

## **901:12 Livestock Care Standards**

**Last Modified 7 February 2011**

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**901:12-1 Euthanasia (Effective 20 Jan 11)**

**901:12-2 Civil Penalties (Effective 20 Jan 11)**

**901:12-3 General Considerations for the Care and Welfare of Livestock (Rule Form)**

901:12-3-01      Definitions.

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

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

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

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

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

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

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

(2) Broilers are chickens raised for meat; and

(3) Turkeys are raised for meat.

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

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

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

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

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

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

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

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

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

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

901:12-3-02      **Feed and Water.**

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

901:12-3-03      **Management.**

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

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

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

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

(1) On poultry;

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

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

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

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

(6) On non-ambulatory disabled livestock.

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

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

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

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

901:12-3-04      **Euthanasia.**

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

901:12-3-05      **Health.**

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

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

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

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

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

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

901:12-3-06      **Transportation.**

(A) The transport driver is solely responsible for welfare of livestock during transit and must have an emergency action plan.

(B) The responsible party makes the final decision in determining the fitness for livestock loading, transport and the load density. The density of a load shall be determined by the need to minimize injury and must allow fallen animals to rise.

(C) Handling of livestock during loading, unloading and transport must be done humanely.

(D) Ramps, chutes and other means of conveyance used for transporting livestock must be constructed to provide adequate footing to minimize slips and falls.

(E) Livestock, excluding poultry, alpacas, llamas, and equines, must be able to stand in their natural position without touching the top of the transport conveyance.

(F) During transit, livestock must be suitably protected from adverse weather conditions.

(G) Transporters are required to stop every 28 hours, unload, and provide livestock with food, water and rest for at least five consecutive hours, unless the transportation vehicle allows the livestock to lie down and rest and have access to feed and water.

901:12-3-07      **Exemptions.**

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

901:12-3-08      **Penalties.**

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

**901:12-4 Disabled and Distressed Livestock (*Rule Form*)**

901:12-4-01      **Feed and Water.**

Ambulatory disabled, non-ambulatory disabled or distressed livestock must have appropriate access to water, and if maintained longer than 24 hours, access to feed.

901:12-4-02      **Management.**

(A) The responsible party for ambulatory disabled, non-ambulatory disabled, or distressed livestock, as required by the condition of the animal must provide appropriate protection from other livestock, predators and adverse weather conditions.

(B) Handling and moving of ambulatory disabled, non-ambulatory disabled or distressed livestock must be done in a humane manner.

901:12-4-03      **Health.**

(A) Ambulatory disabled livestock must be:

(1) Monitored for needed treatment;

(2) Transported for treatment or sale;

(3) Transported directly to an inspected slaughter plant or a state custom exempt slaughter plant;

(4) Slaughtered on the farm pursuant to 901:2 of the Administrative Code, using an acceptable method of euthanasia pursuant to 901:12-1 of the Administrative Code;  
or,

(5) Euthanized using an acceptable method of euthanasia pursuant to 901:12-1 of the Administrative Code.

(B) Non-ambulatory disabled livestock must be:

(1) Cared for and provided feed, water and shelter;

(2) Provided necessary treatment;

(3) Transported for treatment;

(4) Slaughtered on the farm pursuant to 901:2 of the Administrative Code, using an acceptable method of euthanasia pursuant to 901:12-1 of the Administrative Code;

(5) Except for cattle, transported to an inspected slaughter plant or a state custom exempt slaughter plant; or,

(6) Euthanized using an acceptable method of euthanasia pursuant to 901:12-1 of the Administrative Code, if the animal is in distress and the condition is irreversible.

(C) If ambulatory disabled, non-ambulatory disabled or distressed livestock are at a non-terminal market or a collection facility, and there is no option for immediate sale, then one or more of the following actions must be taken:

(1) Fatigued swine may be allowed to rest up to two hours to recover and may receive cooling or other treatments that do not leave any drug residues. Swine that do not recover within two hours are considered non-ambulatory disabled livestock, and are to be treated as under paragraph (C)(4) of this rule.

(2) Calves that are unable to rise from a recumbent position and walk because they are tired or cold may be held for treatment. A calf that is unable to rise or has been provided an intervention treatment and is still not able to rise is considered non-ambulatory disabled livestock and must be treated as paragraph (C) (4) of this rule.

(3) Cattle that become non-ambulatory disabled during transport must be treated as under paragraph (C) (4) of this rule.

(4) Ambulatory disabled, non-ambulatory disabled or distressed livestock that are not covered by paragraphs (C) (1) to (C) (3) of this rule must either be:

(a) Released by authorization from the department; or,

(b) Euthanized using an acceptable method pursuant to Chapter 901:12-1 of the Administrative Code.

(D) The responsible party, excluding third party transporters, must maintain records of treatments, medications and withdrawal times for ambulatory disabled, non-ambulatory disabled and distressed livestock.

(E) Livestock observed to be emaciated following documented intervention strategies of additional care, additional feed resources, or treatment without observable improvement in body condition must be:

(1) Marketed through appropriate channels;

(2) Transported directly to an inspected slaughter plant or a state custom exempt slaughter plant;

(3) Slaughtered on the farm pursuant to 901:2 of the Administrative Code, using an acceptable method of euthanasia pursuant to 901:12-1 of the Administrative Code; or,

(4) Euthanized using an acceptable method pursuant to Chapter 901:12-1 of the Administrative Code.

Non-ambulatory disabled livestock must not be loaded for transport to a non-terminal market or a collection facility.

