

MINIMUM STANDARDS OF HORSE CARE IN THE STATE OF CALIFORNIA

REVISED EDITION – DECEMBER 2011



Authors' Note

The welfare of horses and their protection from abuse, neglect or cruelty has long been a concern of the American public. Unfortunately, the reported incidence of mistreatment has been increasing in recent years and has become a major area of concern for California's animal control agencies and for public institutions charged with ensuring the health and welfare of horses.

The Center for Equine Health has developed this publication to assist these agencies in educating their officers—many of whom are unfamiliar with horses—on methods for evaluating the general condition of horses and how to recognize signs of abuse, neglect or general mistreatment. This publication is intended to serve as a quick and easy field guide for what is considered by recognized animal welfare experts to be the minimum standards of horse care. It describes the signs of misconduct or neglect in the care of horses and cites applicable sections of the California penal code and federal standards related to the care of horses.

This publication is not designed or intended to be a guide for law enforcement action or prosecutorial activities. The need for such action must be determined in every instance by county district attorneys, their investigators and other officials charged with those responsibilities.

The Center for Equine Health supports equine welfare through public education and service. Given the rising number of reported cases of equine cruelty, abuse and neglect, the publication of this document was an obligation that had to be met.

Written by experts in equine care and welfare with the assistance of legal scholars, the contents of this publication reflect the current state of scientific research and acceptable standards regarding equine care. However, the information presented is considered the opinion of the authors and may not reflect that of the entire faculty or administration of the School of Veterinary Medicine or the University of California campus in general.

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Cover photo by Aaron Hale courtesy Naples Daily News.

Horses rescued from a ranch in Collier County, Florida, some which have been deemed emaciated by the county Domestic Animal Services, are receiving their morning feeding.

For more information on this story, visit the Naples Daily News website:

<http://www.naplesnews.com/news/2010/jul/21/das-seeking-custody-34-malnourished-horses-estates/>

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Contents

Preface	5
Introduction	7
Frequent Causes of Neglect, Abuse and Cruelty	
Profile of Animal Abusers	
Animal Hoarders	
Minimum Standards of Equine Care	11
Water	13
Minimum Water Availability	
Minimum Water Quality	
Feed	17
Henneke Body Condition Scoring System	
Supplemental Information for Feed and Water	
Minimum Standards	
Shelter.....	25
Supplemental Information for Shelter	
Minimum Standards	
Health Care	29
Supplemental Information for Health Care	
Minimum Standards	
Transport	35
Supplemental Information for Transport	
Minimum Standards	
Bibliography	38
About the Authors	40
Appendices	43
1. Equine-Related Statutes for the State of California	
2. Equine-Related Federal Regulations	
3. Henneke Body Condition Scoring Chart	
4. Minimum Standards Evaluation Checklist	

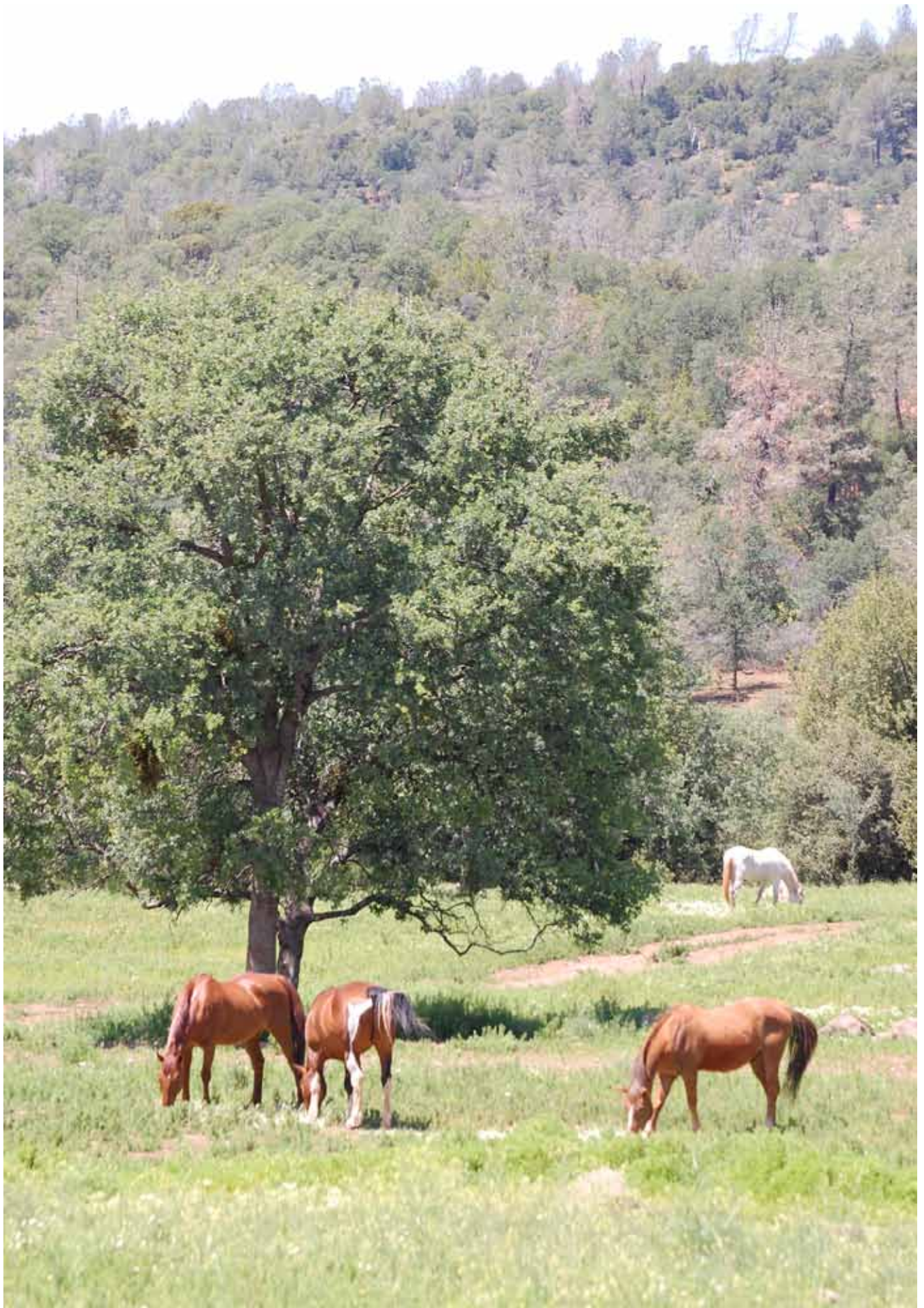
Preface

Investigating equine abuse, neglect or cruelty cases can be a challenging task for California law enforcement officers. Many of these officers have limited knowledge of the acceptable health care standards needed to enforce the existing and applicable federal and California state regulations, codes and laws to ensure proper animal welfare. This publication is designed to serve as a resource for law enforcement officials investigating equine abuse, neglect and cruelty cases by delineating those minimum health care standards that would, in the opinion of equine veterinary experts, generally be required to meet existing animal welfare laws within California.

The publication cites scientific and unbiased evidentiary information to establish minimum health care standards in the following categories:

- Water
- Feed and body condition
- Shelter and space
- Health care
- Transportation

Additional copies of this publication in pdf format are available to anyone through the Center for Equine Health website: www.vetmed.ucdavis.edu/ceh.



Introduction

The abuse, neglect and cruelty of horses can result either from acts of **commission** or **omission**. Pain and suffering can be inflicted by the direct and willful act of injuring a horse (commission), or one can indirectly cause harm to a horse through failure to provide adequate feed, water, care or protection (omission). The harm to the animal is real regardless of the means by which it occurs.

Likewise, ignorance of the caretaker as to what constitutes minimum standards of proper care of a horse does not lessen legal responsibility. Nor can one be excused from legal liability for the abuse, neglect or cruelty incurred by employees or associates who have accepted responsibility for the care of horse(s).

Definition of Terms Used in This Document

Neglect	The failure to provide proper shelter, food or water. Failure to ensure a safe and healthy environment that meets accepted minimum standards for horses also can be considered neglect. In some instances, neglect may include the failure to provide veterinary care to a horse that is ill or injured.
Abuse and Cruelty	Includes the intentional act, omission or neglect whereby unnecessary or unjustifiable physical pain or suffering is caused or permitted. Examples include poking with a sharp stick or an electrified device, beating, intentionally scarring or poisoning a horse, use of excessive restraint such as tethering or confining movement for long periods of time, or allowing a horse to be chased by predators.
Owner	Anyone who cares for, possesses, controls or otherwise assumes custody and is responsible for the care of a horse.
Should	The term used in this document as a strong recommendation based on currently accepted standards of health care as published in the veterinary literature or used widely in equine veterinary practices.
Must	The term used in this document as a necessity or requirement for any method or practice described based on existing federal or California state law.

In the sections that follow, the minimum health care standards that are supported by existing law are listed in the colored boxes at the beginning of each section (Water, Feed, Shelter, Health Care and Transport). All other information presented in each section is not a minimum legal standard, but rather is intended to be educational material for reference in managing cases and is based on published veterinary literature.

Frequent Causes of Neglect, Abuse and Cruelty

There are many and diverse causes of neglect, abuse and cruelty directed at horses. Some of the more common causes are as follows:

- Ignorance or lack of skills regarding the care of horses accounts for most neglect cases and some abuse and cruelty cases. Proper education of the animal owner may result in case resolution.
- Economic hardship may contribute to neglect by horse owners who would normally provide adequate care to their animals.
- Apathy or laziness of the owner may result in neglect, particularly during periods of adverse weather conditions.
- Illness, injury or substance abuse on the part of the animal owner can interfere with the quality of care provided.
- Cultural or societal factors may influence the perception of what constitutes minimum standards of care.
- Environmental disasters may result in the abuse or neglect of horses by otherwise responsible caretakers.
- Failure to provide adequate care and supervision during a short-term absence (such as a vacation) may result in neglect or abuse.
- Participation in activities that are cruel and intentional or are deemed illegal per California law contribute to abuse and cruelty of horses.

