

*** DRAFT – NOT FOR FILING ***

901:12-3-01 Definitions.

As used in Chapters 901:12-3 to 901:12-15, unless otherwise specified,

(A) “Ambulatory Disabled” means livestock capable of walking but with a physical impairment that severely limits or threatens their ability to walk.

(B) “Non-Ambulatory Disabled” means livestock that cannot rise from a recumbent position or that cannot walk.

(C) “Fatigued Swine” are swine that have temporarily lost the ability to walk but have a reasonable expectation to recover full locomotion with rest.

(D) “Distress” occurs when livestock are injured, sick, or in pain.

(E) “Poultry” means turkeys or chickens, both male and female, including layers, broilers and turkeys.

(1) Layers are female chickens, that have reached sexual maturity as demonstrated by egg production;

(2) Broilers are chickens raised for meat; and

(3) Turkeys are raised for meat.

(F) “Breeders” are chickens or turkeys raised to perpetuate progeny.

(G) “Pullets” are young female chickens prior to sexual maturity.

(H) “Poultry Flock” is a grouping of more than one chicken or turkey, which may be raised for egg production meat and/or breeders.

(I) “Body Condition” ranges from emaciated to obese and is useful to assess the adequacy of the nutritional program and health status of an animal by evaluating the animal’s body fat and/or muscle mass in relationship to its skeletal dimension and its stage of production.

(J) “Responsible Party” is a person of legal age who is the owner of the livestock and/or a person who has current responsibility or custody of the livestock.

(K) “Humane” is the care and handling of livestock that seeks to minimize distress through utilization of the standards established by this chapter.

(L) “Pain” is an unpleasant physical sensation occurring in varying degrees of severity as consequence of injury, disease or from a medical or management procedure.

*** DRAFT – NOT FOR FILING ***

(M) “Veterinary-Client-Patient-Relationship” (VCPR) has the same meaning as defined in 4741.04 of the Revised Code.

(N) “Extralabel Drug Use” (ELDU) is the use of an approved drug in a manner that is not in accordance with the approved labeling, yet meets the conditions set forth by the Animal Medicinal Drug Use Clarification Act of 1994 (AMDUCA) and the United States Food and Drug Administration (FDA) and a Valid-Veterinary-Client-Patient-Relationship (VCPR) is required.

(O) "Quality Assurance" means steps taken by the responsible party to ensure safe, wholesome and high quality products.

(P) “Housing” means the physical area or location which is occupied by livestock.

901:12-3-02 **Feed and Water.**

Livestock must receive feed and water of sufficient quantity and quality on a regular basis so as to help ensure maintenance of normal body condition and/or growth.

901:12-3-03 **Management.**

(A) Livestock housing, handling facilities and equipment must be designed and maintained so as to minimize bruising and injury.

(B) When using handling, sorting or other devices to move livestock or for initial diagnostic evaluation, the devices must be used humanely.

(C) When restraint of livestock is required, it must be minimal in degree and duration, and it must minimize the potential for injury.

(D) Only hand held battery-operated electric prods of 50 volts or less can be used to facilitate movement of livestock as described in paragraph (B). Electric prods must not be used:

(1) On poultry;

(2) On alpacas, llamas and equine, except for an initial diagnostic evaluation

(3) On calves less than 200 pounds of body weight;

(4) On swine less than 35 pounds of body weight;

***** DRAFT – NOT FOR FILING *****

(5) In sensitive areas including the eyes, ears, nose, vulva, anus, udder, or testicles; and,

(6) On non-ambulatory disabled livestock.

(E) The responsible party shall not maliciously or recklessly throw, drop, or drag livestock. If the animal's position does not permit lifting or another method of movement, dragging an ambulatory disabled or non-ambulatory disabled livestock the minimum distance to allow movement by another method is permitted.

(F) The responsible party must not pick up and/or carry livestock by the ears and tails or pull legs in positions or directions which would cause distress.

(G) Livestock Management Procedures as listed in 4741-1-13 of the Administrative Code must be performed humanely.

(H) If food is produced for the human food chain, the responsible party must consider quality assurance as defined in paragraph (O) of rule 901:12-3-01 of the Administrative Code.

901:12-3-04 **Euthanasia.**

Euthanasia of livestock must be performed under the conditions and using the approved methods pursuant to 901:12-1 of the Ohio Administrative Code.

901:12-3-05 **Health.**

(A) Prescription and extra-label medications must only be obtained and administered to livestock with the advice and involvement of a licensed veterinarian in the context of a valid Veterinary-Client-Patient-Relationship (VCPR).

(B) When medication is indicated for livestock, label instructions for route of administration, dosage, storage and withdrawal times must be followed.

(C) All practices and procedures pertaining to health/medical treatment of livestock must be done humanely.

(D) Livestock must be monitored regularly for evidence of disease, injury and parasites and corrective measures must be taken when evidence is found.

(E) The responsible party must be able to, as required by the condition of the animal, separate sick animals from healthy livestock.

(F) Dead livestock must be disposed of pursuant to 941.14 of the Revised Code.

*** DRAFT – NOT FOR FILING ***

901:12-3-06 **Transportation.**

- (A) The transport driver is solely responsible for welfare of livestock during transit and must have an emergency action plan.
- (B) The responsible party makes the final decision in determining the fitness for livestock loading, transport and the load density. The density of a load shall be determined by the need to minimize injury and must allow fallen animals to rise.
- (C) Handling of livestock during loading, unloading and transport must be done humanely.
- (D) Ramps, chutes and other means of conveyance used for transporting livestock must be constructed to provide adequate footing to minimize slips and falls.
- (E) Livestock, excluding poultry, alpacas, llamas, and equines, must be able to stand in their natural position without touching the top of the transport conveyance.
- (F) During transit, livestock must be suitably protected from adverse weather conditions.
- (G) Transporters are required to stop every 28 hours, unload, and provide livestock with food, water and rest for at least five consecutive hours, unless the transportation vehicle allows the livestock to lie down and rest and have access to feed and water.

901:12-3-07 **Exemptions.**

Nothing in the rules adopted in division 901:12 of the administrative code shall be construed to prevent a licensed veterinarian, or other person acting under the veterinarian's supervision, from meeting the standards set forth in Chapter 4741 of the Revised Code or rules promulgated thereunder.

901:12-3-08 **Penalties.**

Responsible parties that violate any part of this chapter are subject to the penalties specified in rule 901:12-2 of the Administrative Code. Penalties are assessed based on the classification of the violation as major or minor as defined in rule 901:12-2-01 of the Administrative Code.