## **901:12-5 Bovine-Veal**

### **901:12-5-01 Definitions**

“Veal” is a young bovine animal sold for slaughter at or under 750 pounds, and raised for the purpose of veal meat production including:

1. Special fed veal is fed a milk-based liquid diet throughout the feeding period;
2. Grain fed veal is raised on a feed program beginning with a milk-based liquid diet and may include hay, pasture or other processed feeds; and,
3. Bob veal is fed a milk-based liquid diet and generally marketed at less than three weeks old and weighing less than 150 pounds.

### **901:12-5-02 Feed and Water**

- A. Veal calves must receive feed and water of sufficient quantity and quality on a daily basis so as to help ensure growth and maintenance of normal body condition.
- B. Drinking water and water for feed mixtures must be drinkable, fresh and free from harmful contamination.
- C. If not provided ad libitum access, special fed and bob veal calves must be fed two or more times per day following a regular routine.
- D. The responsible party must provide assistance for any veal calf unable to feed or drink on its own accord.
- E. The responsible party on all farms that house special fed and bob veal calves must have access to hot water for the purpose of sanitation and mixing milk-based liquid diet or milk replacer.
- F. The responsible party must provide clean feed storage areas and have adequate storage space for different classes of feed.
- G. All liquid mixing equipment must be inspected daily and properly cleaned and maintained.

### 901:12-5-03 Management

A. Housing must provide a clean, safe and comfortable environment that promotes health and welfare of veal calves.

B. Lighting must be adequate to observe all calves during inspection; and if natural light is not available, artificial light must be provided for eight hours in every 24 hour period of sufficient intensity that calves can observe each other.

C. Individual pens for veal calves may be used under the following conditions:

1. Must allow **for quality air** circulation, permit opportunity for socialization between veal calves, with consideration given to ensuring the calf's health is maintained, allow the calves to stand without impediment, provide for normal resting postures, groom, eat, lie down and rest;
2. Veal calves will be permitted to be tethered or non-tethered in stalls of a minimum 24 inches wide and 66 inches long until December 31, 2017;
3. After December 31, 2017, tethering may only be used in accordance with (E) of this rule, and an individual pen must permit a calf's movement as described in paragraph (C) (1) of this rule and in addition the calf must be able to turn around; and,
4. After December 31, 2017, veal calves must be moved to group pens by 10 weeks of age.

D. Group pens for veal calves may be used under the following conditions:

1. Must allow **for quality air** circulation, permit opportunity for socialization between veal calves, with consideration given to ensuring the calf's health is maintained, allow the calves to stand without impediment, provide for normal resting postures, groom, eat, turn around, lie down and rest;
2. A minimum of two veal calves in an area of a minimum of 14 square feet per veal calf;
3. Calves of substantially different sizes must be separated from one another; and,
4. Veal calves must be monitored on a daily basis for naval and cross sucking and be provided with intervention, such as movement to individual pens.

E. Tethering of veal calves may be used under the following conditions:

1. To prevent naval and cross sucking and restraint for examinations, treatments and transit;
2. Tethers must be long enough to allow the veal calf to stand, groom, eat, lie down comfortably and rest in a natural posture;

3. The tether's length and collar size must be checked every other week and adjusted as necessary; and,

4. Tethering as used in this chapter refers only to veal as defined in 901:12-5-01 of the Administrative Code.

## **901:12-6 Bovine-Dairy**

### **901:12-6-01 Feed and Water**

All newborn calves must be fed colostrum, or a colostrum replacement within the first 24 hours of life.

### **901:12-6-02 Management**

A. The following livestock management procedures are acceptable and, if performed, must be performed in a humane manner:

1. For horn removal, disbudding prior to eruption is permissible *without pain management*; for dehorning after eruption, pain management must be used;

2. *The responsible party in determining* the method of castration and use of pain management *must* take into consideration the animal's age and weight, environmental conditions, and facilities available as well as human and animal safety;

3. *Until December 31, 2017*, tail docking can be performed *using* elastrating castration bands in a manner that will result in the least amount of pain, and under the advice and consent of a licensed veterinarian pursuant to 4741-1-13 of the Administrative Code and meets the following requirements:

a. Can be performed no sooner than the first confirmation of pregnancy; or,

b. Is introduced into a milking herd; and,

*c. Must have a fly control program; and,*

d. Any other method of tail docking must be performed by a licensed veterinarian.

*4. Effective January 1, 2018, tail docking can only be performed:*

*a. By a licensed veterinarian; and,*

*b. If the procedure is determined to be medically necessary.*

B. Housing:

1. General Housing:

- a. Must provide a clean, safe and comfortable environment that promotes health and welfare of livestock;
- b. Enclosures including fencing must be designed and maintained so as to minimize bruising and injury and provide safety for humans and other animals;
- c. *If milking, the milking facility and housing must be designed and maintained in compliance with:*
  - i. PMO 2009 Item 2r. Milking Barn, Stable or Parlor Construction; and,
  - ii. 901:11-2-10 of the Administrative Code; and,
- d. Light intensity must be adequate for observation during inspection.

