas

and shall be permitted a minimum of 60 minutes of exercise within a 24 hour period. The licensee shall document in writing, and keep on file while the dog is in the facility, evidence of the exercise of these dogs.

(a) Runs and exercise areas may have wire flooring provided that the wire is of a gauge adequate to prevent sagging under the weight of the animal or injury to the animal's feet, and the mesh is small enough to prevent the animal's feet from passing through.

(b) Exercise areas do not need shelter or dog houses if they are not primary enclosures, but must have shade provided with the shaded area of a size directly proportional to the size of the dog to be shaded.

(7) Turn out pens, paddocks, extra large exercise areas, or open fields will be permitted for supervised training or exercise. Since dogs will not be left unsupervised, no shelter, dog house, shade or other structures are required to be in these areas.

C. CARE AND HANDLING OF PET ANIMALS

2. Classification and Separation:

a. Housing. Animals housed together in the same primary enclosure shall be maintained in compatible groups, with the following additional restrictions.

b. Females in season (estrus) shall not be kept in the same primary enclosure, run, or exercise areas with males, except for breeding purposes.

c. Any dog exhibiting an aggressive behavior shall be housed individually in a primary enclosure, run, or exercise area.

d. Puppies under the age of 4 months shall not be housed in the same primary enclosure, run, or exercise area with adult dogs other than their dam or foster dam, unless under direct supervision.

e. No more than 5 dogs over six months of age may be housed in any one common area at any one time. Facilities may request annually, in writing, from the Commissioner a waiver from this requirement if they can demonstrate provision for the safety of dogs housed within common areas.

f. Any bitch in whelp will be housed individually in a primary enclosure, pen, or exercise area a minimum of one week prior to the whelping date.

g. Pet animals under quarantine or treatment for a suspected communicable

disease shall be physically separated from other susceptible animals to minimize the dissemination of disease.

h. Each pet animal shall be observed by the animal caretaker in charge, or by someone under the caretaker's direct supervision, on a daily basis. Sick, diseased or injured dogs shall be provided with timely veterinary care or disposed of in a humane manner, pursuant to § 35-80-102(7).

i. Dogs shall be groomed to prevent severely matted hair and overgrown nails and so that they have freedom of movement and can perform normal bodily functions.

E. SANITATION

1. General Standards.

a. Cleaning of Pet Animal Enclosures

(1) Dogs shall be protected from exposure to water or chemical solution used in cleaning the primary enclosure. All surfaces of occupied primary enclosures shall be cleaned and sanitized as often as necessary to reduce disease hazards and odors, and to maintain sanitary conditions.

(2) Hard Surfaced Runs and Pens. Cleaning shall be accomplished by washing all soiled surfaces with a detergent, followed by a safe and effective sanitizer.

(3) Runs, Pens, and Exercise Areas. Gravel, sand, or soil shall be sanitized by removing the soiled gravel, sand, or soil and replacing it when the material is permeated with urine and/or fecal matter that is not removable without removing the material, or when odors are present.

b. Housekeeping. Premises (building and grounds) shall be kept clean and in good repair in order to protect the animals from injury and to facilitate the prescribed husbandry practices. Premises shall remain free of accumulations of trash.

c. Waste Disposal. Animal and food wastes, bedding, dead animals, debris and other organic wastes shall be disposed of so that vermin infestation, odors, disease hazards, and nuisances are minimized. Such wastes shall be removed at least weekly from the facility. As to dead animals, the licensee may wish to refer to § 25-1-612, C.R.S., as amended and any local ordinance or rules and regulations concerning proper disposal.

d. Pest Control. Insects, parasites, and avian and mammalian pests shall be controlled.

e. Storage. Supplies of food and bedding shall be stored off the floor or in waterproof closed containers and protected against infestation or contamination by vermin.

Whelping Areas/Nursery

a. Whelping areas and nurseries shall be kept clean and sanitized to minimize disease spread by infectious agents.

b. When a separate whelping area/nursery is provided, only a visual inspection by the Department will be conducted if whelping is in progress or if the nursery is occupied. If entry is deemed necessary by the inspector, then unused, clean protective clothing and footwear must be worn.

Nebraska

54-640. Commercial breeder; duties. A commercial breeder shall:

(1) Maintain housing facilities and primary enclosures in a sanitary condition;

(2) Enable all dogs and cats to remain dry and clean;

(3) Provide shelter and protection from extreme temperatures and weather conditions that may be uncomfortable or hazardous to the dogs and cats;

(4) Provide sufficient shade to shelter all the dogs and cats housed in the primary enclosure at one time;

(5) Provide dogs and cats with easy and convenient access to adequate amounts of clean food and water;

(6) Provide adequate space appropriate to the age, size, weight, and breed of dog or cat. For purposes of this subdivision, adequate space means sufficient space to allow each dog and cat to turn about freely, to stand, sit, and lie in a comfortable, normal position, and to walk in a normal manner without the head of such animal touching the top of the cage which shall be at least six inches above the head of the tallest animal when the animal is standing;

(7) Provide dogs with adequate socialization and exercise. For the purpose of this subdivision, adequate socialization means physical contact with other dogs and with human beings, other than being fed, and adequate exercise means providing the opportunity for exercise at least two times per day outside of a cage or similar small enclosure except during inclement weather that may be hazardous to dogs;

54-641. Licensees; primary enclosures; requirements. The primary enclosures of all licensees shall meet the following requirements:

(1) A primary enclosure shall have floors that are constructed in a manner that protects the dogs' and cats' feet and legs from injury and that, if of mesh or slatted construction, do not allow the dogs' and cats' feet to pass through any openings in the floor;

(2) If a primary enclosure has a suspended floor constructed of metal strands, the strands shall either be greater than one-eighth of an inch in diameter (nine gauge) or coated with a material such as plastic or fiberglass; and

(3) The suspended floor of any primary enclosure shall be strong enough so that the floor does not sag or bend between the structural supports.

Pennsylvania

§ 459-207. Requirements for kennels

(1) Primary enclosures must be designed and constructed so that they are structurally sound and must be kept in good repair.

(2) Primary enclosures must meet the following requirements:

(i) Have no sharp points or edges that could injure the dogs.

(ii) Be maintained in a manner to protect the dogs from injury.

(iii) The height of a primary enclosure that is not fully enclosed on the top shall be sufficient to prevent the dog from climbing over the walls.

(iv) Keep animals other than dogs from entering the enclosure.

(v) Enable the dogs to remain dry and clean.

(vi) Provide shelter and protection from temperatures and weather conditions that may be uncomfortable or hazardous to any dog.

(vii) Provide sufficient space to shelter all the dogs housed in the primary enclosure at one time.

(viii) Provide potable water at all times, unless otherwise directed by a veterinarian in a writing that shall be kept in the kennel records.

(ix) Enable all surfaces in contact with the dogs to be readily cleaned and sanitized in accordance with paragraph (14) or be replaceable when worn or soiled.

(x) Have floors that are constructed in a manner that protects the dogs' feet and legs from injury. The floor shall not permit the feet of a dog housed in the primary enclosure to pass through any opening.

(xi) Provide space to allow each dog to turn about freely and to stand, sit and lie in a normal position. The dog must be able to lie down while fully extended without the dog's head, tail, legs, face or feet touching any side of the enclosure.

(xii) The interior height of a primary enclosure shall be at least six inches higher than the head of the tallest dog in the enclosure when it is in a normal standing position.

(3) Each bitch with nursing puppies shall be provided with an additional amount of floor space based on her breed and behavioral characteristics and in accordance with generally accepted husbandry practices as determined by the attending veterinarian. If the additional amount of floor space for each nursing puppy is less than 5% of the minimum requirement for the bitch, the amount of floor space must be approved in writing by the attending veterinarian and shall be kept in the kennel records.

