

DEPARTMENT OF AGRICULTURE

Commissioner's Order: Best Management Standards for Care of Dogs and Cats by Dealers, Commercial Breeders and Brokers pursuant to 1994 Minnesota Laws, Chapter 642, Section 8.

WHEREAS, the Commissioner of Agriculture has authority under 1994 Minnesota Laws, Chapter 642, Section 8 to issue an order establishing the best management standards for care of dogs and cats by dealers, commercial breeders, and brokers.

WHEREAS, the Commissioner of Agriculture has developed best management standards of care for dogs and cats by dealers, commercial breeders and brokers after consultation with persons representing dog and cat dealers, breeders and brokers including: the Minnesota Federated Humane Society, the Minnesota Council for Dog Clubs, the American Dog Owners Association, the Board of Animal Health, the Minnesota Purebred Dog Breeders Association, the Minnesota Citizens for Animal Care, the United States Department of Agriculture, the Minnesota Veterinarian Medical Association, and other interested parties.

WHEREAS, the Commissioner of Agriculture published a proposed order in the *State Register* requesting public comment and has considered comments submitted during the comment period.

THEREFORE, the Commissioner of Agriculture establishes the following order regarding the best management standards for care of dogs and cats by dealers, commercial breeders, and brokers. (The order appears in bold text. Suggestions and recommendations for implementing the order appear in italics text).

1 **I. DEFINITIONS.**

2 **A. ANIMALS** means a dog wholly or in part of the species *Canis familiaris*, or a cat
3 wholly or in part of the species *Felis domesticus*.

4 **B. CONFINEMENT AREA** means a structure used or designed for use to restrict
5 an animal to a limited amount of space, such as a room, pen, cage, kennel,
6 compartment, crate, or hutch.

7 **C. HOUSING FACILITY** means a room, building, or area that contains a
8 confinement area.

9 **II. STANDARDS.**

10 **A. FOOD. Animals must be provided with food of sufficient quantity and**
11 **quality to allow for normal growth or the maintenance of body weight.**

12 (Minn. Stat. § 346.39, subd. 1).

13 *Animal food must meet or exceed National Research Council standards*
14 *and should meet American Association of Feed Company Officials, Inc.,*
15 *(AAFCO) processing standards. Animals should be provided wholesome food*
16 *suitable for the species at a frequency and amount appropriate for the species*
17 *and age. Animals over the age of 20 weeks should be offered food at least once*
18 *every 24 hours. Animals under the age of 20 weeks should be offered food at*
19 *least once every 12 hours.*

20 **B. WATER. Animals must be provided with potable water in sufficient**
21 **quantity to satisfy the animal's needs.** (Minn. Stat. § 346.39, subd. 2).

22 *Animals should be provided access to clean, fresh, potable water in a*
23 *sanitary manner at least once every 12 hours or in sufficient quantity to satisfy*
24 *the animals' needs or supplied by free choice. Snow or ice is not an adequate*
25 *water source.* (Minn. Stat. § 346.39, subd. 2).

26 **C. SHELTER. Animals must be provided with adequate shelter to provide for**
27 **their health and comfort.**

28 *A shelter that protects the animal from inclement weather, wind, and*
29 *direct rays of the sun should be supplied for each animal . A shaded area must be*
30 *provided that is sufficient to protect the animal from the direct rays of the sun at*
31 *all times during the months of May to October.* (Minn. Stat. § 346.39, subd. 4).

32 *To obtain information regarding guidelines on shelter requirements for*
33 *specific breeds contact the Commissioner's Office, Minnesota Department of*
34 *Agriculture, 625 Robert Street North, St. Paul, MN 55155-2538, 612/201-6561.*

35 **D. CONFINEMENT AREA. A confinement area must provide sufficient space**
36 **to allow each animal to turn about freely and to easily stand, sit and lie in a**

37 **normal position.** (Minn. Stat. § 346.39, subd. 4),
38 *If an animal is maintained in an outdoor confinement area, that space*
39 *should contain a shelter that complies with Minn. Stat. § 343.40. If an animal is*
40 *maintained in a confinement area within a housing facility used primarily to*
41 *house animals, each confined animal must be provided a minimum square*
42 *footage of floor space as measured from the tip of its nose to the base of its tail,*
43 *plus 25 percent, expressed in square feet. The formula for computing minimum*
44 *square footage is: (length of animal in inches plus 25 percent) times (length of*
45 *animal in inches plus 25 percent) divided by 144. (Minn. Stat. § 346.39 subd. 4).*

46 **1. SURFACE AREA. The interior surfaces of all indoor confinement**
47 **areas must be constructed and maintained so that they are**
48 **substantially impervious to moisture, provide for rapid drainage, may**
49 **be readily cleaned, kept in good repair, and protect the animal from**
50 **injury.** (Minn. Stat. § 346.39, subd. 10, 11).