2. Confinement Housing:

a. Maternity/Calf Housing:

- i. Maternity areas must be clean, dry, well ventilated and the light intensity adequate for observation;
- ii. In maternity areas, there must be sufficient space to enable cows to separate themselves from other animals during labor; and,
- iii. Calves must be housed in a clean, dry area with space to stand, lie down, turn around and be protected from adverse weather.

b. Cow/Heifer Housing:

- i. *Housing must be designed and maintained in a manner which:*
  - 1). *Seeks to minimize the effects of adverse weather; and,*
  - 2). *Provides sufficient ventilation to reduce concentrations of ammonia and dust;*
- ii. Have a maximum stocking density that allows for *dairy cattle of all ages* to easily lie down in normal resting posture and be able to easily stand back up at all stages of production, and in addition all animals must be able to access feed and water without excessive competition;

iii. If *free stalls, tie stalls or stanchions* are used, they must be designed and maintained so that the length and width provides appropriate space to accommodate the size of the animal's body so that the animal is not forced to lie with her rear quarter contacting the alleyway *or gutter*;

iv. If *free stalls, tie stalls or stanchions* are used, they must be cleaned regularly and bedding replenished regularly;

v. If bedded pack is used, it must be bedded regularly;

vi. Feeding, watering areas and alleys must be cleaned on a regular basis so as to be free of continual standing water and excess manure that may compromise the animal's health and safety;

vii. Alleys must be designed and maintained so as to minimize the potential for injury and bruising;

viii. If tie stalls or stanchions are used, the animals must be provided with the opportunity for exercise, weather permitting; and,

ix. If tie stalls or stanchions are used, the animals must have room to stand, lie down, eat, drink, *defecate and/or urinate* comfortably.

### 3. Non-Confinement Housing:

a. Must seek to minimize prolonged exposure to adverse environmental conditions that compromise the animal's health and safety;

b. During prolonged periods of wetness, mud must not cause cattle difficulty in accessing feed and water; and,

*c. Trees and other natural or artificial objects or structures are acceptable where required to provide shade, windbreaks and protection from adverse weather and predators.*

### 4. Breeding Bull Housing:

a. Must allow bulls to easily stand up, lie down, and adopt normal resting posture;

b. Must have a resting area that provides comfort, dryness and protection from adverse weather;

c. Feeding, watering areas and alleys must be cleaned on a regular basis and be free of continual standing water and excess manure that may compromise the animal's health and safety;

d. Alleys must be designed and maintained so as to minimize the potential for injury and bruising; and,

e. Enclosures including fencing must be designed and maintained so as to provide safety for humans and other animals.

### 901:12-6-03 Health

The responsible party's **dairy** herd health must be in compliance with 901:11-2-09 of the Administrative Code.

### 901:12-6-04 Transportation

Calves with navels *that have not dried after birth* must not be loaded for transport to a terminal market, non-terminal market or a collection facility.

### 901:12-7 Bovine-Beef (For Discussion)

#### 901:12-7-01 Feed and Water

All newborn calves must be offered colostrum, or a colostrum replacement within the first 24 hours of life.

#### 901:12-7-02 Management

A. The following livestock management procedures are acceptable and, if performed, must be performed in a humane manner:

1. For horn removal, disbudding prior to eruption is *permissible without pain management*; for dehorning after eruption, pain management must be used; and,
2. *The responsible party in determining* the method of castration and use of pain management *must* take into consideration the animal's age and weight, environmental conditions, and facilities available as well as human and animal safety.

B. Housing:

##### 1. General Housing:

- a. Must provide a clean, safe **and comfortable** environment that promotes health and welfare of livestock;
- b. Must provide access to facilities or natural features that provide protection from adverse weather conditions *and predators*;

c. Enclosures including fencing must be designed and maintained so as to minimize bruising and injury and provide safety for humans and other animals;

d. If tie stalls are used, the animals must be provided with the opportunity for exercise, weather permitting; and,

e. Light intensity must be adequate for observation during inspection.

## 2. Confinement Systems:

a. Have a maximum stocking density that allows for all cattle to easily lie down in a normal resting posture and be able to easily stand back up at all stages of production, and in addition all animals must be able to access feed and water without excessive competition;

*b. Housing must be designed and maintained in a manner which:*

*i. Seeks to minimize the effects of adverse weather; and,*

*ii. Provides sufficient ventilation to reduce concentrations of ammonia and dust;*

*c. Feeding, watering areas and alleys must be cleaned on a regular basis so as to be free of continual standing water and excess manure that may compromise the animal's health and safety;*

*d. Alleys must be designed and maintained so as to minimize the potential for injury and bruising;*

e. If open lots are used, they must be maintained to promote proper drainage away from resting areas and feed and water.

## 3. Non-Confinement Systems:

a. Must seek to minimize prolonged exposure to adverse environmental conditions that compromise the animal's health and safety;

b. During prolonged periods of wetness, mud must not cause cattle difficulty in accessing feed and water;

*c. Trees and other natural or artificial objects or structures are acceptable where required to provide shade, windbreaks and protection from adverse weather and predators.*

## 901:12-8 Porcine-Swine (*Rule Form*)

### 901:12-8-01      **Definitions.**

The administrative rules in Chapter 901:12-8 of the Administrative Code apply exclusively to swine as defined in Chapter 904.01 of the Revised Code.

As used in Chapter 901:12-8,

- (A) “Existing Facility” means all buildings or structures that currently house swine utilizing any housing system as of the effective date of the standards.
- (B) “Pen” means any configuration that allows a mature animal to freely turn around.
- (C) “Breeding/Gestation Stall” means any configuration in which a mature animal is continuously housed, that does not allow it to turn around and freely enter or exit.