(4) All dogs housed in the same primary enclosure must be compatible, as determined by observation. Not more than six adult dogs may be housed in the same primary enclosure. Bitches in heat may not be housed in the same primary enclosure with sexually mature males, except for breeding. Bitches with litters may not be housed in the same primary enclosure with other adult dogs, and puppies under 12 weeks of age may not be housed in the same primary enclosure with adult dogs, other than the dam or foster dam. Dogs displaying vicious or aggressive behavior toward other dogs must be housed separately.

(4.1) The kennel in which the primary enclosure is located shall establish a veterinarian-client-patient relationship.

(5) The kennel in which the primary enclosure is located shall establish a written program of veterinary care, which shall include a physical examination and vaccination schedule, a protocol for disease control and prevention, pest and parasite control, nutrition and euthanasia. A copy of the program shall be kept in the kennel records.

(6) Housing facilities for dogs must be sufficiently heated and cooled to protect the dogs from temperature or humidity extremes and to provide for their health and well-being. If dogs are present, the ambient temperature in the facility must not fall below 50 degrees F. The ambient temperature must not rise above 85 degrees F when dogs are present, unless the requirements of paragraph (7) are met.

(7) Housing facilities for dogs must be sufficiently ventilated at all times when

dogs are present to provide for their health and well-being and to minimize odors, drafts, ammonia levels and to prevent moisture condensation. The Canine Health Board shall determine auxiliary ventilation to be provided if the ambient air temperature is 85 degrees F or higher. The relative humidity must be maintained at a level that ensures the health and well-being of the dogs housed therein. The appropriate ventilation, humidity and ammonia ranges shall be determined by the Canine Health Board.

(8) Housing facilities for dogs must be lighted well enough to permit routine inspection and cleaning of the facility and observation of the dogs. Animal areas must be provided a regular diurnal lighting cycle of either natural or artificial light. Lighting must be uniformly diffused throughout housing facilities and provide sufficient illumination to aid in maintaining good housekeeping practices, adequate cleaning and observation of animals at any time and for the well-being of the animals. Primary enclosures must be placed so as to protect the dogs from excessive light. The appropriate lighting ranges shall be determined by the Canine Health Board.

(9) The floors and walls of primary enclosures must be impervious to moisture. The ceilings of indoor housing facilities must be impervious to moisture or be replaceable.

(10) All dogs must be provided with adequate food that is clean and free from contaminants.

(11) All dogs must be removed from the primary enclosure when the primary enclosure is cleaned in accordance with paragraph (14)(iv).

(12) Primary enclosures may not be stacked more than two rows high, and the bottom of the uppermost primary enclosure may not be more than four and one-half feet off the housing facility floor. Where the primary enclosures are stacked, a tray or other department-approved device which will prevent urine, feces and other debris from passing into or being discharged into the underlying primary enclosure shall be placed under the upper primary enclosures. The tray or approved device must be impermeable to water and capable of being easily sanitized.

(13) All kennels shall be equipped with a smoke alarm and shall have a means of fire suppression, such as fire extinguishers or a sprinkler system on the premises.

(14) The following shall apply:

(i) Excreta, feces, hair, dirt, debris and food waste must be removed from primary enclosures at least daily or more often if necessary to prevent an accumulation of excreta, feces, hair, dirt, debris and food waste to prevent soiling of dogs

contained in the primary enclosures and to reduce disease hazards, insects, pests and odors.

(ii) Used primary enclosures and food and water receptacles must be cleaned and sanitized in accordance with this section before they can be used to house, feed or water another dog or grouping of dogs.

(iii) Used primary enclosures and food and water receptacles for dogs must be sanitized at least once every two weeks using one of the methods under subparagraph (iv) and more often if necessary to prevent an accumulation of excreta, feces, hair, dirt, debris, food waste and other disease hazards.

(iv) Hard surfaces of primary enclosures and food and water receptacles must be sanitized using one of the following methods:

(A) Live steam under pressure.

(B) Washing with water with a temperature of at least 180 degrees F and soap or detergent, as with a mechanical cage washer

(C) Washing all soiled surfaces with appropriate detergent solutions and disinfectant or by using a combination detergent or disinfection product that accomplishes the same purpose with a thorough cleaning of the surfaces to remove excreta, feces, hair, dirt, debris and food waste so as to remove all organic material and mineral buildup and to provide sanitization followed by a clean water rinse.

(v) Primary enclosures, exercise areas and housing facilities using material that cannot be sanitized using the methods under subparagraph (iv) must be made sanitary by removing the contaminated material as necessary to prevent odors, diseases, pests, insects and vermin infestation.

(vi) Premises where primary enclosures are located, including buildings and surrounding grounds, must be kept clean and in good repair to protect the animals from injury, to facilitate the husbandry practices required in this act and to reduce or eliminate breeding and living areas for rodents and other pests and vermin. Premises must be kept free of accumulations of trash, junk, waste products and discarded matter. Weeds, grasses and bushes must be controlled so as to facilitate cleaning of the premises and pest control and to protect the health and well-being of the animals.

(vii) An effective program for the control of insects, external parasites affecting dogs or pests must be established and maintained so as to promote the health and well-being of the dogs and reduce contamination by pests in housing facilities.

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PART 3 STANDARDS--Table of Contents
Subpart A Specifications for the Humane Handling, Care, Treatment, and
Transportation of Dogs and Cats \1\
Sec. 3.1 Housing facilities, general.
Source: 56 FR 6486, Feb. 15, 1991, unless otherwise noted.
Facilities and Operating Standards

(a) Structure; construction. Housing facilities for dogs and cats must be designed and constructed so that they are structurally sound. They must be kept in good repair, and they must protect the animals from injury, contain the animals securely, and restrict other animals from entering.

\1\ These minimum standards apply only to live dogs and cats, unless stated otherwise.

(b) Condition and site. Housing facilities and areas used for storing animal food or bedding must be free of any accumulation of trash, waste material, junk, weeds, and other discarded materials. Animal areas inside of housing facilities must be kept neat and free of clutter, including equipment, furniture, and stored material, but may contain materials actually used and necessary for cleaning the area, and fixtures or equipment necessary for proper husbandry practices and research needs. Housing facilities other than those maintained by research facilities and Federal research facilities must be physically separated from any other business. If a housing facility is located on the same premises as another business, it must be physically separated from the other business so that animals the size of dogs, skunks, and raccoons are prevented from entering it.

(c) Surfaces--(1) General requirements. The surfaces of housing facilities--including houses, dens, and other furniture-type fixtures and objects within the facility--must be constructed in a manner and made of materials that allow them to be readily cleaned and sanitized, or removed or replaced when worn or soiled. Interior surfaces and any surfaces that come in contact with dogs or cats must:

(i) Be free of excessive rust that prevents the required cleaning and sanitization, or that affects the structural strength of the surface; and

(ii) Be free of jagged edges or sharp points that might injure the animals.

(2) Maintenance and replacement of surfaces. All surfaces must be maintained on a regular basis. Surfaces of housing facilities—including houses, dens, and other furniture-type fixtures and objects within the facility—that cannot be readily cleaned and sanitized, must be replaced when worn or soiled.