51 *Confinement area flooring should be constructed of nonabrasive*
52 *wire of ten gauge or larger or smooth, durable, impermeable material*
58 *suitable for animals. The mesh or grid should be of a suitable size to*
54 *prevent feet from passing through the openings. Sufficient space or*
55 *barrier should be provided between confinement areas to ensure that no*
56 *liquid or solid waste, water, or food passes from one confinement area to*
57 *the other. Confinement areas should be ventilated sufficiently to allow for*
58 *the free movement of air in and around the confinement area. All outdoor*
59 *confinement area flooring should be impermeable material or well*
60 *drained aggregate.*

61 *DRAINAGE. A suitable method must be used to eliminate excess*
62 *fluids from confinement areas. (Minn. Stat. § 346.39, subd. 1). All feces*
63 *should be removed and disposed of daily. All waste drainage and waste*
64 *material should be disposed of using a method prescribed by any*
65 *applicable building or health codes.*

66 **2. TEMPERATURE, VENTILATION, LIGHTING, FIRE SAFETY.**
67 **Temperature, ventilation, and lighting must be adequate for the type,**
68 **number, and condition of animals involved.**

69 *TEMPERATURE. Indoor housing facilities for animals should be*
70 *maintained at a temperature that is appropriate for the breed of animal.*
71 *Heating and cooling units must be of a type and installation approved by*
72 *applicable building or safety codes.*

73 *VENTILATION. Housing facilities must be ventilated. (Minn.*
74 *Stat. § 346.39, subd 8). Auxiliary ventilation, such as exhaust fans, vents,*
75 *air conditioning, or a combination of them, should be used when the*
76 *ambient temperature exceeds 85 degrees Fahrenheit at floor level. This*
77 *system must be of a type and installation approved by applicable building*
78 *or safety codes.*

79 *LIGHTING. Housing facilities must have at least eight hours of*
80 *illumination. (Minn. Stat § 346.39, subd. 9). Ample lighting, by natural*
81 *or artificial means should be uniformly distributed.*

82 *FIRE SAFETY. Smoke detectors should be installed in a housing*
83 *facility. Fire extinguishers containing substances nontoxic to animals*
84 *should be readily available.*

85 **3. SANITATION. Feeding and water receptacles must be kept clean**
86 **and free of contaminants. Confinement areas must be kept clean**
87 **enough to protect animals from excessive moisture, waste and harmful**
88 **contaminants.** (Minn. Stat. § 346.39, subd. 12).

89 *FOOD AND WATER. Food and water receptacles must be*
90 *accessible to each animal and located so as to prevent contamination by*
91 *excreta. (Minn. Stat. § 346.39, subd. 12). Opened food bags should be*
92 *stored in plastic or metal cans with tight fitting lids. Disposable foods*
93 *receptacles must be discarded when soiled.*

94 *CONFINEMENT AREAS. Confinement area should be*

95 *thoroughly cleaned daily and impervious surfaces treated with disinfectant*
96 *at least once per week. Animals should be removed from an area while*
97 *the area is being treated with disinfectant and animals should not be*
98 *returned to that area until the area is dry.*

99 *DISEASES. Animals with infectious or contagious diseases should*
100 *be isolated from healthy animals. Caretakers should disinfect their hands*
101 *and shoes after handling animals with infectious or contagious diseases.*

102 *A sink should be furnished with hot and cold running water.*

103 *BEDDING. Bedding, if used, must be kept clean and dry.*

104 *Outdoor confinement and exercise areas must be kept clean and base*
105 *material replaced as necessary. (Minn. Stat. § 346.39, subd. 12).*

106 *CAT CONFINEMENT AREA. Each cat confinement area should*
107 *be provided with a container for elimination. Non-disposable containers*
108 *impervious to moisture should be cleaned daily. Absorbent material*
109 *should be removed and replaced at least once per week.*

110 **E. EXERCISE. All animals must be provided adequate exercise.** (Minn. Stat. §
111 346.39, subd. 5).

112 *All animals should be provided the opportunity for exercise at least twice*
113 *per day. Space should be sufficient for the animals to exercise freely.*

114 **F. GROUP HOUSING AND BREEDING. Animals housed together in a**
115 **confinement area must be kept in compatible groups. Animals must not be**
116 **bred so as to endanger their health.** (Minn. Stat. § 346.39, subd. 6).