### 901:12-8-02      **Management.**

- (A) Tusk trimming is an acceptable procedure and, if performed, must be performed in a humane manner taking care to cut the tusks level with the gums without damaging the gums.
- (B) All swine housing systems must:
  - (1) Have a maximum stocking density that allows all pigs to easily lie down fully on their side at the same time without having to lie on each other and be able to easily stand back up at all stages of production, and in addition all animals can access feed and water without competition that prevents the animal from maintaining normal body condition;
  - (2) Be regularly inspected and maintained by a responsible party to verify that all mechanical devices and the water and feed delivery system are in good working condition;
  - (3) Permit visual inspection of animals:
    - (a) Light intensity must be adequate for observation during inspection; and,
    - (b) If natural light is not available, artificial light must be provided for at the least the normal period of daylight hours;
  - (4) Allow sows and boars in stalls or pens to do each of the following:

(a) Lie down fully on its side in full lateral recumbency without the head having to rest on a raised feeder and have the rear quarters coming in contact with the back of the stall or pen at the same time; and,

(b) Stand without the back touching the top of the stall or pen.

(C) Outdoor housing for all stages of production must provide:

(1) A regular, ample supply of bedding in cold weather;

(2) Shade, windbreaks, trees and other natural or artificial objects to provide shade, windbreaks and protection from adverse weather; and,

(3) A method to facilitate thermo regulation, such as a natural wallow.

(D) Farrowing Sow and Piglet Housing must:

(1) Be clean, dry and sanitary;

(2) Provide effective protection and appropriate thermal environment for the piglets and comfort for the sow; and

(3) Farrowing stalls designed to maximize neo-natal piglet welfare can be used on all new and existing farms.

(E) All sows farrowing out-of-doors must be provided with:

(1) Shade for farrowing in hot weather; and,

(2) Shelter from prevailing winds and a regular, ample supply of bedding to prevent frost bite for farrowing in cold weather.

(F) Post weaning housing systems must meet the following conditions:

(1) In mechanically ventilated facilities, weaned piglets must be housed in clean, dry, well-heated, draft-free facilities

(2) Indoor housing systems that have no mechanical heating or ventilation systems must:

(a) Adequately protect pigs from direct sunlight and adverse weather conditions;

(b) Provide supplemental heat or a regular, ample supply of bedding in cold weather; and,

(c) Have water and feed supply systems that function properly and be readily accessible under all weather conditions.

(G) Breeding, gestating sows and gilt housing systems must meet the following conditions:

- (1) Mixing must be done in a manner which minimizes aggression and the risk of injury;
  - (2) Pens for breeding should have non-slip floors and must be large enough for comfortable movement during breeding activities;
  - (3) Pens may be used for breeding and gestation;
  - (4) Gestation stalls can be used in all existing facilities until December 31, 2025; after which breeding/gestation stalls can only be used post weaning for a period of time that seeks to maximize embryonic welfare and allows for the confirmation of pregnancy;
  - (5) After the effective date of this rule, any new construction designed to house breeding/gestating sows, including construction on an existing facility, must not utilize gestation stalls, except that sows may be housed in breeding/gestation stalls for a period of time that seeks to maximize embryonic welfare and allows for the confirmation of pregnancy;
  - (6) After December 31, 2025, individual stall housing will be allowed for special circumstances that jeopardizes the swine's welfare. Special circumstances include but are not limited to injured, frail, thin or aggressive swine;
  - (7) Until December 31, 2025, any existing facility may be replaced in the case of a catastrophic event, including but not limited to fire, flood, wind or building collapse that requires new construction to replace the existing facility; and,
  - (8) Nothing in this rule shall be construed so as to prohibit the repair and/or maintenance of existing gestation stalls.
- (H) In Boar Housing systems, the unnecessary mixing or the introduction of new animals into established groups must be avoided to minimize aggression and the risk of injury.

901:12-8-03      **Transportation.**

If transportation of a sow with her suckling litter is necessary, the sow must be segregated from all other animals during transport and the litter must be protected appropriately.

## 901:12-9 Poultry-Layers (*Rule Form*)

### 901:12-9-01      **Definitions.**

The administrative rules in Chapter 901:12-9 of the Administrative Code apply exclusively to poultry layers as defined in Chapter 904.01 of the Revised Code and Chapter 901:12-3-01 of the Administrative Code.

(A) “Cage Housing Systems” means one of the following layer housing systems:

(1) “Conventional battery cage system” is a housing system in an enclosed or open-sided building where the layer is maintained in a cage, and which does not meet the definition of an enriched cage system below; and,

(2) “Enriched cage system” is a housing system that provides features in addition to feed and water, such as areas for nesting, scratching, perching and/or dust bathing.

(B) “Cage-free Housing System” is a housing system where the layers are not exclusively housed in a cage. This includes, but is not limited to free-range pasture, aviaries, fixed houses, portable houses, pasture pens, and integrated systems.

(C) “Existing Farm” for purposes of this chapter, means all land that is owned or leased by or otherwise is under the control of the owner or operator of the lot, building or structure that house pullets/layers/breeders utilizing any housing system as of the effective date of this rule, and on which manure originating from agricultural animals in the lot, building or structure or a production area is or may be applied.

Two or more existing farms under common ownership shall be considered to be a single existing farm for the purposes of this chapter if they adjoin each other or if they use a common area or system for the disposal of manure.

(D) “Conditioning” is the trimming of the beak or the partial/complete removal of the comb, snood, toenail, and dewclaw for the purpose of prevention of injury during the growth or maturity of poultry.