Profile of Animal Abusers

Animal abusers can be of either gender, any age, and/or fall within any socioeconomic group. They tend to be individuals who look upon their animals as personal property with which they are entitled to do with as they please, regardless of whether or not those animals are harmed by their actions. Violence toward animals and other people may also be a part of their behavior pattern. Alcohol and drug abuse are often contributing factors.

Physical abuse, neglect or cruelty to animals can be reflective of a wider problem of child and/or spousal abuse. Abused children will often start their own pattern of violent behavior by abusing animals. This behavior often escalates over time to the physical abuse of others and to increasing levels of societal violence. The behavior within the family group may be hidden or denied by its subservient members regardless of whether they themselves are participants in the acts of animal cruelty.

It is important that animal abuse investigators be aware of the existence of these extenuating behaviors or circumstances, both for their own protection as well as that of the animals they are trying to protect.

Animal Hoarders

Animal hoarding is a well-known and documented mental disorder that often results in abuse, cruelty or neglect of animals. Animal hoarders keep large numbers of animals as pets, even though they often surpass their ability to properly house and care for them. Hoarders typically fail to recognize that they are not providing adequate food, water, sanitation and veterinary care.

Animal law enforcement must be able to recognize the signs associated with animal hoarding. In such situations, officers must contact the appropriate agencies to address the hoarding. However, law enforcement must also uphold existing animal law and investigate cases based on evidence, in accordance with legal guidelines.



Animal hoarders keep large numbers of animals as pets, even though they often surpass their ability to properly house and care for them. Hoarders typically fail to recognize that they are not providing adequate food, water, sanitation and veterinary care.

MINIMUM STANDARDS OF EQUINE CARE



Minimum Standard for Water

THE MINIMUM STANDARD FOR WATER*

Horses must have access to a clean source of water at least twice per day, but preferably continuously.

*California Health and Safety Code 25988; FASS Standards, 3rd Ed., January 2010, p. 21.

Minimum Water Availability

Water consumption will increase depending on environmental temperature and humidity, diet, exercise level and/or lactation status in the case of mares. Optimally, horses should be provided with continuous access to water. In extreme weather conditions, special attention must be paid to ensure adequate water availability, access and intake. The following table shows the minimum daily water requirements of horses.

Minimum Daily Water Requirements for Horses Based on Body Weight

Minimum Daily Water Requirement for Horses of Various Weights	Resting/Normal Environmental Temperature (41-77°F)	Heavy Workload (double to triple resting requirement)	Gestation/Lactation (add minimum of 30% to resting requirement)	High Heat and Humidity (double to triple resting requirement)
500-lb horse	3 gallons per day	6 to 9 gallons per day	4 gallons per day	6 to 9 gallons per day
1,000-lb horse	6 gallons per day	12 to 18 gallons per day	8 gallons per day	12 to 18 gallons per day
1,500-lb horse	9 gallons per day	18 to 27 gallons per day	12 gallons per day	18 to 27 gallons per day
2,000-lb horse	12 gallons per day	24 to 36 gallons per day	16 gallons per day	24 to 36 gallons per day

Minimum Water Quality

Dirty or contaminated water can deter a horse from drinking. Water contaminated with dead animals, feces or other noxious materials is a source of toxins or microbial contaminants which can threaten the health of the horse. Water troughs, water containers and any automatic watering devices should be cleaned regularly and maintained in proper working order, with no sharp or abrasive edges.



Horses must have access to a clean source of water at least twice per day, but preferably continuously. Water troughs, water containers and any automatic watering devices should be cleaned regularly.



Example of an unacceptable water source that fails to meet the minimum water quality standards. The water is dirty and not fit to drink. Also note hazards such as the open water spigot, the sharp edges of the trough and the board with nails protruding from it.



Horses will readily bury their noses in good-quality hay.

Minimum Standards for Feed

THE MINIMUM STANDARDS FOR FEED*

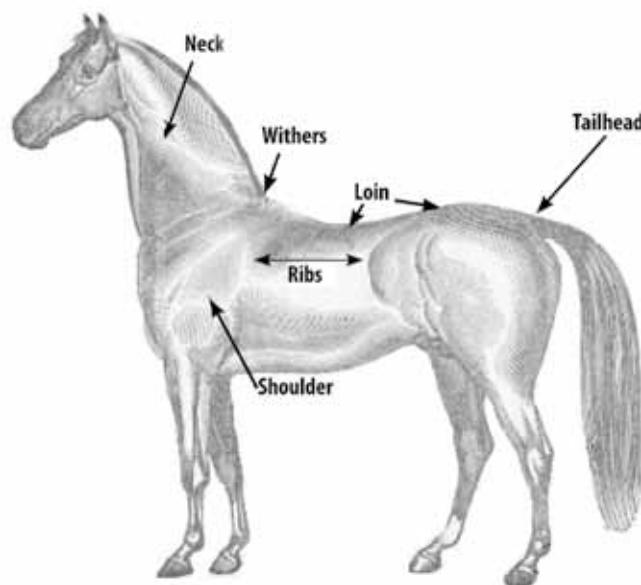
1. Horses must be fed an adequate diet to maintain proper body condition or adequate body weight. A body condition score of 3 on the Henneke Scale (see table following) is the minimum standard. Geriatric horses and horses with acute metabolic conditions may not be able to maintain body condition scores above 3. In such cases, a veterinarian should determine the need for supplemental feed type and amount, environmental management or health management. If implementation of such recommendations fails to result in an adequate body weight consistent with minimum standards, euthanasia may be necessary.
2. Horses confined without available pasture to graze must be fed at least once, but preferably twice, daily at a minimum. Horses on pasture may need to be supplemented with other feeds at least once daily if the pasture grass is insufficient to maintain body weight and health.

* California Health and Safety Code 25988; FASS Standards, 3rd Ed., January 2010, p. 21.

The Henneke Body Condition Scoring System is a scientific method of evaluating a horse's body condition regardless of breed, body type, gender or age. It is regarded by experts in this country as an objective method of scoring a horse's body condition in horse cruelty cases. The terms *skinny*, *thin*, *emaciated* or *fat* are all subjective terms, but the Henneke chart is a standardized, objective scoring system.

The Henneke Body Condition Scoring System, shown on the next page, is based on both visual appraisal and feel (palpation) of six major points of the horse that are most responsive to changes in body fat. The six parts of a horse that are checked in this system are:

- Neck
- Withers
- Shoulder
- Ribs
- Loin
- Tailhead



Henneke Body Condition Scoring System

Body condition, or the measure of fat cover, can be evaluated by visual appraisal and palpation. A scoring system in horses uses six areas of the body to assign scores of 1 (extremely emaciated) to 9 (obese). The six areas are: (A) along the neck; (B) withers; (C) crease down back; (D) tailhead; (E) ribs; and (F) behind the shoulder.

A score between 5 and 7 is considered ideal for healthy horses. Horses scoring in the 1 and 2 category should be evaluated further for causes such as medical conditions, dental problems, or the lack of proper nutrition.

Description of Individual Condition Scores (1–9)

1 — Poor. Animal extremely emaciated; spinous processes, ribs, tailhead, hip joints and lower pelvic bones projecting prominently; bone structure of withers, shoulders and back easily noticeable; no fatty tissue can be felt.

2 — Very Thin. Animal emaciated; slight fat covering over base of spinous processes; transverse processes of lumbar vertebrae feel rounded; spinous processes, ribs, tailhead, hip joints and lower pelvic bones prominent; withers, shoulders and back structure faintly discernible.

3 — Thin. Fat buildup about halfway on spinous processes; transverse processes cannot be felt; slight fat cover over ribs; spinous processes and ribs easily discernible; tailhead prominent, but individual vertebrae cannot be identified visually; hip joints appear rounded but easily discernible; lower pelvic bones not distinguishable; withers, shoulders and neck accentuated.

4 — Moderately Thin. Slight ridge along back; faint outline of ribs discernible; tailhead prominence depends on conformation, fat can be felt around it; hip joints not discernible; withers, shoulders and neck not obviously thin.

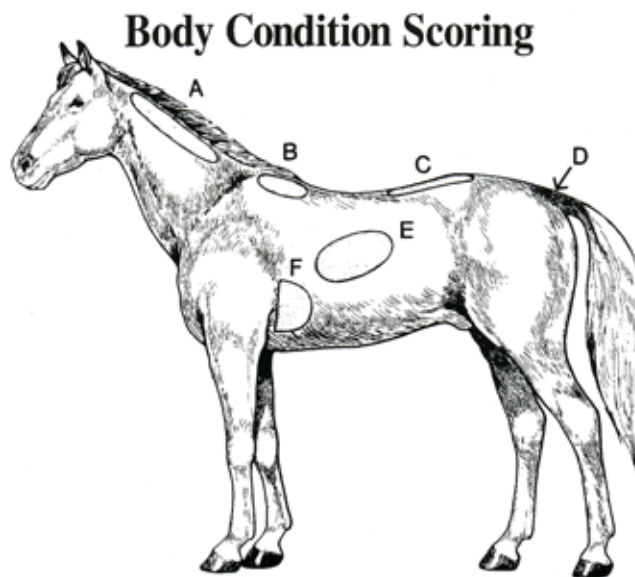
5 — Moderate. Back is flat (no crease or ridge); ribs not visually distinguishable but easily felt; fat around tailhead beginning to feel spongy; withers appear rounded over spinous processes; shoulders and neck blend smoothly into body.

6 — Moderately Fleshy. May have slight crease down back; fat over ribs spongy; fat around tailhead soft; fat beginning to be deposited along the side of withers, behind shoulders and along sides of neck.

7 — Fleshy. May have crease down back; individual ribs can be felt, but noticeable filling between ribs with fat; fat around tailhead soft; fat deposited along withers, behind shoulders and along neck.

8 — Fat. Crease down back; difficult to feel ribs; fat around tailhead very soft; area along withers filled with fat; area behind shoulder filled with fat; noticeable thickening of neck; fat deposited along inner thighs.

9 — Extremely Fat. Obvious crease down back; patchy fat appearing over ribs; bulging fat around tailhead, along withers, behind shoulders and along neck; fat along inner thighs may rub together; flank filled with fat.