(3) Cleaning. Hard surfaces with which the dogs or cats come in contact must be spot-cleaned daily and sanitized in accordance with Sec. 3.11(b) of this subpart to prevent accumulation of excreta and reduce disease hazards. Floors made of dirt, absorbent bedding, sand, gravel, grass, or other similar material must be raked or spot-cleaned with sufficient frequency to ensure all animals the freedom to avoid contact with excreta. Contaminated material must be replaced whenever this raking and spot-cleaning is not sufficient to prevent or eliminate odors, insects, pests, or vermin infestation. All other surfaces of housing facilities must be cleaned and sanitized when necessary to satisfy generally accepted husbandry standards and practices. Sanitization may be done using any of the methods provided in Sec. 3.11(b)(3) for primary enclosures.

(d) Water and electric power. The housing facility must have reliable electric power adequate for heating, cooling, ventilation, and lighting, and for carrying out other husbandry requirements in accordance with the regulations in this subpart. The housing facility must provide adequate running potable water for the dogs' and cats' drinking needs, for cleaning, and for carrying out other husbandry requirements.

(e) Storage. Supplies of food and bedding must be stored in a manner that protects the supplies from spoilage, contamination, and vermin infestation. The supplies must be stored off the floor and away from the walls, to allow cleaning underneath and around the supplies. Foods requiring refrigeration must be stored accordingly, and all food must be stored in a manner that prevents contamination and deterioration of its nutritive value. All open supplies of food and bedding must be kept in leakproof containers with tightly fitting lids to prevent contamination and spoilage. Only food and bedding that is currently being used may be kept in the animal areas. Substances that are toxic to the dogs or cats but are required for normal husbandry practices must not be stored in food storage and preparation areas, but may be stored in cabinets in the animal areas.

(f) Drainage and waste disposal. Housing facility operators must provide for regular and frequent collection, removal, and disposal of animal and food wastes, bedding, debris, garbage, water, other fluids and wastes, and dead animals, in a manner that minimizes contamination and disease risks. Housing facilities must be equipped with disposal facilities and drainage systems that are constructed and operated so that animal waste and water are rapidly

eliminated and animals stay dry. Disposal and drainage systems must minimize vermin and pest infestation, insects, odors, and disease hazards. All drains must be properly constructed, installed, and maintained. If closed drainage systems are used, they must be equipped with traps and prevent the backflow of gases and the backup of sewage onto the floor. If the facility uses sump or settlement ponds, or other similar systems for drainage and animal waste disposal, the system must be located far enough away from the animal area of the housing facility to prevent odors, diseases, pests, and vermin infestation. Standing puddles of water in animal enclosures must be drained or mopped up so that the animals stay dry. Trash containers in housing facilities and in food storage and food preparation areas must be leakproof and must have tightly fitted lids on them at all times. Dead animals, animal parts, and animal waste must not be kept in food storage or food preparation areas, food freezers, food refrigerators, or animal areas.

(g) Washrooms and sinks. Washing facilities such as washrooms, basins, sinks, or showers must be provided for animal caretakers and must be readily accessible.

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From the U.S. Government Printing Office via GPO Access
[CITE: 9CFR3.2]
Sec. 3.2 Indoor housing facilities.

(a) Heating, cooling, and temperature. Indoor housing facilities for dogs and cats must be sufficiently heated and cooled when necessary to protect the dogs and cats from temperature or humidity extremes and to provide for their health and well-being. When dogs or cats are present, the ambient temperature in the facility must not fall below 50 [deg]F (10 [deg]C) for dogs and cats not acclimated to lower temperatures, for those breeds that cannot tolerate lower temperatures without stress or discomfort (such as short-haired breeds), and for sick, aged, young, or infirm dogs and cats, except as approved by the attending veterinarian. Dry bedding, solid resting boards, or other methods of conserving body heat must be provided when temperatures are below 50 [deg]F (10 [deg]C). The ambient temperature must not fall below 45 [deg]F (7.2 [deg]C) for more than 4 consecutive hours when dogs or cats are present, and must not rise above 85 [deg]F (29.5 [deg]C) for more than 4 consecutive hours when dogs or cats are present. The preceding requirements are in addition to, not in place of, all other requirements pertaining to climatic conditions in parts 2 and 3 of this chapter.

(b) Ventilation. Indoor housing facilities for dogs and cats must be sufficiently ventilated at all times when dogs or cats are present to provide for their health and well-being, and to minimize odors, drafts, ammonia levels, and moisture condensation. Ventilation must be provided by windows, vents, fans, or air conditioning. Auxiliary ventilation, such as fans, blowers, or air conditioning must be provided when the ambient temperature is 85 [deg]F (29.5 [deg]C) or higher. The relative humidity must be maintained at a level that ensures the health and well-being of the dogs or cats housed therein, in accordance with the directions of the attending veterinarian and generally accepted professional and husbandry practices.

(c) Lighting. Indoor housing facilities for dogs and cats must be lighted well enough to permit routine inspection and cleaning of the facility, and observation of the dogs and cats. Animal areas must be provided a regular diurnal lighting cycle of either natural or artificial light. Lighting must be uniformly diffused throughout animal facilities and provide sufficient illumination to aid in maintaining good housekeeping practices, adequate cleaning, adequate inspection of animals, and for the well-being of the animals. Primary enclosures must be placed so as to protect the dogs and cats from excessive light.

(d) Interior surfaces. The floors and walls of indoor housing facilities, and any other surfaces in contact with the animals, must be impervious to moisture. The ceilings of indoor housing facilities must be impervious to moisture or be replaceable (e.g., a suspended ceiling with replaceable panels). [56 FR 6486, Feb. 15, 1991, as amended at 63 FR 10498, Mar. 4, 1998]

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From the U.S. Government Printing Office via GPO Access
[CITE: 9CFR3.3]
Sec. 3.3 Sheltered housing facilities.

(a) Heating, cooling, and temperature. The sheltered part of sheltered housing facilities for dogs and cats must be sufficiently heated and cooled when necessary to protect the dogs and cats from temperature or humidity extremes and to provide for their health and well-being. The ambient temperature in the sheltered part of the facility must not fall below 50 [deg]F (10 [deg]C) for dogs and cats not acclimated to lower temperatures, for those breeds that cannot tolerate lower temperatures without stress and discomfort (such as short-haired breeds), and for sick, aged, young, or infirm dogs or cats, except as approved by the attending veterinarian. Dry bedding, solid resting boards, or other methods of conserving body heat must be provided when temperatures are below 50 [deg]F (10 [deg]C). The ambient temperature must not fall below 45

[deg]F (7.2 [deg]C) for more than 4 consecutive hours when dogs or cats are present, and must not rise above 85 [deg]F (29.5 [deg]C) for more than 4 consecutive hours when dogs or cats are present. The preceding requirements are in addition to, not in place of, all other requirements pertaining to climatic conditions in parts 2 and 3 of this chapter.

(b) Ventilation. The enclosed or sheltered part of sheltered housing facilities for dogs and cats must be sufficiently ventilated when dogs or cats are present to provide for their health and well-being, and to minimize odors, drafts, ammonia levels, and moisture condensation. Ventilation must be provided by windows, doors, vents, fans, or air conditioning. Auxiliary ventilation, such as fans, blowers, or air-conditioning, must be provided when the ambient temperature is 85 [deg]F (29.5 [deg]C) or higher.

(c) Lighting. Sheltered housing facilities for dogs and cats must be lighted well enough to permit routine inspection and cleaning of the facility, and observation of the dogs and cats. Animal areas must be provided a regular diurnal lighting cycle of either natural or artificial light. Lighting must be uniformly diffused throughout animal facilities and provide sufficient illumination to aid in maintaining good housekeeping practices, adequate cleaning, adequate inspection of animals, and for the well-being of the animals. Primary enclosures must be placed so as to protect the dogs and cats from excessive light.