### 901:12-9-02      **Feed and Water.**

(A) Water may be withheld based on specific direction, written or verbal, of a licensed veterinarian and only for the period of time specified by the veterinarian; or,

(B) Water may be restricted or withheld temporarily by the responsible party in circumstances such as:

(1) Preparation for administration of vaccines or medication in the water;

(2) Preparation for transportation; or,

(3) Specific management practices, according to the farm's operating procedures.

901:12-9-03      **Management.**

(A) The responsible party must catch, lift and move poultry humanely.

(B) Except for paragraph (C) of rule 901:12-3-05 of the Administrative Code, birds can be caught or carried by one or both legs, and are not to be caught, carried or lifted by the head, neck or tail.

(C) The following livestock management procedures are acceptable to minimize injury to the birds and, if performed, must be performed in a humane manner:

(1) Beak conditioning;

(2) Toenail conditioning;

(3) Dubbing; and,

(4) Induced Molting;

If induced molting is used, the following conditions must also be met:

(a) Must use only non-feed withdrawal methods;

(b) Layers must be fed a maintenance ration for non-producing layers;

(c) The light period must be reduced to no fewer than six hours in closed houses, or to natural day length in open houses, for the duration of the rest period. When the flock is placed back on a layer diet, lights should be returned to the normal layer program; and,

(d) During molt, flock health, mortality and bird weight must be monitored.

(D) Environmental management must be designed to control parasite infestation in the birds, rodents, and non-beneficial insects as it applies to the flock's housing system.

(E) All poultry housing systems must meet the following requirements:

(1) Housing must provide a clean and safe environment that promotes health and welfare;

(2) Bedding, if provided, must be of a quality and absorbance to provide proper insulation and cleanliness for the animals;

(3) Environmental moisture must be managed, whether birds are housed indoors or out of doors, to promote flock health and welfare;

(4) Maximum stocking densities must allow all poultry;

(a) To rest at the same time without being forced to rest on top of each other at all stages of production; and,

(b) To have access to feed and water without excessive competition that prevents the individual animals from maintaining normal body condition

(5) Housing must be designed and maintained in a manner which:

(a) Seeks to minimize the effects of adverse weather conditions;

(b) Seeks to minimize conditions in which the bird cannot effectively thermo-regulate;

(c) Provides sufficient ventilation to reduce concentrations of carbon monoxide, ammonia and dust; and,

(d) Provides backup systems in working condition, in houses/barns that require mechanized ventilation.

(6) Light intensity must be adequate for observation during inspection; and

(7) If natural light is not available, artificial light must be provided for rearing and production.

(F) Conventional battery cage systems must meet the following requirements:

(1) Systems installed after the effective date of this rule must be such that manure from birds in upper cage levels does not drop directly on birds in lower level cages;

(2) The slope of the cage floor must not exceed eight degrees;

(3) Systems installed on existing farms after the effective date of this rule must provide for a minimum of 67 square inches per layer;

(4) For systems installed prior to the effective date of this rule, house/barn averaging must result in a minimum average of 67 square inches per layer five years after the effective date of this rule;

(5) An existing layer/pullet farm, after the effective date of this rule, is not precluded from an expansion using current cage housing systems; and,

(6) Conventional battery cages systems may not be installed, after the effective date of the rule, on any farm not defined as an existing farm.

(G) Enriched cage systems must, at a minimum, comply with paragraphs (F)(1) to (F)(5) of this rule.

(H) Cage-free housing systems must meet the following requirements:

- (1) Cage-free housing systems installed after the effective date of this rule must provide a minimum of 144 square inches per layer;
- (2) If perches are provided, they must be positioned to minimize fecal fouling of layers, feeders and drinkers below;
- (3) If multi-tiered perches are used, each tier must allow hens to safely access other vertical tiers, including the floor;
- (4) If nests are provided, they must be cleaned as necessary to ensure that manure does not accumulate
- (5) For cage-free systems installed prior to the implementation date of these standards, the responsible party must meet paragraphs (H)(1) to (H)(4) of this rule five years after the effective date of this rule; and,
- (6) Cage-free layers with access to the outdoors must be provided protection from adverse weather conditions and predators.

901:12-9-04      **Transportation.**

The density in poultry conveyances must allow the birds to rest at the same time without being forced to rest on top of each other.

**901:12-10 Poultry-Broilers/Broiler Breeders (Rule Form)**

901:12-10-01      **Definitions.**

The administrative rules in Chapter 901:12-10 of the Administrative Code apply exclusively to poultry broilers and breeders as defined in Chapter 904.01 of the Revised Code and Chapter 901:12-3-01 of the Administrative Code.

“Conditioning” is the trimming of the beak or the partial/complete removal of the comb, toe nail and dewclaw for the purpose of prevention of injury during the growth or maturity of poultry.

901:12-10-02      **Feed and water.**

(A) Water may be withheld based on specific direction, written or verbal, of a licensed veterinarian and only for the period of time specified by the veterinarian; or,

(B) Water may be restricted or withheld temporarily by the responsible party in circumstances such as:

(1) Preparation for administration of vaccines or medication in the water;

(2) Preparation for transportation; or,

(3) Specific management practices, according to the farm's operating procedures.

901:12-10-03      **Management.**

(A) The responsible party must catch, lift and move poultry humanely.

(B) Except for paragraph 901:12-3-05(C), birds can be caught or carried by one or both legs, and are not to be caught, carried or lifted by the head, neck or tail.