Photos of Various Henneke Body Condition Scores

Score 1—Poor

- Extremely emaciated
- Ribs, tailhead, hip joints and lower pelvic bones protruding
- Bone structure of withers, shoulders and back discernible



Score 3—Thin

- Thin layer of fat over ribs
- Ribs still easily discernible
- Tailhead prominent



Score 5 — Moderate

- Level back
- Ribs cannot be visually distinguished, but felt
- Fat around tailhead feels spongy
- Withers rounded
- Shoulders and neck blend smoothly into body



Score 9 — Extremely Fat

- Obvious back crease
- Patchy fat over ribs
- Bulging fat around tailhead, withers, behind shoulders, and along neck
- Fat along inner buttocks



Supplemental Information for Feed and Water Minimum Standards

1. Several common feeding programs are used in California and include the dietary components of pasture, hay, grain or concentrates, or any combination thereof. Regardless of the dietary components, minimum caloric intake must equal metabolic demands in order for a horse not to lose body weight. Horses are fed a diet that is consumed at 1.5 to 3% of their body weight per day to maintain their body condition or weight.

EXAMPLE: For a 1,000-lb horse, this calculates to consuming between 15 and 30 lb of hay per day. The feeding should be divided into at least two evenly spaced feedings per day. More active horses, pregnant mares or mares with foals, geriatric horses and horses with medical conditions may require more hay to maintain their body weight. Supplementation with grain or other sources of calories also may be necessary at times.

2. Common types of hay fed in California include alfalfa, timothy, orchard grass, and cereal grain hay (e.g., oat hay). Hay provided to horses should be free of dust, mold, toxins and weeds.
3. Concentrates are added to diets to supply additional energy (calories), protein, vitamins and minerals. Common concentrates are oats, corn, barley and wheat. There are commercially available pelleted concentrate mixtures formulated for horses in different life stages (e.g., working, pregnant, lactating, geriatric) which are often fed. Some horses such as working, pregnant, lactating, young growing or old horses may require concentrates supplemented to forages in their diet in order to maintain normal body condition or balance nutrients in their diet. The concentrate portion of the diet should not be fed in excess of 1% of the horse's body weight, especially those that are high in starch content.
4. Trace minerals (e.g., salt or potassium) may be deficient in some diets. Therefore, trace mineral salt should be added to deficient diets or accessible in the form of a block.
5. A body condition score of 3 out of 9 on the Henneke Scale is the minimum standard at which a horse can safely function. Horses with a body condition score of 3 or less should have an increase in nutrients (feed) to increase their body condition and weight or be evaluated by a veterinarian to ascertain other factors contributing to decreased body condition and weight. Geriatric horses and horses with acute metabolic conditions may not be able to maintain body condition scores above a 3, in which case veterinary involvement and advice must be sought.



Good quality hay, whether green (alfalfa or grass hay) or golden (oat hay), should be clean, sweet-smelling and dust-free.



This photo shows hay that is covered with mold, which can make horses sick if eaten. The best way to evaluate the quality of hay is to open the bale and look, smell and handle the hay. Is it discolored, dusty or moldy? Good hay should be clean and dry and free from residue when handled.



Minimum Standards for Shelter

THE MINIMUM STANDARDS FOR SHELTER*

1. Shelter in the form of a structure must be available for horses in cases of extreme weather conditions (below freezing temperatures, excessively high temperatures and/or humidity, high winds, excessive rainfall), regardless of the horses' age, breed or body condition.
2. Any enclosure where a horse is primarily kept shall be of sufficient size to enable the horse to comfortably stand up, turn around and lie down.
3. The minimum ceiling height must be 1 foot above the horse's head when held at its highest level.
4. All enclosures and shelters must be free of hazards that may cause injury to confined horses.
5. Excessive feces, urine, mud or other waste products must not accumulate within the housing enclosures or to the extent that these cause unhealthy conditions.
6. Ventilation in enclosed areas must be sufficient to control excessive ambient temperature and prevent the accumulation of toxic gases, such as ammonia.
7. Horses confined to minimal enclosed areas must have access to adequate exercise area. "Confined" is defined as being housed within the designated space continually, without free access to a paddock, turnout or other exercise area.

* California Health and Safety Code 25988; FASS Standards, 3rd Ed., January 2010, pp. 17-22.

Newly emerging veterinary research indicates that what was previously considered by the equine industry as adequate space for confined horses may, in fact, not be sufficient for optimum health and welfare. Listed in the box below are new recommendations for stall sizes, which are calculated based on the size of the horse being housed (Raabymagle and Ladewig, Journal of Equine Veterinary Science 26:11-17, 2006; Zeeb, Applied Animal Ethology 7:391-392, 1981).

Minimum Space Standards for Confined Horses

Horse Height at Withers (4 inches per hand)	Stall Size (feet)
12 hands (48 inches or 4 feet)	10 x 10 stall (100 square feet)
15 hands (60 inches or 5 feet)	12.5 x 12.5 stall (156 square feet)
16 hands (64 inches or 5.3 feet)	13.25 x 13.25 stall (176 square feet)
18 hands (72 inches or 6 feet)	15 x 15 stall (225 square feet)

Supplemental Information for Shelter Minimum Standards

1. Proper shelter may be defined differently depending on the weather and condition of the horse. For instance, a group of young horses can huddle together in a grove of trees and brave the elements, while one solitary elderly horse may not fare well in the same conditions. However, any horse that shows physical deterioration, loss of body condition or weight, or failure to adapt to the weather conditions (weight loss, lethargy, anorexia, wasting) must be provided with shelter adequate to stabilize their body condition without severe loss of weight, injury or illness.
2. The minimum floor space requirements for a horse are based on 2.5 times the height of the horse (at the withers) squared (see table on page 25), which allows minimum essential movements in lying down and standing up. Horses require lateral recumbency (laying flat on its side) for Rapid Eye Movement (REM) sleep, essential for proper brain function. Mares with foals require a larger area.
3. Ventilation in enclosed areas should be sufficient to control ambient temperatures. Ideal ambient temperatures for horses range between 41 and 86°F. At excessively high temperatures, horses increase their respiration rate and heart rate and begin to sweat in order to maintain body temperature. These physiologic stresses result in increased water intake and an increase in energy requirements.
4. Air quality is important to healthy lung and eye function. Horses housed in poorly ventilated stalls can easily be exposed to air levels of ammonia exceeding 100 ppm due to accumulated urine in their environment. Both proper ventilation and sanitation (removal of feces and urine-soaked bedding) assist in minimizing ammonia exposure. *Research shows that exposure to as little as 10 to 15 ppm of ammonia over a long-term basis can affect immune function and cause permanent airway damage.*

Clinical Effects of Exposure to Air Levels of Ammonia

Ammonia Concentration (ppm)	Effect
5 - 10	Very slight to detectable pungent odor
20 - 25	Easily detected odor; eyes may burn
26 - 35	Levels often found in swine confinement facilities
50	Reduced pulmonary bacterial clearance Growth rate and feed intake of swine reduced 10%
100	<i>Very strong odor Eye and respiratory irritation, formation of tears, salivation Increased severity of <i>Bordetella rhinitis</i> in swine Additive growth depressant with <i>Ascaris suum</i> in swine</i>
400	Immediate throat irritation
1,700	Laryngospasm and coughing
2,500	Fatal if greater than 30-minute exposure
5,000	Rapidly fatal with acute exposure

5. Enclosures and shelters must be free of hazards that may cause injury to confined horse(s):
 - Enclosures must be free of fire or electrical hazards such as exposed wires, electrical sockets or light switches that could cause fire or electrocution. Light fixtures, switches and any wiring should be out of reach to horses.
 - Doors must be easily opened and of sufficient width as to allow the horse to freely walk through the door.
 - Flooring in the stall must be level and provide traction since excessively slippery floors can make movement, lying down and getting up difficult.
6. Excessive feces, urine, mud and other waste products must not accumulate within the housing enclosures. Clean and sanitary surroundings within the confines of any equine facility are absolutely essential for the health and welfare of the horses and to avoid unnecessary environmental contamination. The average horse defecates once every two hours (an average of 12 times per day). On average, this totals 54 pounds of feces per day. In an average 12 x 12 ft stall, this equals 0.375 pound of feces per square foot.

On average, a horse voids 2.7 gallons of urine per day, with dramatic increases in urine output occurring as ambient temperature rises. The mixture of urine and feces produces noxious gases, including ammonia. Therefore, the excessive buildup of feces, urine and other waste products within the housing enclosures or in and around the grounds of the facility is not acceptable under any circumstances.

- Indoor stalls and outdoor pen type enclosures should be cleaned of manure and other waste products daily. Larger paddocks and dry lots should be placed on a regular schedule for manure removal and ground maintenance. Pastures should have accumulated manure either removed or spread on a regular and recurring basis to lessen environmental impacts and to minimize intestinal parasite infestation. Manure attracts breeding flies and other insects which are both irritating and unhealthy to animals and humans, alike. Therefore, care must be taken to prevent the manure buildup under fence lines, along the edges of shelters, under feeders and water devices, and along roadways and horse paths. Areas designated as collection areas for the temporary storage of animal waste products before pickup and removal should be well maintained.
 - Standing water, mud or urine should be prevented from accumulating in housing enclosures by proper drainage or absorbent bedding materials. Standing ground surface water provides optimal breeding grounds for disease transmitting insects and for microbial contamination of the environment.
 - Areas where horses are groomed, shod or provided health care services should be kept as sanitary as possible. Barns, storage sheds, hay barns and all other structures should be properly maintained to prevent injuries and maintain a healthy environment.
7. Tethering refers to the act of securing an animal to a fixed object by rope or chain. Horses should not be tethered for more than 2 hours at a time. If tied for a period of longer than 1 hour, horses should be provided water as well as shelter protection from the elements (heat, sun, wind and rain). This does not

apply to horses in transit, in a vehicle, or in immediate control of a person. Halters used with tethering should not be so tight as to induce suffocation or choking and should be loose enough to allow chewing.