(d) Shelter from the elements. Dogs and cats must be provided with adequate shelter from the elements at all times to protect their health and well-being. The shelter structures must be large enough to allow each animal to sit, stand, and lie in a normal manner and to turn about freely.

(e) Surfaces. (1) The following areas in sheltered housing facilities must be impervious to moisture:

(i) Indoor floor areas in contact with the animals;

(ii) Outdoor floor areas in contact with the animals, when the floor areas are not exposed to the direct sun, or are made of a hard material such as wire, wood, metal, or concrete; and

(iii) All walls, boxes, houses, dens, and other surfaces in contact with the animals.

(2) Outside floor areas in contact with the animals and exposed to the direct sun may consist of compacted earth, absorbent bedding, sand, gravel, or grass.

[56 FR 6486, Feb. 15, 1991, as amended at 63 FR 10498, Mar. 4, 1998]

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[CITE: 9CFR3.4]

Sec. 3.4 Outdoor housing facilities.

(a) Restrictions. (1) The following categories of dogs or cats must not be kept in outdoor facilities, unless that practice is specifically approved by the attending veterinarian:

(i) Dogs or cats that are not acclimated to the temperatures prevalent in the area or region where they are maintained;

(ii) Breeds of dogs or cats that cannot tolerate the relevant temperatures of the area without stress or discomfort (such as short-haired breeds in cold climates); and

(iii) Sick, infirm, aged or young dogs or cats.

(2) When their acclimation status is unknown, dogs and cats must not be kept in outdoor facilities when the ambient temperature is less than 50 [deg]F (10 [deg]C).

(b) Shelter from the elements. Outdoor facilities for dogs or cats must include one or more shelter structures that are accessible to each animal in each outdoor facility, and that are large enough to allow each animal in the shelter structure to sit, stand, and lie in a normal manner, and to turn about freely. In addition to the shelter structures, one or more separate outside areas of shade must be provided, large enough to contain all the animals at one time and protect them from the direct rays of the sun. Shelters in outdoor facilities for dogs or cats must contain a roof, four sides, and a floor, and must:

(1) Provide the dogs and cats with adequate protection and shelter from the cold and heat;

(2) Provide the dogs and cats with protection from the direct rays of the sun and the direct effect of wind, rain, or snow;

(3) Be provided with a wind break and rain break at the entrance; and

(4) Contain clean, dry, bedding material if the ambient temperature is below

50 [deg]F (10 [deg]C). Additional clean, dry bedding is required when the temperature is 35 [deg]F (1.7 [deg]C) or lower.

(c) Construction. Building surfaces in contact with animals in outdoor housing facilities must be impervious to moisture. Metal barrels, cars, refrigerators or freezers, and the like must not be used as shelter structures. The floors of outdoor housing facilities may be of compacted earth, absorbent bedding, sand, gravel, or grass, and must be replaced if there are any prevalent odors, diseases, insects, pests, or vermin. All surfaces must be maintained on a regular basis. Surfaces of outdoor housing facilities--including houses, dens, etc.--that cannot be readily cleaned and sanitized, must be replaced when worn or soiled.

[Code of Federal Regulations]

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[CITE: 9CFR3.6]

Sec. 3.6 Primary enclosures.

Primary enclosures for dogs and cats must meet the following minimum requirements:

(a) General requirements. (1) Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary enclosures must be kept in good repair.

(2) Primary enclosures must be constructed and maintained so that they:

(i) Have no sharp points or edges that could injure the dogs and cats;

(ii) Protect the dogs and cats from injury;

(iii) Contain the dogs and cats securely;

(iv) Keep other animals from entering the enclosure;

(v) Enable the dogs and cats to remain dry and clean;

(vi) Provide shelter and protection from extreme temperatures and weather conditions that may be uncomfortable or hazardous to all the dogs and cats;

(vii) Provide sufficient shade to shelter all the dogs and cats housed in the primary enclosure at one time;

(viii) Provide all the dogs and cats with easy and convenient access to

clean food and water;

(ix) Enable all surfaces in contact with the dogs and cats to be readily cleaned and sanitized in accordance with Sec. 3.11(b) of this subpart, or be replaceable when worn or soiled;

(x) Have floors that are constructed in a manner that protects the dogs' and cats' feet and legs from injury, and that, if of mesh or slatted construction, do not allow the dogs' and cats' feet to pass through any openings in the floor;

(xi) Provide sufficient space to allow each dog and cat to turn about freely, to stand, sit, and lie in a comfortable, normal position, and to walk in a normal manner; and

(xii) Primary enclosures constructed on or after February 20, 1998 and floors replaced on or after that date, must comply with the requirements in this paragraph (a)(2). On or after January 21, 2000, all primary enclosures must be in compliance with the requirements in this paragraph (a)(2). If the suspended floor of a primary enclosure is constructed of metal strands, the strands must either be greater than $\frac{1}{8}$ of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. The suspended floor of any primary enclosure must be strong enough so that the floor does not sag or bend between the structural supports.

(c) Additional requirements for dogs--(1) Space. (i) Each dog housed in a primary enclosure (including weaned puppies) must be provided a minimum amount of floor space, calculated as follows: Find the mathematical square of the sum of the length of the dog in inches (measured from the tip of its nose to the base of its tail) plus 6 inches; then divide the product by 144. The calculation is: $(\text{length of dog in inches} + 6) \times (\text{length of dog in inches} + 6) = \text{required floor space in square inches}$. $\text{Required floor space in inches}/144 = \text{required floor space in square feet}$.

(ii) Each bitch with nursing puppies must be provided with an additional amount of floor space, based on her breed and behavioral characteristics, and in accordance with generally accepted husbandry practices as determined by the attending veterinarian. If the additional amount of floor space for each nursing puppy is less than 5 percent of the minimum requirement for the bitch, such housing must be approved by the attending veterinarian in the case of a research facility, and, in the case of dealers and exhibitors, such housing must be approved by the Administrator

(iii) The interior height of a primary enclosure must be at least 6 inches

higher than the head of the tallest dog in the enclosure when it is in a normal standing position: Provided That, prior to February 15, 1994, each dog must be able to stand in a comfortable normal position.

(2) Compatibility. All dogs housed in the same primary enclosure must be compatible, as determined by observation. Not more than 12 adult nonconditioned dogs may be housed in the same primary enclosure. Bitches in heat may not be housed in the same primary enclosure with sexually mature males, except for breeding. Except when maintained in breeding colonies, bitches with litters may not be housed in the same primary enclosure with other adult dogs, and puppies under 4 months of age may not be housed in the same primary enclosure with adult dogs, other than the dam or foster dam. Dogs with a vicious or aggressive disposition must be housed separately.

(3) Dogs in mobile or traveling shows or acts. Dogs that are part of a mobile or traveling show or act may be kept, while the show or act is traveling from one temporary location to another, in transport containers that comply with all requirements of Sec. 3.14 of this subpart other than the marking requirements in Sec. 3.14(a)(6) of this subpart. When the show or act is not traveling, the dogs must be placed in primary enclosures that meet the minimum requirements of this section.

(4) Prohibited means of primary enclosure. Permanent tethering of dogs is prohibited for use as primary enclosure. Temporary tethering of dogs is prohibited for use as primary enclosure unless approval is obtained from APHIS. (d) Innovative primary enclosures not precisely meeting the floor area and height requirements provided in paragraphs (b)(1) and (c)(1) of this section, but that provide the dogs or cats with a sufficient volume of space and the opportunity to express species-typical behavior, may be used at research facilities when approved by the Committee, and by dealers and exhibitors when approved by the Administrator.