(C) The following livestock management procedures are acceptable to minimize injury to the birds and, if performed, must be performed in a humane manner:

(1) Beak conditioning;

(2) Male back toe conditioning;

(3) Dubbing;

(4) Caponizing; and,

(5) Induced molting, which must also meet all of the following conditions:

(a) Must use only non-feed withdrawal methods;

(b) Broiler breeders must be fed a maintenance ration for non-producing breeders;

(c) The light period must be reduced to no fewer than six hours in closed houses, or to natural day length in open houses, for the duration of the rest period. When the flock is placed back on a production diet, lights should be returned to the normal program; and,

(d) During molt, flock health, mortality and bird weight must be monitored.

(D) Environmental management must be designed to control parasite infestation in the birds, rodents, and non-beneficial insects as it applies to the flock's housing system.

(E) Housing for broilers and broiler breeders must meet all of the following conditions:

(1) Must provide a clean and safe environment that promotes health and welfare;

- (2) Bedding, if provided, must be of a quality and absorbance to provide proper insulation and cleanliness for the animals;
- (3) Environmental moisture must be managed, whether birds are housed indoors or outdoors, to promote flock health and welfare;
- (4) Maximum stocking densities must allow all broilers to rest at the same time without being forced to rest on top of each other at all stages of production and, in addition, all broilers must be able to access feed and water without excessive competition that prevents individuals in the flock from maintaining normal body condition;
- (5) Housing must be designed in a manner which:
  - (a) Seeks to minimize the effects of adverse weather conditions;
  - (b) Seeks to minimize conditions in which the bird cannot effectively thermo-regulate;
  - (c) Provides sufficient ventilation to reduce concentrations of carbon monoxide, ammonia and dust; and,
  - (d) Provides backup systems in working condition, in houses/barns that require mechanized ventilation;
- (6) Light intensity must be adequate for observation during inspection;
- (7) If natural light is not available, artificial light must be provided for rearing and production; and,
- (8) Free-range/pastured broilers must be provided protection from adverse weather conditions and predators.

(F) Broiler Breeders housing must meet the following conditions:

- (1) If slats are used, the slats must be designed and maintained so as to minimize bruising and injury;
- (2) Where slats are used, if birds get under the slats they must be removed immediately;
- (3) Introduction of new broiler breeder males must be done in a manner which seeks to minimize aggression and the risk of injury; and,
- (4) If nest space is provided, they must be cleaned as necessary to ensure that manure does not accumulate.

The density in poultry conveyances must allow the birds to rest at the same time without being forced to rest on top of each other.

### **901:12-11 Poultry-Turkey/Turkey Breeders (Rule Form)**

#### 901:12-11-01      **Definitions.**

The administrative rules in Chapter 901:12-11 of the Administrative Code apply exclusively to turkey and turkey breeders as defined in Chapter 904.01 of the Revised Code and Chapter 901:12-3-01 of the Administrative Code.

“Conditioning” is the trimming of the beak or the partial/complete removal of the snood, toenail, and dewclaw for the purpose of prevention of injury during the growth or maturity of poultry.

#### 901:12-11-02      **Feed and water.**

(A) Water may be withheld based on specific direction, written or verbal, of a licensed veterinarian and only for the period of time specified by the veterinarian; or

(B) Water may be restricted or withheld temporarily by the responsible party in circumstances such as:

(1) Preparation for administration of vaccines or medication in the water;

(2) Preparation for transportation; or,

(3) Specific management procedures, according to the farm’s operating procedures.

#### 901:12-11-03      **Management.**

(A) The responsible party must catch, lift and move poultry humanely.

(B) Except for paragraph 901:12-3-05(C), birds can be caught or carried by one or both legs, and are not to be carried or lifted by the head, neck or tail.

(C) The following livestock management procedures are acceptable to minimize injury to the birds and, if performed, must be performed in a humane manner:

(1) Beak conditioning;

(2) Toenail conditioning;

(3) Dewclaw conditioning;

(4) Snood conditioning; and,

(5) Induced molting, which must also meet all of the following conditions:

(a) Must use only non-feed withdrawal methods;

(b) Turkey breeders must be fed a maintenance ration for non-producing breeders;

(c) The light period must be reduced to no fewer than six hours in closed houses, or to natural day length in open houses, for the duration of the rest period. When the flock is placed back on a production diet, lights should be returned to the normal program; and,

(d) During molt, flock health, mortality and bird weight must be monitored;

(D) Environmental management must be designed to control parasite infestation in the birds, rodents, and non-beneficial insects as it applies to the flock's housing system.

(E) Housing for turkey and turkey breeders must meet all of the following conditions:

(1) Must provide a clean and safe environment that promotes health and welfare;

(2) Bedding, if provided, must be of a quality and absorbance to provide proper insulation and cleanliness for the animals;

(3) Environmental moisture must be managed, whether birds are housed indoors or outdoors, to promote flock health and welfare; and,

(4) Maximum stocking densities must allow all turkeys to rest at the same time without being forced to rest on each other at all stages of production, and in addition all turkeys must be able to access feed and water without excessive competition that prevents individuals in the flock from maintaining normal body condition; and,

(5) Housing must be designed in a manner which;

(a) Seeks to minimize the effects of adverse weather conditions;

(b) Seeks to minimize conditions in which the bird cannot effectively thermo-regulate;

(c) Provides sufficient ventilation to reduce concentrations of carbon monoxide, ammonia and dust; and,

(d) Provides backup systems in working condition, in houses/barns that require mechanized ventilation;

(6) Light intensity must be adequate for observation during inspection;

(7) If natural light is not available, artificial light must be provided for rearing and production; and,

(8) Free-range/pastured turkeys must be provided protection from adverse weather conditions and predators.