8. Horses confined in stalls with minimal space should receive at least 30 minutes of free time (turnout) or 15 minutes of controlled exercise per day (e.g., hand-walking, lungeing, riding, driving, hot walker, treadmill, Eurociser) unless directed otherwise by a veterinarian.



Standing ground surface water provides optimal breeding grounds for disease transmitting insects and for microbial contamination of the environment.



Excessive feces, urine, mud and other waste products must not accumulate within the housing enclosures. Clean and sanitary surroundings within the confines of any equine facility are essential for the health and welfare of the horses and to avoid unnecessary environmental contamination.

Minimum Standards for Health Care

THE MINIMUM STANDARDS FOR HEALTH CARE

1. Horses exhibiting signs of pain, suffering or failure to thrive from any medical condition or injury must receive veterinary care within an appropriate time period. (California Health and Safety Code 25988; California Penal Code #597; FASS Standards, 3rd Ed., January 2010, pp. 9-10)
2. All horses must receive proper hoof care to maintain hooves in a functional condition. (California Health and Safety Code 25988; FASS Standards, 3rd Ed., January 2010, p. 97)
3. Euthanasia must be performed by a veterinarian or trained law enforcement officer if the horse is too severely injured to move, if it is suffering without probability to be rehabilitated, or if it is necessary to protect the health and safety of the horse or people in the near vicinity.

“Notwithstanding any other provisions of this section, any officer of a pound or animal regulation department or humane society, or any officer of a police or sheriff’s department may, with the approval of his or her immediate superior, humanely destroy any abandoned animal in the field in any case where the animal is too severely injured to move or where a veterinarian is not available and it would be more humane to dispose of the animal.” (California Penal Code, Section 597f)

“Every animal which is unfit, by reason of its physical condition, for the purpose for which such animals are usually employed, and when there is no reasonable probability of such animal ever becoming fit for the purpose for which it is usually employed, shall be by the owner or lawful possessor of the same, deprived of life within 12 hours after being notified by any peace officer, officer of said society, or employee of a pound or animal regulation department of a public agency who is a veterinarian, to kill the same, and such owner, possessor, or person omitting or refusing to comply with the provisions of this section shall, upon conviction, be deemed guilty of a misdemeanor, and after such conviction the court or magistrate having jurisdiction of such offense shall order any peace officer, officer of said society, or officer of a pound or animal regulation department of a public agency, to immediately kill such animal; provided, that this shall not apply to such owner keeping any old or diseased animal belonging to him on his own premises with proper care.” (California Penal Code, Section 599e)

Supplemental Information for Health Care Minimum Standards

1. Veterinary care must be obtained or euthanasia performed for horses in significant pain. Medical conditions that may cause such pain include but are not limited to: colic, eye injuries, any injury or condition where the horse cannot bear weight on all four limbs or where the horse is not able to move, recumbent horses (horses that cannot get up off the ground), or fevers (rectal temperature of 102°F or higher). (California Penal Code #597; FASS Standards, 3rd Ed., January 2010, Chapter 8)

Veterinary care for emergency situations should be obtained by horse owners as quickly as possible but certainly within a few hours of such a condition being discovered.

2. Proper hoof care is an essential practice in the basic care of all horses and should occur on a regular basis. Very old horses, very young horses, and those with significant disabilities or orthopedic problems require more attention to hoof care.

It is generally accepted that normal foot growth in the adult horse is approximately 3/8 inch per month. Thus, hoof trimming should occur every 6 to 8 weeks to maintain proper hoof-pastern alignment and foot balance. Horses with hoof abnormalities, conformational abnormalities or chronic lameness issues may need hoof trimming or attention more often. Some horses may need to be shod regularly to maintain comfort and soundness.

In foals, the hoof grows more rapidly, with about 5/8 inch of new hoof wall produced each month. Consequently, foals and weanlings should have their hooves trimmed monthly until at least 1 year of age. Foals, weanlings and yearlings with conformational issues may need specialized trimming and/or corrective shoeing to ensure proper limb growth and alignment.

Removing the dirt and debris from hooves twice weekly greatly reduces the chances of hoof infection.

3. Preventive health care procedures, such as vaccination and deworming programs, are an essential part of horse ownership and management. A program of internal parasite control that involves the use of various types of deworming products should be a routine management practice. The existence or effectiveness of any such program can easily be verified through laboratory procedures, which provide standardized fecal egg counts from freshly obtained manure.

Vaccinations for prevention of tetanus, the various forms of equine viral encephalitis, rabies and upper respiratory viruses should be considered routine preventive health practices.

4. Dental care, especially in older horses, is important to maintain the grinding surface of the teeth and

to eliminate any sharp points developed over time on the inside of the lower molars or the outside of the upper molars. The teeth are filed (the term used often is *float*) to smooth these sharp points and maintain a grinding surface. The frequency of floating depends on the age, diet and environment of the horse. The teeth should be inspected yearly by an attending veterinarian.

5.

A program to minimize the presence of flying insects is important to the health and well-being of both the human and animal residents on any given property as well as to those living in nearby areas. Flies, mosquitoes, midges and other insects can transmit diseases and infect both animals and humans.

6.

Horses should be groomed at least two times per week. Grooming loosens dirt and mud from the coat. If allowed to accumulate, dirt and mud can reduce the insulating effect of the hair coat in cold environments and result in an increased metabolic need. In addition, dirt build-up can result in skin and fungal infections. Removing hair shedding from the coat is also necessary to avoid matted hair, which can be painful. Grooming may uncover lacerations or abrasions that require treatment.



This is a healthy hoof. It is generally accepted that normal foot growth in the adult horse is approximately 3/8 inch per month. Thus, hoof trimming should occur every 6 to 8 weeks to maintain proper hoof-pastern alignment and foot balance.

Hoof Care



Hoof trimming should occur every 6 to 8 weeks to maintain hooves in proper functional condition. Horses with hoof abnormalities, conformational abnormalities or chronic lameness issues may need hoof trimming or attention more often.



Proper hoof care is an essential practice in the basic care of all horses. This photo shows an infected hoof, which needs prompt medical attention.

Grooming



Top left photo: Circle shows excessively long and matted hair coat on this horse. Top right photo: Circled area shows signs of a skin infection of this horse. If allowed to accumulate, dirt and mud can reduce the insulating effect of the hair coat in cold environments and result in an increase in metabolic need. In addition, dirt build-up can result in skin and fungal infections.



Photo shows extra long and matted mane on horse on left and matted hair on the tail of horse on right. Horses should be groomed periodically to remove hair shedding from the coat and thus avoid matted hair, which can be painful. Grooming also loosens dirt and mud from the coat and may uncover lacerations on the skin or abrasions that require treatment.



Horse trailers and vans must have sufficient height to allow horses to stand fully upright. They must allow sufficient space for each horse. Doors and ramps should be sufficiently wide to provide safe loading and unloading. (FASS Standards, 3rd Ed., January 2010, p. 45; California Penal Code #597)

Minimum Standards for Transporting Horses

THE MINIMUM STANDARDS FOR TRANSPORTING HORSES*

- 1a. Horses that are nonambulatory (cannot walk unassisted), weak and/or debilitated, or those unable to bear weight on one or more legs must not be transported except to receive veterinary care.
- 1b. Special precautions must be taken for the transport of pregnant mares nearing the time of foaling or of horses that are blind in both eyes. They should not travel in vehicles containing groups of horses that are mixed together within a van, truck or trailer that does not provide physical barriers or partitions between horses to protect them from injury by other horses in the transport vehicle.
2. Horses must not be transported in two-tiered or double-deck semi-trailers, which are commonly used to haul cattle, sheep or swine.
3. Transport vehicles for horses must be safe and maintained in working condition, including proper ventilation, floors, doors and latches.
4. Horses must not be transported continuously for durations longer than 24 hours.
5. Minimum space allocation per horse in a transport vehicle is at least 15 square feet for light horse breeds that are tied or in individual compartments, and 12 square feet per horse for loose horses traveling in small groups.

* Standards cited in this section are based on requirements stated in the following regulatory publications: California Penal Code #597o; Commercial Transportation of Equines to Slaughter Act 7; FASS Standards, 3rd Ed., January 2010, p. 56.

Supplemental Information for Transport Minimum Standards

1. Non-ambulatory horses (cannot walk unassisted), weak and/or debilitated, cannot bear weight on one or more legs, blind in both eyes, or, in the case of pregnant mares, nearing the time of parturition must not be transported, except those traveling to receive veterinary attention. Horses that become non-ambulatory, recumbent (down) or injured during transport should immediately be segregated from other animals and appropriate attention be given to their needs. No recumbent, down or weak horse during unloading should be inappropriately dragged, hoisted or dropped causing injury or pain. Electric prods should not be used during loading or unloading, except in the case of extreme emergencies of human or horse safety whereby other means are not effective.
2. Vehicles commonly used to transport one or more horses are: horse vans, stock trailers, horse trailers pulled by a truck which accommodate one or more horses, and semi-trucks with straight deck trailers which may accommodate up to about 32 horses per load. Horses should not be placed in two-tiered (double deck) semi-trailers used for cattle, since the ceiling height is limited and may lead to injuries. The recommended minimum ceiling height for any conveyance transporting horses up to 15 hands at the withers is 5.5 feet, and at least 6.5 feet is necessary between the floor and ceiling for horses that are 15 to 16 hands. Horses traveling in small groups are usually not tied in transit. Horses that have not been trained to tie should not be tied during transit.
3. The safety and comfort of the horse should be the primary concern when transporting any distance. Transport vehicles should be inspected before each trip. Tires, vehicle lights, floor boards, doors, latches, hitches and side partitions should all be inspected to ensure they are in proper working order.
4. Horses must not be transported continuously longer than 24 hours due to dehydration and fatigue. Optimum transport time for the minimization of stress has been shown to be 10 hours or less. Transport times longer than that are often necessary and may be acceptable if properly implemented. Horses subjected to such extended travel should be provided with rest stops where the horses can be unloaded, fed and watered and given an extended period of time to recover. In general, for high-mileage transport, the trips should be planned in such a way that each successive day of travel is of shorter duration, and longer rest periods out of the transport vehicles are provided between each of those successive days. Regardless of the length of any given trip, water should be provided to each horse at least every 5 hours and more often in hot environmental conditions or to lactating mares. Free choice access to hay or other feed is often provided during transport, but if it is not, all horses should be fed at least every 24 hours.
5. The size and design of the trailer will determine the maximum number of horses that may be transported together. Minimum space allocation per horse is (recommended) at least 15 square feet for light horse breeds that are tied or in individual compartments, and 12 square feet per horse for loose horses

traveling in small groups. Sand, rubber mats or other bedding over the floor area improves footing during transit. Horses traveling loose in groups should be sorted prior to transport according to compatibility between group members, size, gender, age and physical condition. Stallions should be segregated from all other horses, and special consideration in space allowance and segregation should be given to mares with nursing foals. Overcrowding will cause loss of balance, injuries, and during hot conditions horses may exhibit signs of overheating, such as sweating.