(Approved by the Office of Management and Budget under control number 0579-0093)

[56 FR 6486, Feb. 15, 1991, as amended at 62 FR 43275, Aug. 13, 1997; 63 FR 3023, Jan. 21, 1998; 63 FR 37482, July 13, 1998]

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[CITE: 9CFR3.7]

Sec. 3.7 Compatible grouping.

Dogs and cats that are housed in the same primary enclosure must be compatible, with the following restrictions:

(a) Females in heat (estrus) may not be housed in the same primary enclosure with males, except for breeding purposes;

(b) Any dog or cat exhibiting a vicious or overly aggressive disposition must be housed separately;

(c) Puppies or kittens 4 months of age or less may not be housed in the same primary enclosure with adult dogs or cats other than their dams or foster dams, except when permanently maintained in breeding colonies;

(d) Dogs or cats may not be housed in the same primary enclosure with any other species of animals, unless they are compatible; and

(e) Dogs and cats that have or are suspected of having a contagious disease must be isolated from healthy animals in the colony, as directed by the attending veterinarian. When an entire group or room of dogs and cats is known to have or believed to be exposed to an infectious agent, the group may be kept intact during the process of diagnosis, treatment, and control.

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[Title 9, Volume 1]

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[CITE: 9CFR3.8]

Sec. 3.8 Exercise for dogs.

Dealers, exhibitors, and research facilities must develop, document, and follow an appropriate plan to provide dogs with the opportunity for exercise. In addition, the plan must be approved by the attending veterinarian. The plan must include written standard procedures to be followed in providing the opportunity for exercise. The plan must be made available to APHIS upon request, and, in the case of research facilities, to officials of any pertinent funding Federal agency. The plan, at a minimum, must comply with each of the following:

(a) Dogs housed individually. Dogs over 12 weeks of age, except bitches with litters, housed, held, or maintained by any dealer, exhibitor, or research facility, including Federal research facilities, must be provided the opportunity for exercise regularly if they are kept individually in cages, pens, or runs that provide less than two times the required floor space for that dog, as indicated by Sec. 3.6(c)(1) of this subpart.

(b) Dogs housed in groups. Dogs over 12 weeks of age housed, held, or maintained in groups by any dealer, exhibitor, or research facility, including Federal research facilities, do not require additional opportunity for exercise

regularly if they are maintained in cages, pens, or runs that provide in total at least 100 percent of the required space for each dog if maintained separately. Such animals may be maintained in compatible groups, unless:

- (1) Housing in compatible groups is not in accordance with a research proposal and the proposal has been approved by the research facility Committee;

- (2) In the opinion of the attending veterinarian, such housing would adversely affect the health or well-being of the dog(s); or

- (3) Any dog exhibits aggressive or vicious behavior.

(c) Methods and period of providing exercise opportunity. (1) The frequency, method, and duration of the opportunity for exercise shall be determined by the attending veterinarian and, at research facilities, in consultation with and approval by the Committee.

- (2) Dealers, exhibitors, and research facilities, in developing their plan, should consider providing positive physical contact with humans that encourages exercise through play or other similar activities. If a dog is housed, held, or maintained at a facility without sensory contact with another dog, it must be provided with positive physical contact with humans at least daily.

- (3) The opportunity for exercise may be provided in a number of ways, such as:

- (i) Group housing in cages, pens or runs that provide at least 100 percent of the required space for each dog if maintained separately under the minimum floor space requirements of Sec. 3.6(c)(1) of this subpart;

- (ii) Maintaining individually housed dogs in cages, pens, or runs that provide at least twice the minimum floor space required by Sec. 3.6(c)(1) of this subpart;

- (iii) Providing access to a run or open area at the frequency and duration prescribed by the attending veterinarian; or

- (iv) Other similar activities.

- (4) Forced exercise methods or devices such as swimming, treadmills, or carousel-type devices are unacceptable for meeting the exercise requirements of this section.

(d) Exemptions. (1) If, in the opinion of the attending veterinarian, it is inappropriate for certain dogs to exercise because of their health, condition, or well-being, the dealer, exhibitor, or research facility may be exempted from

meeting the requirements of this section for those dogs. Such exemption must be documented by the attending veterinarian and, unless the basis for exemption is a permanent condition, must be reviewed at least every 30 days by the attending veterinarian.

(2) A research facility may be exempted from the requirements of this section if the principal investigator determines for scientific reasons set forth in the research proposal that it is inappropriate for certain dogs to exercise. Such exemption must be documented in the Committee-approved proposal and must be reviewed at appropriate intervals as determined by the Committee, but not less than annually.

(3) Records of any exemptions must be maintained and made available to USDA officials or any pertinent funding Federal agency upon request.
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[CITE: 9CFR3.11]

Sec. 3.11 Cleaning, sanitization, housekeeping, and pest control.

(a) Cleaning of primary enclosures. Excreta and food waste must be removed from primary enclosures daily, and from under primary enclosures as often as necessary to prevent an excessive accumulation of feces and food waste, to prevent soiling of the dogs or cats contained in the primary enclosures, and to reduce disease hazards, insects, pests and odors. When steam or water is used to clean the primary enclosure, whether by hosing, flushing, or other methods, dogs and cats must be removed, unless the enclosure is large enough to ensure the animals would not be harmed, wetted, or distressed in the process. Standing water must be removed from the primary enclosure and animals in other primary enclosures must be protected from being contaminated with water and other wastes during the cleaning. The pans under primary enclosures with grill-type floors and the ground areas under raised runs with mesh or slatted floors must be cleaned as often as necessary to prevent accumulation of feces and food waste and to reduce disease hazards pests, insects and odors.

(b) Sanitization of primary enclosures and food and water receptacles. (1)
Used primary enclosures and food and water receptacles must be cleaned and sanitized in accordance with this section before they can be used to house, feed, or water another dog or cat, or social grouping of dogs or cats.

(2) Used primary enclosures and food and water receptacles for dogs and cats

must be sanitized at least once every 2 weeks using one of the methods prescribed in paragraph (b)(3) of this section, and more often if necessary to prevent an accumulation of dirt, debris, food waste, excreta, and other disease hazards.

(3) Hard surfaces of primary enclosures and food and water receptacles must be sanitized using one of the following methods:

(i) Live steam under pressure;

(ii) Washing with hot water (at least 180 [deg]F (82.2 [deg]C)) and soap or detergent, as with a mechanical cage washer; or

(iii) Washing all soiled surfaces with appropriate detergent solutions and disinfectants, or by using a combination detergent/disinfectant product that accomplishes the same purpose, with a thorough cleaning of the surfaces to remove organic material, so as to remove all organic material and mineral buildup, and to provide sanitization followed by a clean water rinse.

(4) Pens, runs, and outdoor housing areas using material that cannot be sanitized using the methods provided in paragraph (b)(3) of this section, such as gravel, sand, grass, earth, or absorbent bedding, must be sanitized by removing the contaminated material as necessary to prevent odors, diseases, pests, insects, and vermin infestation.

(c) Housekeeping for premises. Premises where housing facilities are located, including buildings and surrounding grounds, must be kept clean and in good repair to protect the animals from injury, to facilitate the husbandry practices required in this subpart, and to reduce or eliminate breeding and living areas for rodents and other pests and vermin. Premises must be kept free of accumulations of trash, junk, waste products, and discarded matter. Weeds, grasses, and bushes must be controlled so as to facilitate cleaning of the premises and pest control, and to protect the health and well-being of the animals.

(d) Pest control. An effective program for the control of insects, external parasites affecting dogs and cats, and birds and mammals that are pests, must be established and maintained so as to promote the health and well-being of the animals and reduce contamination by pests in animal areas.