(F) Turkey breeder housing must meet the following conditions:

(1) Introduction of new turkeys must be done in a manner which seeks to minimize aggression and the risk of injury;

(2) If nest space is provided, they must be cleaned as necessary to ensure that manure does not accumulate.

901:12-11-04      **Transportation.**

The density in poultry conveyances must allow the birds to rest at the same time without being forced to rest on top of each other.

## **901:12-12 Ovine-Sheep**

### **901:12-12-01 Feed and Water**

All newborn lambs must be offered colostrum, or a colostrum replacement within the first 24 hours of life.

### **901:12-12-02 Management**

A. The following livestock management procedures are acceptable and, if performed, must be performed in a humane manner:

*The responsible party in determining the method of castration, tail docking and use of pain management must take into consideration the animal's age and weight, environmental conditions, and facilities available as well as human and animal safety.*

B. The following livestock management procedures are required and must be performed in a humane manner:

1. Breeds of sheep that do not naturally shed their hair/wool must be shorn regularly; and,

2. The responsible party must seek to minimize the risk of fly strike by utilizing such methods to include, but not limited to, shearing and crutching.

C. Housing:

### 1. General Housing:

- a. Must provide a clean, safe and comfortable environment that promotes health and welfare of livestock;
- b. Must provide access to facilities or natural features that provide protection from adverse weather conditions and predators;
- c. Enclosures including fencing must be designed and maintained so as to minimize bruising and injury and provide safety for humans and other animals;
- d. If milking, the milking facility and housing must be designed and maintained in compliance with:
  - i. 901:11-2-10 of the Administrative Code;
- e. During lambing there must be sufficient space to enable ewes to separate themselves from other animals during labor; and,
- f. Light intensity must be adequate for observation during inspection.

### 2. Confinement Systems:

- a. Have a maximum stocking density that allows for all sheep to easily lie down in a normal resting posture and be able to easily stand back up at all stages of production, and in addition all animals must be able to access feed and water without excessive competition;
- b. Housing must be designed and maintained in a manner which:
  - i. Seeks to minimize the effects of adverse weather; and,
  - ii. Provides sufficient ventilation to reduce concentrations of ammonia and dust;
- c. Feeding, watering areas and alleys must be cleaned on a regular basis so as to be free of continual standing water and excess manure that may compromise the animal's health and safety;
- d. Alleys must be designed and maintained so as to minimize the potential for injury and bruising; and,
- e. If open lots are used, they must be maintained to promote proper drainage away from resting areas and feed and water.

### 3. Non-Confinement Systems:

- a. Must seek to minimize prolonged exposure to adverse environmental conditions that compromise the animal's health and safety;
- b. During prolonged periods of wetness, mud must not cause sheep difficulty in accessing feed and water; and,
- c. Trees and other natural or artificial objects or structures are acceptable where required to provide shade, windbreaks and protection from adverse weather.

### **901:12-13-03 Health**

The responsible party's dairy herd health must be in compliance with 901:11-2-09 of the Administrative Code.

### **901:12-13 Caprine-Goat**

#### **901:12-13-01 Feed and Water**

All newborn kids must be offered colostrum, or a colostrum replacement within the first 24 hours of life.

#### **901:12-13-02 Management**

A. The following livestock management procedures are acceptable and, if performed, must be performed in a humane manner:

1. For horn removal, disbudding prior to eruption is permissible without pain management; for dehorning after eruption, pain management must be used; and,
2. *The responsible party in determining* the method of castration and use of pain management *must* take into consideration the animal's age and weight, environmental conditions, and facilities available as well as human and animal safety.

B. Housing:

##### 1. General Housing:

- a. Must provide a clean, safe and comfortable environment that promotes health and welfare of livestock;
- b. Must provide access to facilities or natural features that provide protection from adverse weather conditions and predators;
- c. Enclosures including fencing must be designed and maintained so as to minimize bruising and injury and provide safety for humans and other animals;

d. If milking, the milking facility and housing must be designed and maintained in compliance with:

i. PMO 2009 Item 2r. Milking Barn, Stable or Parlor Construction; and,

ii. 901:11-2-10 of the Administrative Code.

e. During kidding there must be sufficient space to enable does to separate themselves from other animals during labor; and,

f. Light intensity must be adequate for observation during inspection.

## 2. Confinement Systems:

a. Have a maximum stocking density that allows for all goats to easily lie down in a normal resting posture and be able to easily stand back up at all stages of production, and in addition all animals must be able to access feed and water without excessive competition;

b. Housing must be designed and maintained in a manner which:

i. Seeks to minimize the effects of adverse weather; and,

ii. Provides sufficient ventilation to reduce concentrations of ammonia and dust;

c. Feeding, watering areas and alleys must be cleaned on a regular basis so as to be free of continual standing water and excess manure that may compromise the animal's health and safety;

d. Alleys must be designed and maintained so as to minimize the potential for injury and bruising; and,

e. If open lots are used, they must be maintained to promote proper drainage away from resting areas and feed and water.

## 3. Non-Confinement Systems:

a. Must seek to minimize prolonged exposure to adverse environmental conditions that compromise the animal's health and safety;

b. During prolonged periods of wetness, mud must not cause goats difficulty in accessing feed and water; and,

c. Trees and other natural or artificial objects or structures are acceptable where required to provide shade, windbreaks and protection from adverse weather.