6. Stress during transport can be elevated due to extreme weather conditions, including cold, heat and wind. Some ventilation and air movement during transport is necessary to avoid exposure to exhaust fumes and the build-up of heat during hot weather conditions. Heat will increase in parked vehicles and can be 10 to 15 degrees greater in the trailer than outside environmental temperatures. During cold temperatures, blankets may be beneficial in controlling thermal stress, especially in young or weak horses.

Bibliography

- American Association of Equine Practitioners: www.aaep.org
- American Horse Council: www.horsecouncil.org
- American Veterinary Medical Association, *AVMA Guidelines on Euthanasia*, Schaumburg, IL, 2007.
- Animal Legal Defense Fund: www.aldf.org
- California Department of Food and Agriculture: www.cdfa.ca.gov
- California State Laws, CCRs and Statutes: www.leginfo.ca.gov/calaw.html and www.ca.gov/About/Government/State/LawsAndRegs.html
- California Veterinary Medical Association: www.cvma.net
- Center for Equine Health: www.vetmed.ucdavis.edu/ceh
- County Ordinances: www.municode.com
- Cooperative Extension, University of Delaware, <http://ag.udel.edu/extension/agnr/pdf/eq-13.pdf>.
- Dallaire, A., and Y. Ruckebusch, *Sleep and wakefulness in the housed pony under different dietary conditions*, Canadian Journal of Comparative Medicine 38:65-71, 1974.
- Equine Sanctuary & Rescue Facility Guidelines*, Center for Equine Health, School of Veterinary Medicine, University of California, Davis, August 2009. Also available online at: www.vetmed.ucdavis.edu/ceh/sp_sanctuary.cfm
- Federation of Animal Science Societies, *Guide for the Care and Use of Agricultural Animals in Research and Teaching* (FASS Ag Guide), 3rd Ed., 2010. Available at: www.fass.org/page.asp?pageID=216
- Hamilton, T. D., et al. *The synergistic role of gaseous ammonia in the aetiology of P. multocida-induced atrophic rhinitis in swine*, Journal of Clinical Microbiology 43:2185, 1996.
- Henneke, D. R., G. D. Potter, J. L. Kreider and B. F. Yeates, *Relationship between condition score, physical measurements and body fat percentages in mares*, Equine Veterinary Journal 15:371-372, 1983.
- Humane Farm Animal Care Policy Manual: www.certifiedhumane.org/index.php?page=standards
- Institute for Animal Law: www.animallaw.com
- International Veterinary Forensic Sciences Association: www.vfsa.org
- Large Animal Rescue Company: www.largeanimalrescue.com
- Merck, M. D., *Veterinary Forensics: Animal Cruelty Investigations*, Blackwell Publishing, Ames, IA, 2007.
- Morgan, Karin. Thermoneutral zone and critical temperatures of horses. *Journal of Thermal Biology* 23(1):59-61 1998.
- MWPS. *Horse Facilities Handbook*, 1st ed. Iowa State University, Ames, IA, 2005.
- National Research Council, *Nutrient Requirements of Horses*, 6th rev. ed., National Academy Press, Washington, DC, 2007.

Raabymagle, P., and J. Ladewig, *Lying behavior in horses in relation to box size*, Journal of Equine Veterinary Science 26:11-17, 2006.

Ruckebusch, Y., *The hypnogram as an index of adaptation of farm animals to changes in their environment*, Applied Animal Ethology 2:3-18, 1975.

State Humane Association of California: www.californiastatehumane.org/legislation.htm

UC Davis Cooperative Extension, Animal Welfare: www.vetmed.ucdavis.edu/vetext/animalwelfare

United Nations Farm Animal Welfare: www.fao.org

Urban, P., et al. Quantitative assessment of aerial ammonia toxicity to the nasal mucosa by the use of nasal lavage method in pigs. *American Journal of Veterinary Research* 55:1335, 1994.

U.S. Department of Agriculture, Animal Health and Plant Inspection Service, Animal Welfare Homepage: www.aphis.usda.gov/animal_welfare

Zeeb, K., *Basic behavioral needs of the horse*, Applied Animal Ethology 7:391-392, 1981.

About the Authors



Dr. Grant Miller with Flagstaff

Dr. Grant Miller is a private practitioner in Northern California specializing in large animal practice. He obtained a BS in animal science at UC Davis and went on to obtain a DVM degree at the UC Davis School of Veterinary Medicine in 2004. In addition to full-time veterinary practice, Dr. Miller trains animal control officers around the state of California on several subjects involving large-animal husbandry, handling and case investigation.

Dr. Miller founded the Sonoma County CHANGE program in 2007, which provides ancillary support services to the Sonoma County Animal Care and Control Department in cases of equine abuse, neglect, abandonment and voluntary relinquishment. He has testified in dozens of equine abuse cases as an expert witness and has been awarded the Red Cross Hero Award as well as the Animal Legal Defense Fund Defender of the Year for his service to law enforcement.

Dr. Miller currently serves as the Director of Regulatory Affairs for the California Veterinary Medical Association (CVMA) and is the unit administrator for the California Veterinary Medical Reserve Corps (CAVMRC). He previously served on the CVMA Board of Governors.



Dr. Carolyn Stull with Windfall

Dr. Carolyn Stull received her BS degree in biochemistry from Purdue University and continued her studies as a graduate student at the University of Illinois. She received her MS and PhD degrees while working on research projects focusing on muscle and exercise physiology in the horse. Currently, as a Cooperative Extension Specialist, Dr. Stull directs the School of Veterinary Medicine's Animal Welfare Program focusing on the well being of agricultural animals, primarily dairy cattle and horses. She is the national recipient of the "Hank Award," presented for outstanding research benefiting the welfare of the horse. She has served as the Chair of the Animal Welfare Committee of the U.S. Animal Health Association and has worked in collaboration with the U.S. Department of Agriculture on issues such as the Horse Protection Act and the Commercial Transport of Equines to Slaughter. Dr. Stull was the North American representative to the ad hoc group on Land Transportation for the OIE, the World Organization for Animal Health.

Her research projects have been focused on examining long-term transportation stress in horses, developing nutritional rehabilitation programs for starved animals, determining the glycemic index of common equine feeds, evaluating the impact of extreme weather events on the welfare of dairy cattle on commercial dairies, the care and handling of cull dairy cattle, and the characterization of unwanted horses relinquished to non-profit rescue and shelter facilities throughout the United States.



Dr. Gregory Ferraro with Hilde

Dr. Gregory Ferraro, Director of the Center for Equine Health in the School of Veterinary Medicine at UC Davis, has contributed to the health and well being of horses through clinical practice, veterinary medical education and research. He has authored more than 50 scientific papers and articles on equine health. In 1976, Dr. Ferraro took the lead in establishing the Southern California Equine Foundation, which revolutionized equine racetrack practice by building an on-site hospital facility for use by all attending veterinarians to protect and advance the welfare of equine athletes. Their model of an on-site racetrack hospital has been emulated at racing venues throughout the world. The foundation partnership was also responsible for development of the Kimzey Equine Ambulance and the Kimzey Breakdown Splint, which have greatly improved veterinary care for severely injured horses. Dr. Ferraro was instrumental, in partnership with Dr. Madigan, in the development of the UC Davis large animal lift.

Dr. Ferraro earned his DVM degree at UC Davis School of Veterinary Medicine in 1971. He practiced clinical equine medicine and surgery in Southern California from 1971 to 1997 and was a professor of surgery at UC Davis in the Department of Surgical and Radiological Sciences, School of Veterinary Medicine, from 1979 to 1996. In 1998, he was appointed Director of the Center for Equine Health. He has served as president and chief executive officer for the Southern California Equine Foundation and is a trustee of the California Thoroughbred Foundation. In 2001, he was appointed by the governor to membership on the California State Veterinary Medical Board. He is a former director of the Dolly Green Research Foundation, former vice-chair of the Medication Committee of the California Horse Racing Board, and has served on several committees of the American Association of Equine Practitioners. In January 2009, Dr. Ferraro was appointed to the Equine Advisory Task Force by California Department of Food and Agriculture Secretary A. G. Kawamura. The task force is intended to increase collaboration between the horse industry and Department of Food and Agriculture on equine issues.

APPENDIX 1

EQUINE-RELATED STATUTES FOR THE STATE OF CALIFORNIA

Appendix 1.

Equine-related Statutes for the State of California

The statutes and regulations described below consist of a partial listing of current (2010) regulations that apply to the care of horses in the State of California. The statutes are listed in numerical order by Code. For readability purposes, the individual listing of the statute may not include the entire legislative language provided for that specific regulation but only contain the section(s) describing the intent or purpose of the statute. The listing is not intended to include all regulations and statutes that may apply to equines. Please refer directly to the Legislative Counsel of California for the most current and inclusive language concerning each regulation and its associated penalties (www.leginfo.ca.gov/calaw.html).

Penal Code

§596.7 Rodeos

(a) (1) For purposes of this section, "rodeo" means a performance featuring competition between persons that includes three or more of the following events: bareback bronc riding, saddle bronc riding, bull riding, calf roping, steer wrestling, or team roping. (2) A rodeo performed on private property for which admission is charged, or that sells or accepts sponsorships, or is open to the public constitutes a performance for the purpose of this subdivision.