[56 FR 6486, Feb. 15, 1991, as amended at 63 FR 3023, Jan. 21, 1998]

Enclosure Standards---Transportation

Colorado

12.00 DOG BREEDER FACILITY REGULATIONS

D. TRANSPORTING DOGS

1. Enclosures to Transport Dogs.

a. Temporary enclosures, such as compartments, transport cages, or crates, if used to transport dogs shall be secured, water resistant, well constructed of cleanable material, and designed to protect the health and ensure the safety of the animals. Such enclosures shall have ventilation to ensure the comfort and health of the dogs at all times.

b. Such enclosures shall be constructed or positioned in the vehicle in such a manner that:

(1) Each animal in the vehicle has access to sufficient air for normal breathing.

(2) The openings of such enclosures are accessible at all times for emergency removal of the animals.

(3) The animals are afforded protection from the elements.

(4) The animal areas of the vehicle shall be heated or cooled when necessary to prevent hypothermia or hyperthermia of the dogs being transported.

c. Enclosures used to transport dogs shall be large enough to ensure that each animal contained therein has sufficient space to turn, stand, and lie down. Animals which are not conditioned to each other may not be transported in the same primary enclosure.

d. Animals shall not be placed in enclosures over other animals in transit unless such enclosure is fitted with a floor of a material which prevents animal excreta from entering lower enclosures.

e. Enclosures used to transport dogs shall be cleaned and sanitized between trips, or more often if necessary

f. Dogs shall be removed from the vehicle while in active transport a minimum of every 8 hours and allowed to urinate, defecate, and obtain exercise. The licensee shall document in writing, and keep on file while the dog is in the facility, evidence of the exercise of these dogs.

2. Food and Water. Food and water shall be provided consistent with the requirements of Subsection C above.
3. Classification and Separation. The same requirements of Subsection C above apply.
4. Vehicles.
 - a. Vehicles used primarily in transporting dogs shall be equipped to provide fresh or filtered air to all animals being transported without injurious drafts.
 - b. The animal cargo space shall be so constructed and maintained as to minimize the ingress of exhaust from the vehicle's engine.

USDA

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Sec. 3.5 Mobile or traveling housing facilities.

(a) Heating, cooling, and temperature. Mobile or traveling housing facilities for dogs and cats must be sufficiently heated and cooled when necessary to protect the dogs and cats from temperature or humidity extremes and to provide for their health and well-being. The ambient temperature in the mobile or traveling housing facility must not fall below 50 [deg]F (10 [deg]C) for dogs and cats not acclimated to lower temperatures, for those breeds that cannot tolerate lower temperatures without stress or discomfort (such as shorthaired breeds), and for sick, aged, young, or infirm dogs and cats. Dry bedding, solid resting boards, or other methods of conserving body heat must be provided when temperatures are below 50 [deg]F (10 [deg]C). The ambient temperature must not fall below 45 [deg]F (7.2 [deg]C) for more than 4 consecutive hours when dogs or cats are present, and must not exceed 85 [deg]F (29.5 [deg]C) for more than 4 consecutive hours when dogs or cats are present. The preceding requirements are in addition to, not in place of, all other requirements pertaining to climatic conditions in parts 2 and 3 of this chapter.

(b) Ventilation. Mobile or traveling housing facilities for dogs and cats must be sufficiently ventilated at all times when dogs or cats are present to provide for the health and well-being of the animals, and to minimize odors, drafts, ammonia levels, moisture condensation, and exhaust fumes. Ventilation must be provided by means of windows, doors, vents, fans, or air conditioning. Auxiliary ventilation, such as fans, blowers, or air conditioning, must be

provided when the ambient temperature within the animal housing area is 85 [deg]F (29.5 [deg]C) or higher.

(c) Lighting. Mobile or traveling housing facilities for dogs and cats must be lighted well enough to permit proper cleaning and inspection of the facility, and observation of the dogs and cats. Animal areas must be provided a regular diurnal lighting cycle of either natural or artificial light. Lighting must be uniformly diffused throughout animal facilities and provide sufficient illumination to aid in maintaining good housekeeping practices, adequate cleaning, adequate inspection of animals, and for the well-being of the animals. [32 FR 3273, Feb. 24, 1967, as amended at 63 FR 10498, Mar. 4, 1998]

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[CITE: 9CFR3.14]

Sec. 3.14 Primary enclosures used to transport live dogs and cats.

Any person subject to the Animal Welfare regulations (9 CFR parts 1, 2, and 3) must not transport or deliver for transport in commerce a dog or cat unless the following requirements are met:

(a) Construction of primary enclosures. The dog or cat must be contained in a primary enclosure such as a compartment, transport cage, carton, or crate. Primary enclosures used to transport dogs and cats must be constructed so that:

(1) The primary enclosure is strong enough to contain the dogs and cats securely and comfortably and to withstand the normal rigors of transportation;

(2) The interior of the primary enclosure has no sharp points or edges and no protrusions that could injure the animal contained in it;

(3) The dog or cat is at all times securely contained within the enclosure and cannot put any part of its body outside the enclosure in a way that could result in injury to itself, to handlers, or to persons or animals nearby;

(4) The dog or cat can be easily and quickly removed from the enclosure in an emergency;

(5) Unless the enclosure is permanently affixed to the conveyance, adequate devices such as handles or handholds are provided on its exterior, and enable the enclosure to be lifted without tilting it, and ensure that anyone handling the enclosure will not come into physical contact with the animal contained inside;

(6) Unless the enclosure is permanently affixed to the conveyance, it is clearly marked on top and on one or more sides with the words "Live Animals," in letters at least 1 inch (2.5 cm.) high, and with arrows or other markings to indicate the correct upright position of the primary enclosure;

(7) Any material, treatment, paint, preservative, or other chemical used in or on the enclosure is nontoxic to the animal and not harmful to the health or well-being of the animal;

(8) Proper ventilation is provided to the animal in accordance with paragraph (c) of this section; and

(9) The primary enclosure has a solid, leak-proof bottom or a removable, leak-proof collection tray under a slatted or mesh floor that prevents seepage of waste products, such as excreta and body fluids, outside of the enclosure. If a slatted or mesh floor is used in the enclosure, it must be designed and constructed so that the animal cannot put any part of its body between the slats or through the holes in the mesh. Unless the dogs and cats are on raised slatted floors or raised floors made of mesh, the primary enclosure must contain enough previously unused litter to absorb and cover excreta. The litter must be of a suitably absorbent material that is safe and nontoxic to the dogs and cats.

(b) Cleaning of primary enclosures. A primary enclosure used to hold or transport dogs or cats in commerce must be cleaned and sanitized before each use in accordance with the methods provided in Sec. 3.11(b)(3) of this subpart. If the dogs or cats are in transit for more than 24 hours, the enclosures must be cleaned and any litter replaced, or other methods, such as moving the animals to another enclosure, must be utilized to prevent the soiling of the dogs or cats by body wastes. If it becomes necessary to remove the dog or cat from the enclosure in order to clean, or to move the dog or cat to another enclosure, this procedure must be completed in a way that safeguards the dog or cat from injury and prevents escape.

(c) Ventilation.