117 *Females in estrus should not be housed with males except for breeding*
118 *purposes. Only healthy, mature animals of normal weight that have been*
119 *examined by a veterinarian should be used for breeding. Females should be*
120 *rested for one or more cycles between breedings. Males should be managed so as*
121 *to maintain normal physical condition and libido.*

122 **G. FEMALES AND LITTERS. Each female with a litter must be provided a**
123 **separate confinement area. Litters should be provided socialization with**
124 **human beings.**

125 *WEANING AGE. Healthy litters should remain with their mother at least*
126 *five weeks, unless a veterinarian has determined that the litter is rejected or*
127 *endangered by their mother or the mother's health is endangered. No animal*
128 *should be sold or given away before the age of eight weeks.*

129 *TEMPERATURE. The ambient temperature other confinement area*
130 *should be maintained at a minimum of 70 degrees Fahrenheit at floor level and a*
131 *maximum of 90 degrees Fahrenheit for animals under seven weeks of age unless*
132 *authorized in writing by a veterinarian.*

133 *SOCIALIZATION. Litters should be provided socialization by physical*
134 *contact with other animals and human beings. It is recommended that litters be*
135 *handled by humans at least two times a day to prevent future biting behavior.*

136 *PET DEALERS. A pet dealer who is not the breeder of an animal may not*
137 *be in possession of an animal that is under the age of eight weeks. This*
138 *restriction does not apply to humane societies or retailers who receive abandoned*
139 *animals.*

140 **H. TRANSPORTATION AND SHIPMENT. Crates and containers must be**
141 **clean, adequately ventilated, contain sufficient space to allow the animals to**
142 **stand up, lie down, and turn around, and provide maximum safety and**
143 **protection to the animals. Adequate food, water, and exercise must be**
144 **provided.** (Minn. Stat. § 346.39, subd. 3).

145 *SHIPERS. An animal should not be delivered or held for transport in*
146 *commerce more than four hours before the scheduled departure time. No animal*
147 *may be shipped on consignment. Shippers should provide the carriers or*
148 *intermediate handlers with the name, address, and telephone number of the*
149 *receiver, shipper's name, address, telephone number, tag or tattoo number of the*
150 *animals, and time and date the animal was last fed and watered. All shippers*
151 *should securely attach to the outside of the shipping container written instructions*
152 *for the in-transit food and water requirements.*

153 *Shipping containers must be constructed of nonabrasive wire or a smooth,*
154 *durable material suitable for animals. (Minn. Stat § 346.39 subd. 3). Floors*
155 *should be smooth, impermeable material with grating of smooth wire of 10 gauge*
156 *or larger. Containers should be provided with barriers so as to ensure that no*
157 *liquid or solid waste, water, or food passes from one confinement area to another.*
158 *Animals should be maintained in compatible groups. No more than two*
159 *animals may be transported in the same container. Female animals in estrus may*
160 *not be transported in the same container with any male.*

161 *AGE. No one should transport or cause to be transported into, out of, or*
162 *within the state for purposes of resale any animal under eight weeks of age.*

163 *FOOD AND WATER. Animals over the age of 20 weeks should be offered*
164 *food at least once every 24 hours. Animals under the age of 20 weeks should be*
165 *offered food at least once every 12 hours. Each animal should be offered clean,*
166 *fresh potable water, provided in a sanitary manner, at least once every eight*
167 *hours. Food and water receptacles should be securely attached inside the*
168 *container and placed so that the receptacle can be filled from outside the*
169 *container without opening the door.*

170 *EXERCISE. Exercise should be provided at least once every twelve hours,*
171 *or at suitable intervals in relation to food and water consumption.*

172 **I. DISEASE AND PARASITE CONTROL**

173 *MINIMIZING DISSEMINATION OF DISEASE. Dogs or cats affected*
174 *with any clinical evidence of infectious, contagious, or communicable disease*
175 *should be separated from other dogs or cats.*

176 *VETERINARY CARE. An effective program should be established and*
177 *maintained for disease control and prevention, euthanasia, and adequate*
178 *veterinary care under the supervision of a doctor of veterinary medicine.*

179 *HEALTH OF DOGS AND CATS AT TIME OF SALE. The following*
180 *conditions make a dog or cat unfit for sale until treatment brings about a*
181 *satisfactory recovery:*

182 *A. obvious signs of infectious disease;*

183 *B. obvious signs of nutritional deficiencies;*

184 *C. obvious signs of severe parasitism;*

185 *D. fractures;*

186 *E. blindness; and*

187 *F. serious congenital abnormalities.*

188 *CONTROL OF PESTS. An effective program should be established and*
189 *maintained for the control of insects, ectoparasites, rodents, and other pests.*

190 **III. APPLICABILITY TO NON PROFIT ANIMAL WELFARE ORGANIZATIONS** 191 **AND HUMANE SOCIETIES**

192 *Non profit animal welfare organizations and humane societies sometimes have difficulty*
193 *controlling the number and condition of animals under their care. However, they should make*
194 *all reasonable efforts to comply with the provisions of these best management standards. If*
195 *circumstances make compliance difficult or impossible, the organization should immediately*
196 *contact the Board of Animal Health. In order to prevent conditions from deteriorating, the*
197 *Board of Animal Health and the organization should develop a plan for and a time line in which*
198 *compliance will occur.*

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201 Dated: this 17 day of March, 1995.

202 Elton R. Redalen

203 Commissioner

204 Minnesota Department of Agriculture