(b) The management of any professionally sanctioned or amateur rodeo that intends to perform in any city, county, or city and county shall ensure that there is a veterinarian licensed to practice in this state present at all times during the performances of the rodeo, or a veterinarian licensed to practice in the state who is on-call and able to arrive at the rodeo within one hour after a determination has been made that there is an injury which requires treatment to be provided by a veterinarian.

(c) (1) The attending or on-call veterinarian shall have complete access to the site of any event in the rodeo that uses animals. (2) The attending or on-call veterinarian may, for good cause, declare any animal unfit for use in any rodeo event.

(d) (1) Any animal that is injured during the course of, or as a result of, any rodeo event shall receive immediate examination and appropriate treatment by the attending veterinarian or shall begin receiving examination and appropriate treatment by a veterinarian licensed to practice in this state within one hour of the determination of the injury requiring veterinary treatment. (2) The attending or on-call veterinarian shall submit a brief written listing of any animal injury requiring veterinary treatment to the Veterinary Medical Board within 48 hours of the conclusion of the rodeo. (3) The rodeo management shall ensure that there is a conveyance available at all times for the immediate and humane removal of any injured animal.

(e) The rodeo management shall ensure that no electric prod or similar device is used on any animal once the animal is in the holding chute, unless necessary to protect the participants and spectators of the rodeo.

§597. Crimes of cruelty to animals.

(a) Except as provided in subdivision (c) of this section or Section 599c, every person who maliciously and intentionally maims, mutilates, tortures or wounds a living animal or maliciously and intentionally kills an animal, is guilty of an offence punishable by imprisonment in the state prison or by a fine of not more than twenty thousand dollars (\$20,000), or by both the fine and imprisonment, or, alternatively, by imprisonment in the county jail for not more than one year, or by a fine of not more than twenty thousand dollars (\$20,000), or by both the fine and imprisonment.

(b) Except as otherwise provided in subdivision (a) or (c), every person who overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, drink, or shelter, cruelly beats, mutilates, or cruelly kills any animal, or causes or procures any animal to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, drink, or shelter, or to be

cruelly beaten, mutilated, or cruelly killed; and whoever, having the charge or custody of any animal, either as owner or otherwise, subjects any animal to needless suffering, or inflicts unnecessary cruelty upon the animal, or in any manner abuses any animal, or fails to provide the animal with proper food, drink, or shelter or protection from the weather, or who drives, rides, or otherwise uses the animal when unfit for labor, is for every such offence, guilty of a crime punishable as a misdemeanor or as a felony or alternatively punishable as a misdemeanor or a felony and by a fine of not more than twenty thousand dollars (\$20,000).

(c) Every person who maliciously and intentionally maims, mutilates or tortures any mammal, bird, reptile, amphibian, or fish as described in subdivision (d), is guilty of an offense punishable by imprisonment in the state prison, or by a fine of not more than twenty thousand dollars (\$20,000), or by both the fine and the imprisonment, or, alternatively, by imprisonment in the county jail for not more than one year, or by a fine of not more than twenty thousand dollars (\$20,000), or by both the fine and imprisonment.

(f) Upon the conviction of a person charged with a violation of this section by causing or permitting an act of cruelty, as defined in Section 599b, all animals lawfully seized and impounded with respect to the violation by a peace officer, officer of a humane society, or officer of a pound or animal regulation department of a public agency shall be adjudged by the court to be forfeited and shall thereupon be awarded to the impounding officer for proper disposition. A person convicted of a violation of this section by causing or permitting an act of cruelty as described in Section 599b, shall be liable to the impound officer for all costs of impoundment from the time of seizure to the time of proper disposition.

Mandatory seizure or impoundment shall not apply to animals in properly conducted scientific experiments or investigations performed under the authority of the faculty of a regularly incorporated medical college or university of this state.

§ 597.1. Veterinary care for injured animals; seizure proceedings.

597.1. (a) Every owner, driver, or keeper of any animal who permits the animal to be in any building, enclosure, lane, street, square, or lot of any city, county, city and county, or judicial district without proper care and attention is guilty of a misdemeanor. Any peace officer, humane society officer, or animal control officer shall take possession of the stray or abandoned animal and shall provide care and treatment for the animal until the animal is deemed to be in suitable condition to be returned to the owner. When the officer has reasonable grounds to believe that very prompt action is required to protect the health or safety of the animal or the health or safety of others, the officer shall immediately seize the animal and comply with subdivision (f). In all other cases, the officer shall comply with the provisions of subdivision (g). The cost of caring for and treating any animal properly seized under this subdivision shall constitute a lien on the animal and the animal shall not be returned to its owner until the charges are paid, if the seizure is upheld pursuant to this section.

(b) Every sick, disabled, infirm, or crippled animal, except a dog or cat, that is abandoned in any city, county, city and county, or judicial district may be killed by the officer if, after a reasonable search, no owner of the animal can be found. It shall be the duty of all peace officers, humane society officers, and animal control officers to cause the animal to be killed or rehabilitated and placed in a suitable home on information that the animal is stray or abandoned. The officer may likewise take charge of any animal, including a dog or cat, that by reason of lameness, sickness, feebleness, or neglect, is unfit for the labor it is performing, or that in any other manner is being cruelly treated, and provide care and treatment for the animal until it is deemed to be in a suitable condition to be returned to the owner. When the officer has reasonable grounds to believe that very prompt action is required to protect the health or safety of an animal or the health or safety of others, the officer shall immediately seize the animal and comply with subdivision (f). In all other cases, the officer shall comply with subdivision (g). The cost of caring for and treating any animal properly seized under this subdivision shall constitute a lien on the animal and the animal shall not be returned to its owner until the charges are paid. (Refer further to statute for seizure or impoundment procedures.)

(f) Whenever an officer authorized under this section seizes or impounds an animal based on a reasonable belief that prompt action is required to protect the health or safety of the animal or the health or safety of others, the officer shall, prior to the commencement of any criminal proceedings authorized by this section, provide the owner or keeper of the animal, if known or ascertainable after reasonable investigation, with the opportunity for a post seizure hearing to determine the validity of the seizure or impoundment, or both.

(g) Where the need for immediate seizure is not present and prior to the commencement of any criminal proceedings authorized by this section, the agency shall provide the owner or keeper of the animal, if known or ascertainable after reasonable investigation, with the opportunity for a hearing prior to any seizure or impoundment of the animal. The owner shall produce the animal at the time of the hearing unless, prior to the hearing, the owner has made arrangements with the agency to view the animal upon request of the agency, or unless the owner can provide verification that the animal was humanely destroyed. Any person who willfully fails to produce the animal or provide the verification is guilty of an infraction, punishable by a fine of not less than two hundred fifty dollars (\$250) nor more than one thousand dollars (\$1,000).

§ 597.2 Assist with voluntary relinquishment or abandonment of equines.

(a) It shall be the duty of an officer of a pound, humane society, or animal regulation department of a public agency to assist in a case involving the abandonment or voluntary relinquishment of an equine by the equine's owner. This section does not require a pound, humane society, or animal regulation department of a public agency to take actual possession of the equine.

(b) If a pound, humane society, or animal regulation department of a public agency sells an equine at a private or public auction or sale, it shall set the minimum bid for the sale of the equine at a price above the current slaughter price of the equine.

(c) (1) This section does not prohibit a pound, humane society, or animal regulation department of a public agency from placing an equine through an adoption program at an adoption fee that may be set below current slaughter price.

(2) A person adopting an equine under paragraph (1) shall submit a written statement declaring that the person is adopting the equine for personal use and not for purposes of resale, resale for slaughter, or holding or transporting the equine for slaughter.

§ 597a. Transporting animals in a cruel manner.

Whoever carries or causes to be carried in or upon any vehicle or otherwise any domestic animal in a cruel or inhumane manner, or knowingly and willfully authorizes or permits it to be subjected to unnecessary torture, suffering, or cruelty of any kind, is guilty of a misdemeanor; and whenever any such person is taken into custody thereof by any officer, such officer must take charge of such vehicle and its contents, together with the horse or team attached to such vehicle, and deposit the same in some place of custody; and any necessary expense incurred for taking care of and keeping the same, is a lien thereon, to be paid before same can be lawfully recovered; if any such expense, or any part thereof, remains unpaid, it may be recovered, by the person incurring the same, of the owner of such domestic animal, in an action therefore.

§ 597f. Emergency euthanasia of injured animals.

(d) Notwithstanding any other provisions of this section, any officer of a pound or animal regulation department or humane society, or any officer of a police or sheriff's department may, with the approval of his or her immediate superior, humanely destroy any abandoned animal in the field in any case where the animal is too severely injured to move or where a veterinarian is not available and it would be more humane to dispose of the animal.

§597g. Poling a horse.

(a) Poling a horse is a method of training horses to jump which consists of (1) forcing, persuading, or enticing a horse to jump in such manner that one or more of its legs will come in contact with an obstruction consisting of any kind of wire, or a pole, stick, rope or other object with brads, nails, tacks or other sharp points imbedded therein or attached thereto or (2) raising, throwing or moving a pole, stick, wire, rope or other object, against one or more of the legs of a horse while it is jumping an obstruction so that the horse, in either case, is induced to raise such leg or legs higher in order to clear the obstruction. Tripping a horse is an act that consists of the use of any wire, pole, stick, rope, or other object or apparatus whatsoever to cause a horse to fall or lose its balance. The poling or tripping of any horse is unlawful and any person violating the provisions of this section is guilty of a misdemeanor.

(b) It is a misdemeanor for any person to intentionally trip or fell an equine by the legs by any means whatsoever for the purposes of entertainment or sport.

(c) This section does not apply to the lawful laying down of a horse for medical or identification purposes, nor shall the section be construed as condemning or limiting any cultural or historical activities, except those prohibited herein.

§ 597k. Use of bristle-bur, tack-bur, or other device on horses.

597k. Anyone who, having care, custody or control of any horse or other animal, uses what is known as the bristle bur, tack bur, or other like device, by whatsoever name known or designated, on such horse or other animal for any purpose whatsoever, is guilty of a misdemeanor and is punishable by a fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500), or by imprisonment in the county jail for not less than 10 days nor more than 175 days, or by both such fine and imprisonment.