(1) Unless the primary enclosure is permanently affixed to the conveyance, there must be:

(i) Ventilation openings located on two opposing walls of the primary enclosure and the openings must be at least 16 percent of the surface area of each such wall, and the total combined surface area of the ventilation openings must be at least 14 percent of the total combined surface area of all the walls of the primary enclosure; or

(ii) Ventilation openings on three walls of the primary enclosure, and the

openings on each of the two opposing walls must be at least 8 percent of the total surface area of the two walls, and the ventilation openings on the third wall of the primary enclosure must be at least 50 percent of the total surface area of that wall, and the total combined surface area of the ventilation openings must be at least 14 percent of the total combined surface area of all the walls of the primary enclosure; or

(iii) Ventilation openings located on all four walls of the primary enclosure and the ventilation openings on each of the four walls must be at least 8 percent of the total surface area of each such wall, and the total combined surface area of the openings must be at least 14 percent of total combined surface area of all the walls of the primary enclosure; and

(iv) At least one-third of the ventilation area must be located on the upper half of the primary enclosure.

(2) Unless the primary enclosure is permanently affixed to the conveyance, projecting rims or similar devices must be located on the exterior of each enclosure wall having a ventilation opening, in order to prevent obstruction of the openings. The projecting rims or similar devices must be large enough to provide a minimum air circulation space of 0.75 in. (1.9 cm) between the primary enclosure and anything the enclosure is placed against.

(3) If a primary enclosure is permanently affixed to the primary conveyance so that there is only a front ventilation opening for the enclosure, the primary enclosure must be affixed to the primary conveyance in such a way that the front ventilation opening cannot be blocked, and the front ventilation opening must open directly to an unobstructed aisle or passageway inside the conveyance. The ventilation opening must be at least 90 percent of the total area of the front wall of the enclosure, and must be covered with bars, wire mesh, or smooth expanded metal having air spaces.

(d) Compatibility.

(1) Live dogs or cats transported in the same primary enclosure must be of the same species and be maintained in compatible groups, except that dogs and cats that are private pets, are of comparable size, and are compatible, may be transported in the same primary enclosure.

(2) Puppies or kittens 4 months of age or less may not be transported in the same primary enclosure with adult dogs or cats other than their dams.

(3) Dogs or cats that are overly aggressive or exhibit a vicious disposition must be transported individually in a primary enclosure.

(4) Any female dog or cat in heat (estrus) may not be transported in the

same primary enclosure with any male dog or cat.

(e) Space and placement.

(1) Primary enclosures used to transport live dogs and cats must be large enough to ensure that each animal contained in the primary enclosure has enough space to turn about normally while standing, to stand and sit erect, and to lie in a natural position.

(2) Primary enclosures used to transport dogs and cats must be positioned in the primary conveyance so as to provide protection from the elements.

(f) Transportation by air.

(1) No more than one live dog or cat, 6 months of age or older, may be transported in the same primary enclosure when shipped via air carrier.

(2) No more than one live puppy, 8 weeks to 6 months of age, and weighing over 20 lbs (9 kg), may be transported in a primary enclosure when shipped via air carrier.

(3) No more than two live puppies or kittens, 8 weeks to 6 months of age, that are of comparable size, and weighing 20 lbs (9 kg) or less each, may be transported in the same primary enclosure when shipped via air carrier.

(4) Weaned live puppies or kittens less than 8 weeks of age and of comparable size, or puppies or kittens that are less than 8 weeks of age that are littermates and are accompanied by their dam, may be transported in the same primary enclosure when shipped to research facilities, including Federal research facilities.

(g) Transportation by surface vehicle or privately owned aircraft.

(1) No more than four live dogs or cats, 8 weeks of age or older, that are of comparable size, may be transported in the same primary enclosure when shipped by surface vehicle (including ground and water transportation) or privately owned aircraft, and only if all other requirements of this section are met.

(2) Weaned live puppies or kittens less than 8 weeks of age and of comparable size, or puppies or kittens that are less than 8 weeks of age that are littermates and are accompanied by their dam, may be transported in the same primary enclosure when shipped to research facilities, including Federal research facilities, and only if all other requirements in this section are met.

(h) Accompanying documents and records. Shipping documents that must accompany shipments of dogs and cats may be held by the operator of the primary conveyance, for surface transportation only, or must be securely attached in a readily accessible manner to the outside of any primary enclosure that is part of the shipment, in a manner that allows them to be detached for examination and securely reattached, such as in a pocket or sleeve. Instructions for administration of drugs, medication, and other special care must be attached to each primary enclosure in a manner that makes them easy to notice, to detach for examination, and to reattach securely. Food and water instructions must be attached in accordance with Sec. 3.13(c).

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[Title 9, Volume 1]

[Revised as of January 1, 2008]

From the U.S. Government Printing Office via GPO Access

[CITE: 9CFR3.15]

Sec. 3.15 Primary conveyances (motor vehicle, rail, air, and marine).

(a) The animal cargo space of primary conveyances used to transport dogs and cats must be designed, constructed, and maintained in a manner that at all times protects the health and well-being of the animals transported in them, ensures their safety and comfort, and prevents the entry of engine exhaust from the primary conveyance during transportation.

(b) The animal cargo space must have a supply of air that is sufficient for the normal breathing of all the animals being transported in it.

(c) Each primary enclosure containing dogs or cats must be positioned in the animal cargo space in a manner that provides protection from the elements and that allows each dog or cat enough air for normal breathing.

(d) During air transportation, dogs and cats must be held in cargo areas that are heated or cooled as necessary to maintain an ambient temperature and humidity that ensures the health and well-being of the dogs or cats. The cargo areas must be pressurized when the primary conveyance used for air transportation is not on the ground, unless flying under 8,000 ft. Dogs and cats must have adequate air for breathing at all times when being transported.

(e) During surface transportation, auxiliary ventilation, such as fans, blowers or air conditioning, must be used in any animal cargo space containing live dogs or cats when the ambient temperature within the animal cargo space reaches 85 [deg]F (29.5 [deg]C). Moreover, the ambient temperature may not exceed 85 [deg]F (29.5 [deg]C) for a period of more than 4 hours; nor fall below

45 [deg]F (7.2 [deg]C) for a period of more than 4 hours. The preceding requirements are in addition to, not in place of, all other requirements pertaining to climatic conditions in parts 2 and 3 of this chapter.

(f) Primary enclosures must be positioned in the primary conveyance in a manner that allows the dogs and cats to be quickly and easily removed from the primary conveyance in an emergency.

(g) The interior of the animal cargo space must be kept clean.

(h) Live dogs and cats may not be transported with any material, substance (e.g., dry ice) or device in a manner that may reasonably be expected to harm the dogs and cats or cause inhumane conditions.

[56 FR 6486, Feb. 15, 1991, as amended at 63 FR 10498, 10499, Mar. 4, 1998]

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[CITE: 9CFR3.16]

Sec. 3.16 Food and water requirements.

(a) Each dog and cat that is 16 weeks of age or more must be offered food at least once every 24 hours. Puppies and kittens less than 16 weeks of age must be offered food at least once every 12 hours. Each dog and cat must be offered potable water at least once every 12 hours. These time periods apply to dealers, exhibitors, research facilities, including Federal research facilities, who transport dogs and cats in their own primary conveyance, starting from the time the dog or cat was last offered food and potable water before transportation was begun. These time periods apply to carriers and intermediate handlers starting from the date and time stated on the certificate provided under Sec. 3.13(c) of this subpart. Each dog and cat must be offered food and potable water within 4 hours before being transported in commerce. Consignors who are subject to the Animal Welfare regulations (9 CFR parts 1, 2, and 3) must certify that each dog and cat was offered food and potable water within the 4 hours preceding delivery of the dog or cat to a carrier or intermediate handler for transportation in commerce, and must certify the date and time the food and potable water was offered, in accordance with Sec. 3.13(c) of this subpart.