§ 597n. Docking tails of horses.

(a) Any person who cuts the solid part of the tail of any horse or cattle in the operation known as “docking,” or in any other operation performed for the purpose of shortening the tail of any horse or cattle, within the State of California, or procures the same to be done, or imports or brings into this state any docked horse, or horses, or drives, works, uses, races, or deals in any unregistered docked horse, or horses, within the State of California except as provided in Section 597r, is guilty of a misdemeanor. (Also, refer to §597p, §597q, and § 597r on registration, keeping, using, docked horses, or importing docked horses.)

§ 597o. Humane transportation of equine to slaughter; vehicle requirements; segregation of animals; violations.

(a) Any person who transports an equine in a vehicle to slaughter shall meet the following requirements:

(1) The vehicle shall have sufficient clearance to allow the equine to be transported in a standing position with its head in a normal upright position above its withers.

(2) Any ramps and floors in the vehicle shall be covered with a nonskid surface to prevent the equine from slipping.

(3) The vehicle shall provide adequate ventilation to the equine while the equine is being transported.

(4) The sides and overhead of the vehicle shall be constructed to withstand the weight of any equine which may put pressure against the sides or overhead.

(5) Any compartments in the interior of the vehicle shall be constructed of smooth materials and shall contain no protrusions or sharp objects.

(6) The size of the vehicle shall be appropriate for the number of equine being transported and the welfare of the equine shall not be jeopardized by overcrowding.

(7) Stallions shall be segregated during transportation to slaughter.

(8) Diseased, sick, blind, dying, or otherwise disabled equine shall not be transported out of this state.

(9) Any equine being transported shall be able to bear weight on all four feet.

(10) Unweaned foals shall not be transported.

(11) Mares in their last trimester of pregnancy shall not be transported.

(12) The person shall notify a humane officer having jurisdiction 72 hours before loading the equine in order that the humane officer may perform a thorough inspection of the vehicle to determine if all requirements of this section have been satisfied.

(b) (1) Any person who violates this section is guilty of a misdemeanor and is subject to a fine of one hundred dollars (\$ 100) per equine being transported. (2) Any person who violates this section for a second or subsequent time is guilty of a misdemeanor and shall be fined five hundred dollars (\$ 500) per equine being transported.

§ 597s. Abandoning animals.

(a) Every person who willfully abandons any animal is guilty of a misdemeanor.

(b) This section shall not apply to the release or rehabilitation and release of native California wildlife pursuant to statute or regulations of the California Department of Fish and Game.

§597t. Animals in confinement.

Every person who keeps an animal confined in an enclosed area shall provide it with an adequate exercise area. If the animal is restricted by a leash, rope, or chain, the leash, rope, or chain shall be affixed in such a manner that it will prevent the animal from becoming entangled or injured and will permit the animals' access to adequate shelter, food and water. Violation of this section constitutes a misdemeanor.

This section shall not apply to an animal which is in transit, in a vehicle, or in immediate control of a person.

§ 597x. Sell or transport disabled equine to slaughter.

(a) Notwithstanding Section 18734 of the Food and Agricultural Code or any other provision of law, it is unlawful for any person to sell, attempt to sell, load, cause to be loaded, transport, or attempt to transport any live horse, mule, burro, or pony that is disabled, if the animal is intended to be sold, loaded, or transported for commercial slaughter out of the state.

(b) For the purposes of this section, "disabled animal" includes, but is not limited to, any animal that has broken limbs, is unable to stand and balance itself without assistance, cannot walk, or is severely injured.

(c) A person who violates this section is guilty of a misdemeanor and subject to the same penalties imposed upon a person convicted of a misdemeanor under Section 597a.

§ 598c. Killing Horse for purpose of human consumption.

(a) Notwithstanding any other provision of law, it is unlawful for any person to possess, to import into or export from the state, or to sell, buy, give away, hold, or accept any horse with the intent of killing, or having another kill, that horse, if that person knows or should have known that any part of that horse will be used for human consumption.

§ 598d. Prohibit sale of horse meat for human consumption.

(a) Notwithstanding any other provision of law, horsemeat may not be offered for sale for human consumption. No restaurant, cafe, or other public eating place may offer horsemeat for human consumption.

§ 599e. Emergency euthanasia of unfit animals.

Every animal which is unfit, by reason of its physical condition, for the purpose for which such animals are usually employed, and when there is no reasonable probability of such animal ever becoming fit for the purpose for which it is usually employed, shall be by the owner or lawful possessor of the same, deprived of life within 12 hours after being notified by any peace officer, officer of said society, or employee of a pound or animal regulation department of a public agency who is a veterinarian, to kill the same, and such owner, possessor, or person omitting or refusing to comply with the provisions of this section shall, upon conviction, be deemed guilty of a misdemeanor, and after such conviction the court or magistrate having jurisdiction of such offense shall order any peace officer, officer of said society, or officer of a pound or animal regulation department of a public agency, to

immediately kill such animal; provided, that this shall not apply to such owner keeping any old or diseased animal belonging to him on his own premises with proper care.

§ 13050. Loss or theft of equine.

Each sheriff or other officer to whom a complaint that relates to the loss or theft of any equine animal is made shall, in a timely manner, transmit to the Bureau of Livestock Identification a report pursuant to Section 24104 of the Food and Agricultural Code.

Food and Agricultural Code

§ 19348.5 Care of horses transported to slaughter.

Every person who transports a live horse or horses to a slaughterhouse subject to licensing under this chapter shall provide such horse or horses with adequate food and water. A violation of this section shall constitute cruelty to an animal within the meaning of Section 597a of the Penal Code.

§ 24001-24002. Medications and therapeutic agents at public horse shows, competitions, and sales.

For the purposes of this chapter:

(a) "Event" means any public horse show, competition (including cutting horse competitions, endurance riding competitions, competitive trail competitions, gymkhanas, and any other competition as determined by the secretary by regulation), or sale, in which money, goods, or services are exchanged for the right to compete for a single set of placings leading to points or awards at the show or competition, or to permit a horse to be consigned for sale. "Event" does not include any of the following:

- (1) Those competitions subject to the jurisdiction of the California Horse Racing Board.
- (2) Sales consisting solely of racing stock.
- (3) A rodeo-related competition including both rough stock and timed performance competitions when held apart from a horse show.
- (4) Roping club events when held apart from a horse show.
- (5) Cattle team pennings when held apart from a horse show.
- (6) Barrel racing when held apart from a horse show.
- (7) Parade horse competitions.
- (8) Public horse shows and public horse competitions that do not last longer than one day and whose total cumulative fees to enter into any one or all classes do not exceed four dollars and ninety-nine cents (\$4.99), unless otherwise prescribed by the secretary by regulation. "Grounds fees," "stall fees," or any other fee composed of money, goods, or services, which is assessed to permit competitors or consignors to enter into an event are considered a part of this total cumulative fee.

(e) "Prohibited substance" is any stimulant, depressant, tranquilizer, anesthetic, including any local anesthetic, sedative analgesic, corticosteroid, anabolic steroid, or agent that would sore a horse, which could affect the performance, soundness, or disposition of a horse, or any drug regardless of how harmless or innocuous it might otherwise be that could interfere with the detection of any prohibited substance. It also includes any metabolite or derivative of any prohibited substance.

(f) "NSAIDs" are nonsteroidal anti-inflammatory drugs.

(g) "Therapeutic administration" means the administration of a drug or medicine that is necessary for the treatment of an illness or injury diagnosed by a licensed veterinarian. The administration of a prescription drug or medicine shall only be as given or prescribed by the licensed veterinarian. The administration of a nonprescription drug or medicine shall be in accordance with the directions on the manufacturer's label.

(h) "Exempt medications" are oral or topical medications containing prohibited substances determined by the secretary to be exempt from this chapter when administered therapeutically.

(i) "Public" horse shows, competitions, or sales are those events that permit a person to enter or consign a horse for sale in exchange for money, goods, or services. Any club or group that permits people to join, enter into competition, or consign a horse for sale in exchange for money, goods, or services, is "public" for the purposes of this chapter.

(j) "Stimulant or depressant" means any medication that stimulates or depresses the circulatory, respiratory, or central or peripheral nervous system.

(k) To "sore" means to apply an irritating or blistering agent internally or externally for the purpose of affecting the performance, soundness, or disposition of a horse.

(l) "Trainer" means any person who has the responsibility for the care, training, custody, or performance of a horse, including, but not limited to, any person who signs any entry blank of any public horse show, competition, or sale, whether that person is an owner, rider, agent, coach, adult, or minor.

The secretary has jurisdiction of all events under this chapter and shall administer and enforce this chapter.

Health and Safety Code

§ 25988. Standards for horses for hire.

A peace officer, officer of a humane society as qualified under Section 14502 or 14503 of the Corporations Code, or officer of an animal control or animal regulation department of a public agency, as qualified under Section 830.9 of the Penal Code, may issue a citation as prescribed in Section 25988.5, to any person or entity keeping horses or other equine animals for hire, if the person or entity fails to meet any of the following standards of humane treatment regarding the keeping of horses or other equine animals:

(a) Any enclosure where an equine is primarily kept shall be of sufficient size to enable the equine to comfortably stand up, turn around, and lie down, and shall be kept free of excessive urine and waste matter.

(b) Paddocks and corrals shall be of adequate size for the equine to move about freely.

(c) Buildings, premises, and conveyances used in conjunction with equines shall be kept free of sharp objects, protrusions, or other materials that are likely to cause injury.

(d) Equines shall be supplied with nutritionally adequate feed and clean water, in accordance with standards published by the Cooperative Extension of the Division of Agricultural Sciences of the University of California.

(e) Tack and equipment shall be appropriate and fit properly.

(f) After use the equine shall be cooled out to a normal condition at rest.

(g) When not being ridden, a saddled equine shall have available adequate shelter from the elements, and have loosened saddle straps and girths.

(h) An equine shall not be available for hire or use if the equine has any conditions that violate subdivision (b) of Section 597 or Section 597f of the Penal Code or any of the following conditions:

(1) Sores or abrasions caused or likely to be irritated by the surfaces of saddles, girths, harnesses, or bridles.

(2) Blindness in both eyes.

(3) Improperly or inadequately trimmed and shod feet contrary to the standards published by the Cooperative Extension of the Division of Agricultural Sciences of the University of California.

(i) Each equine shall be individually identified, using humane methods, such as a detailed description, including, but not limited to, name, breed, color, markings, size, age, sex, and photograph.

(j) Farrier and veterinary receipts shall be kept and shall identify each equine treated.

(k) Veterinary, farrier, and feed records shall be made available during normal business hours to the law enforcement officer. Upon failure to provide these records, the equine or equines in question may not be used for hire until such time as the records are produced or an equine veterinarian shall certify that the equine or equines are fit for labor.

§ 25988.5 Penalties for violations in the standards of hired horses.

(a) Citations issued pursuant to Section 25988 shall require the person cited to pay a civil penalty in the amount of one hundred dollars (\$100) for each violation, and one hundred dollars (\$100) for each day the violation continues.

(b) Any person who violates Section 25988 may be prosecuted by the district attorney of the county in which the violation occurred or the city attorney of the city in which the violation occurred.

Vehicle Code

§ 21050. Traffic laws for riding or driving equines on highway.

Every person riding or driving an animal upon a highway has all of the rights and is subject to all of the duties applicable to the driver of a vehicle by this division and Division 10 (commencing with Section 20000), except those provisions which by their very nature can have no application.

§ 21759. Caution in passing horses and livestock.

The driver of any vehicle approaching any horse drawn vehicle, any ridden animal, or any livestock shall exercise proper control of his vehicle and shall reduce speed or stop as may appear necessary or as may be signaled or otherwise requested by any person driving, riding or in charge of the animal or livestock in order to avoid frightening and to safeguard the animal or livestock and to insure the safety of any person driving or riding the animal or in charge of the livestock.

§ 21805. Equestrian crossings and right-of-way.

(a) The Department of Transportation, and local authorities with respect to highways under their jurisdiction, may designate any intersection of a highway as a bridle path or equestrian crossing by erecting appropriate signs. The signs shall be erected on the highway at or near the approach to the intersection, and shall be of a type approved by the Department of Transportation. The signs shall indicate the crossing and any crossmarks, safety devices, or signals the authorities deem necessary to safeguard vehicular and equestrian traffic at the intersection.

(b) The driver of any vehicle shall yield the right-of-way to any horseback rider who is crossing the highway at any designated equestrian crossing which is marked by signs as prescribed in subdivision (a).

(c) Subdivision (b) does not relieve any horseback rider from the duty of using due care for his or her own safety. No horseback rider shall leave a curb or other place of safety and proceed suddenly into the path of a vehicle which is close enough to constitute an immediate hazard.

APPENDIX 2

**EQUINE-RELATED
FEDERAL REGULATIONS**

Appendix 2.

Equine Related Federal Regulations

Commercial Transportation of Equines to Slaughter Act; 7 U.S.C.; Final Rule (Dec. 7, 2001). Enforced by the U.S. Department of Agriculture.

Provides standards of care and documentation for horses travelling to slaughter.
9 CFR Parts 70 and 88: U.S. Department of Agriculture, Animal and Plant Inspection Service. Full publication at: http://www.aphis.usda.gov/animal_health/animal_dis_spec/horses/downloads/cfr9_01-9.txt

Horse Protection Act; 15 U.S.C; Public Law 91-540. Enacted 1979, amended 1976. Enforced by the U.S. Department of Agriculture.

Prohibits horses subjected to a practice called “soring” from participating in shows, sales, exhibitions, or auctions. Defines and enforces the scar rule. Also prohibits drivers from transporting sore horses to and from these events. Full publication at: http://www.aphis.usda.gov/animal_welfare/hp/hp_act_regs.shtml.

Consolidated Appropriations Act; 2008; Title VII: General Provisions; (Sec. 741).

Prohibits funds under this Act from being used for USDA federally mandated inspections of horse slaughter operations. Thus, commercial slaughter of horses for human consumption is illegal in the U.S. Full publication at: <http://thomas.loc.gov/cgi-bin/bdquery/z?d110:HR02764:@@D&summ2=m&>.

APPENDIX 3

HENNEKE BODY CONDITION SCORING CHART

DATE: _____

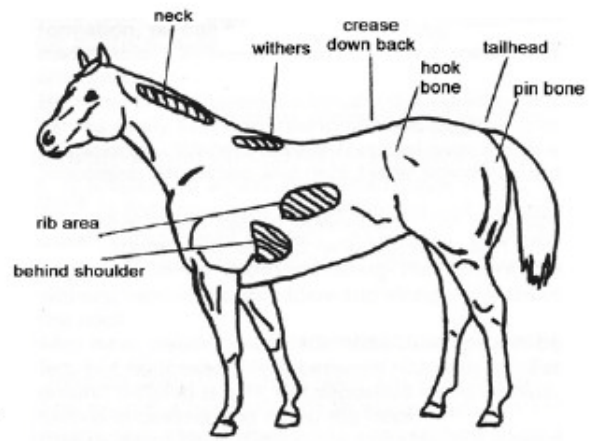
OWNER'S NAME: _____

HORSE'S NAME: _____

IDENTIFYING MARKS: _____

HOOF CONDITION: _____

COMMENTS: _____



OVERALL BODY CONDITION SCORE:

Condition	Neck	Withers	Shoulder	Ribs	Back	Tailhead Area
1 Poor (extremely emaciated)	Bone structure easily noticeable	Bone structure easily noticeable	Bone structure easily noticeable	Ribs projecting prominently	Spinous processes projecting prominently	Tailhead, pinbones, and hook bones projecting prominently
2 Very Thin (emaciated)	Bone structure faintly discernible	Bone structure faintly discernible	Bone structure faintly discernible	Ribs prominent	Slight fat covering over base of spinous processes. Transverse processes of lumbar vertebrae feel rounded. Spinous processes are prominent	Tailhead prominent Pin bones prominent Hook bones prominent
3 Thin	Neck accentuated	Withers accentuated	Shoulder accentuated	Slight fat cover over ribs. Ribs easily discernible	Fat buildup halfway on spinous processes, but easily discernible. Traverse processes cannot be felt	Tailhead prominent but individual vertebrae cannot be visually identified. Hook bones appear rounded, but are still easily discernible. Pin bones not distinguishable
4 Moderately Thin	Neck not obviously thin	Withers not obviously thin	Shoulder not obviously thin	Faint outline of ribs discernible	Negative crease (peaked appearance) along back	Prominence depends on conformation. Fat can be felt. Hook bones not discernible
5 Moderate	Neck blends smoothly into body	Withers rounded over spinous processes	Shoulder blends smoothly into body	Ribs cannot be visually distinguished, but can be easily felt	Back is level	Fat around tailhead beginning to feel spongy
6 Moderately Fleishy	Fat beginning to be deposited	Fat beginning to be deposited	Fat beginning to be deposited behind shoulder	Fat over ribs feels spongy	May have a slight positive crease (a groove) down back	Fat around tailhead feels soft
7 Fleishy	Fat deposited along neck	Fat deposited along withers	Fat deposited behind shoulder	Individual ribs can be felt, but noticeable fat filling between ribs	May have a positive crease down the back	Fat around tailhead is soft
8 Fat	Noticeable thickening of neck	Area along withers filled with fat	Area behind shoulder filled with fat	Difficult to feel ribs	Positive crease down the back	Fat around tailhead very soft
9 Extremely Fat	Bulging fat	Bulging fat	Bulging fat	Patchy fat appearing over ribs	Obvious crease down the back; Flank filled with fat	Bulging fat around tailhead



**Henneke Body Condition
Score 1 — Poor**



**Henneke Body Condition
Score 3 — Thin**



**Henneke Body Condition
Score 5 — Moderate**



APPENDIX 4

MINIMUM STANDARDS EVALUATION CHECKLIST

MINIMUM STANDARDS EVALUATION CHECKLIST

Question	Yes	No	Comments
Does the water appear to be sufficiently available according to the guidelines on page 13?			
Is water being provided at or above the minimum acceptable quantity shown in the table on page 13?			
Does the water appear to be of sufficient minimum quality and cleanliness according to the guidelines on page 13?			
Does the horse have a minimum body score of 3 out of 9 on the Henneke Scale as described on page 18? Using the worksheet on page 56 to evaluate each horse, list the actual body score in the Comments column.			
Is the horse being fed at a sufficient minimum daily frequency according to the guidelines on page 17?			
Is the horse receiving a minimum quantity of food on a daily basis (based on its estimated body weight)? Guidelines on page 21.			
Does the feed source meet the minimum quality standard and is it free of contaminants such as dust, mold toxins and weeds?			
Is minimum shelter provided for the given circumstances as described on pages 25 and 26? If not, describe under Comments.			
If the horse lives in a stall, do the stall dimensions meet the minimum standards described in the table on page 25?			
Is the environment sufficiently clean and free of excess fecal and urine accumulation? If not, describe in the Comments column.			
Does ventilation meet a minimum standard as described on page 25? If not, provide in the Comments column an estimation of ammonia concentration based on the table on page 26.			

Question	Yes	No	Comments
Is the environment free of hazards as described on page 27? If not, describe under Comments.			
If the horse is confined to a stall or small area, is it being provided minimum exercise time as described on page 28?			
Does the horse have a medical condition or injuries that require veterinary attention as described on page 29? If yes, describe under Comments.			
Does the horse receive regular minimum hoof trimming and care as described on page 30?			
Does the horse receive minimum veterinary care as described on page 30? If not, describe in the Comments column.			
In cases of transportation, is the horse being transported according to the legal guidelines set forth on page 35? If not, describe under Comments.			
Have any California laws been violated as listed in Appendix 1 on pages 44-51? If yes, describe under Comments.			
Have any Federal laws been violated as listed in Appendix 2 on page 53? If yes, describe under Comments.			
Have any local ordinances been violated? If yes, describe under Comments.			
Has each horse on the property been evaluated according to the worksheet on page 56? If yes, describe under Comments.			
ADDITIONAL QUESTIONS/COMMENTS:			