(b) Any dealer, research facility, including a Federal research facility, or exhibitor offering any dog or cat to a carrier or intermediate handler for transportation in commerce must securely attach to the outside of the primary enclosure used for transporting the dog or cat, written instructions for the in transit food and water requirements for a 24-hour period for the dogs and cats contained in the enclosure. The instructions must be attached in a manner that

makes them easily noticed and read.

(c) Food and water receptacles must be securely attached inside the primary enclosure and placed so that the receptacles can be filled from outside the enclosure without opening the door. Food and water containers must be designed, constructed, and installed so that a dog or cat cannot leave the primary enclosure through the food or water opening.

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[CITE: 9CFR3.17]

Sec. 3.17 Care in transit.

(a) Surface transportation (ground and water). Any person subject to the Animal Welfare regulations transporting dogs or cats in commerce must ensure that the operator of the conveyance, or a person accompanying the operator, observes the dogs or cats as often as circumstances allow, but not less than once every 4 hours, to make sure they have sufficient air for normal breathing, that the ambient temperature is within the limits provided in Sec. 3.15(e), and that all applicable standards of this subpart are being complied with. The regulated person must ensure that the operator or person accompanying the operator determines whether any of the dogs or cats are in obvious physical distress and obtains any veterinary care needed for the dogs or cats at the closest available veterinary facility.

(b) Air transportation. During air transportation of dogs or cats, it is the responsibility of the carrier to observe the dogs or cats as frequently as circumstances allow, but not less than once every 4 hours if the animal cargo area is accessible during flight. If the animal cargo area is not accessible during flight, the carrier must observe the dogs or cats whenever they are loaded and unloaded and whenever the animal cargo space is otherwise accessible to make sure they have sufficient air for normal breathing, that the animal cargo area meets the heating and cooling requirements of Sec. 3.15(d), and that all other applicable standards of this subpart are being complied with. The carrier must determine whether any of the dogs or cats are in obvious physical distress, and arrange for any needed veterinary care as soon as possible.

(c) If a dog or cat is obviously ill, injured, or in physical distress, it must not be transported in commerce, except to receive veterinary care for the condition.

(d) Except during the cleaning of primary enclosures, as required in Sec. 3.14(b) of this subpart, during transportation in commerce a dog or cat must not be removed from its primary enclosure, unless it is placed in another primary enclosure or facility that meets the requirements of Sec. 3.6 or Sec. 3.14 of this subpart.

(e) The transportation regulations contained in this subpart must be complied with until a consignee takes physical delivery of the dog or cat if the animal is consigned for transportation, or until the animal is returned to the consignor.

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From the U.S. Government Printing Office via GPO Access

[CITE: 9CFR3.18]

Sec. 3.18 Terminal facilities.

(a) Placement. Any person subject to the Animal Welfare regulations (9 CFR parts 1, 2, and 3) must not commingle shipments of dogs or cats with inanimate cargo in animal holding areas of terminal facilities.

(b) Cleaning, sanitization, and pest control. All animal holding areas of terminal facilities must be cleaned and sanitized in a manner prescribed in Sec. 3.11(b)(3) of this subpart, as often as necessary to prevent an accumulation of debris or excreta and to minimize vermin infestation and disease hazards. Terminal facilities must follow an effective program in all animal holding areas for the control of insects, ectoparasites, and birds and mammals that are pests to dogs and cats.

(c) Ventilation. Ventilation must be provided in any animal holding area in a terminal facility containing dogs or cats, by means of windows, doors, vents, or air conditioning. The air must be circulated by fans, blowers, or air conditioning so as to minimize drafts, odors, and moisture condensation. Auxiliary ventilation, such as exhaust fans, vents, fans, blowers, or air conditioning must be used in any animal holding area containing dogs and cats, when the ambient temperature is 85 [deg]F (29.5 [deg]C) or higher

(d) Temperature. The ambient temperature in an animal holding area containing dogs or cats must not fall below 45 [deg]F (7.2 [deg]C) or rise above 85 [deg]F (29.5 [deg]C) for more than four consecutive hours at any time dogs or cats are present. The ambient temperature must be measured in the animal holding area by the carrier, intermediate handler, or a person transporting dogs or cats who is subject to the Animal Welfare regulations (9 CFR parts 1, 2, and

3), outside any primary enclosure containing a dog or cat at a point not more than 3 feet (0.91 m) away from an outside wall of the primary enclosure, and approximately midway up the side of the enclosure. The preceding requirements are in addition to, not in place of, all other requirements pertaining to climatic conditions in parts 2 and 3 of this chapter.

(e) Shelter. Any person subject to the Animal Welfare regulations (9 CFR parts 1, 2, and 3) holding a live dog or cat in an animal holding area of a terminal facility must provide the following:

(1) Shelter from sunlight and extreme heat. Shade must be provided that is sufficient to protect the dog or cat from the direct rays of the sun.

(2) Shelter from rain or snow. Sufficient protection must be provided to allow the dogs and cats to remain dry during rain, snow, and other precipitation.

(f) Duration. The length of time any person subject to the Animal Welfare regulations (9 CFR parts 1, 2, and 3) can hold dogs and cats in animal holding areas of terminal facilities upon arrival is the same as that provided in Sec. 3.13(f) of this subpart.

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[CITE: 9CFR3.19]

Sec. 3.19 Handling.

(a) Any person subject to the Animal Welfare regulations (9 CFR parts 1, 2, and 3) who moves (including loading and unloading) dogs or cats within, to, or from the animal holding area of a terminal facility or a primary conveyance must do so as quickly and efficiently as possible and must provide the following during movement of the dog or cat:

(1) Shelter from sunlight and extreme heat. Sufficient shade must be provided to protect the dog or cat from the direct rays of the sun. The dog or cat must not be exposed to an ambient air temperature above 85 [deg]F (29.5 [deg]C) for a period of more than 45 minutes while being moved to or from a primary conveyance or a terminal facility. The temperature must be measured in the manner provided in Sec. 3.18(d) of this subpart. The preceding requirements are in addition to, not in place of, all other requirements pertaining to climatic conditions in parts 2 and 3 of this chapter.

(2) Shelter from rain and snow. Sufficient protection must be provided to

allow the dogs and cats to remain dry during rain, snow, and other precipitation.

(3) Shelter from cold temperatures. Transporting devices on which live dogs or cats are placed to move them must be covered to protect the animals when the outdoor temperature falls below 50 [deg]F (10 [deg]C). The dogs or cats must not be exposed to an ambient temperature below 45 [deg]F (7.2 [deg]C) for a period of more than 45 minutes, unless they are accompanied by a certificate of acclimation to lower temperatures as provided in Sec. 3.13(e). The temperature must be measured in the manner provided in Sec. 3.18(d) of this subpart. The preceding requirements are in addition to, not in place of, all other requirements pertaining to climatic conditions in parts 2 and 3 of this chapter.

(b) Any person handling a primary enclosure containing a dog or cat must use care and must avoid causing physical harm or distress to the dog or cat.

(1) A primary enclosure containing a live dog or cat must not be placed on unattended conveyor belts, or on elevated conveyor belts, such as baggage claim conveyor belts and inclined conveyor ramps that lead to baggage claim areas, at any time; except that a primary enclosure may be placed on inclined conveyor ramps used to load and unload aircraft if an attendant is present at each end of the conveyor belt.

(2) A primary enclosure containing a dog or cat must not be tossed, dropped, or needlessly tilted, and must not be stacked in a manner that may reasonably be expected to result in its falling. It must be handled and positioned in the manner that written instructions and arrows on the outside of the primary enclosure indicate.

(c) This section applies to movement of a dog or cat from primary conveyance to primary conveyance, within a primary conveyance or terminal facility, and to or from a terminal facility or a primary conveyance.

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