C. Tack and/or harness, if used, it must fit properly and be well maintained so as to minimize the potential for injuries.

### **901:12-13-03 Health**

The responsible party's dairy herd health must be in compliance with 901:11-2-09 of the Administrative Code.

### **901:12-14 Llamas and Alpacas - Camelids**

#### **901:12-14-01 Definitions**

A. "Conditioning" is the partial/complete removal of the fighting teeth for the purpose of prevention of injury.

B. "Fighting Teeth" means both 3<sup>rd</sup> upper premolars and all four incisors (canines).

C. "Camelids" as used in this chapter includes alpacas and llamas.

#### **901:12-14-02 Feed and Water**

All newborn crias must be offered colostrum, or a colostrum replacement within the first 24 hours of life.

#### **901:12-14-03 Management**

A. The following livestock management procedure is acceptable and, if performed, must be performed in a humane manner:

*The responsible party in determining the method of castration and use of pain management must take into consideration the animal's age and weight.*

B. The following livestock management procedures are required and must be performed in a humane manner:

1. Dental conditioning;

Co-mingled adult males must have their fighting teeth conditioned.

2. Toe nail care to maintain a functional condition; and,

3. During hot weather, the responsible party shall seek to minimize heat stress for camelids using methods including, but not limited to: shearing, mechanical ventilation, or other cooling methods.

### C. Housing Systems:

#### 1. General Housing:

- a. Must provide a clean, safe and comfortable environment that promotes health and welfare;
- b. Camelids must be provided with the opportunity for socialization with a herding animal, which may include but not limited to: camelids, sheep, goats, horses, cattle or other herding livestock;
- c. Have a maximum stocking density that allows for all camelids to easily lie down in a normal resting posture and be able to easily stand back up at all stages of production, and in addition all animals must be able to access feed and water without excessive competition;
- d. Must provide access to facilities or natural features that provide protection from adverse weather conditions and predators;
- e. Enclosures including fencing must be designed and maintained so as to minimize bruising and injury and provide safety for humans and other animals; and,
- f. Light intensity must be adequate for observation during inspection;

#### 2. Indoor Housing:

- a. If box stalls or pens are used, they must be cleaned regularly;
- b. Must be provided with a clean, dry area for lying down; and,
- c. If an animal is confined in a box stall or pen, the responsible party must provide access for regular exercise unless medically prohibited.

#### 3. Outdoor Housing:

- a. Must seek to minimize prolonged exposure to adverse environmental conditions that compromise the animal's health and safety; and,
- b. Trees and other natural or artificial objects or structures are acceptable where required to provide shade, windbreaks and protection from adverse weather.

D. Tack and/or harness must fit properly and be well maintained so as to minimize the potential for injuries.

#### **901:12-14-04 Transportation**

Camelids must be able to stand so that their backs do not touch the top of the transport conveyance, and the density of the load must allow all animals to lie down at the same time.

#### **901:12-15 Equine – Horses, Ponies, Mules and Donkeys**

##### **901:12-15-01 Definition**

“Equine” as used in this chapter includes horses, ponies, mules and donkeys.

##### **901:12-15-02 Feed and Water**

All newborn foals must be offered colostrum, or a colostrum replacement within the first 24 hours of life.

##### **901:12-15-03 Management**

A. The following livestock management procedures are acceptable and, if performed, must be performed in a humane manner:

1. The responsible party must ensure that castration is performed with chemical restraint and with effective analgesia; and,
2. Tail docking in horses must only be performed when it is a medical necessity or when it is vital to ensuring the horse’s safety in a work environment and must be performed by a licensed veterinarian to ensure adequate pain management, sterile technique and appropriate aftercare.

B. For the purpose of paragraph (D) of 901:12-3-05 of the Administrative Code, the following livestock management procedures are required and must be performed in a humane manner:

1. Regular dental care to maintain a functional condition; and,
2. Regular hoof care to maintain a functional condition.

C. Housing Systems:

1. General Housing:

- a. Must provide a clean, safe and comfortable environment that promotes health and welfare of livestock;
- b. Have a maximum stocking density that allows for all equines to easily lie down in a normal resting posture and be able to easily stand back up at all stages of production, and in addition all animals must be able to access feed and water without excessive competition;
- c. Must provide access to facilities or natural features that provide protection from adverse weather conditions and predators;
- d. Enclosures including fencing must be designed and maintained so as to minimize bruising and injury and provide safety for humans and other animals;
- e. Environmental management must be designed to control parasite infestation and minimize insect infestations; and,
- f. Light intensity must be adequate for observation during inspection.

## 2. Indoor Housing:

- a. If stalls are used, they must be cleaned regularly and bedding replenished regularly;
- b. Must provide clean bedding that is of a quality and absorbance to provide proper insulation and cleanliness for the animal; and,
- c. If confined in a stall, the responsible party must provide access for exercise, unless medically prohibited.

## 3. Outdoor Systems:

- a. Must seek to minimize prolonged exposure to adverse environmental conditions that compromise the animal's health and safety;
- b. Trees and other natural or artificial objects are acceptable or structures are acceptable where required to provide shade, windbreaks and protection from adverse weather; and,
- c. If open lots are used, they must be maintained to promote proper drainage away from resting areas and feed and water.

4. Tack and/or harness must fit properly and be well maintained so as to minimize the potential for injuries.

5. At non-terminal markets and collection facilities in which equine are held for slaughter, the responsible party must provide a dry area so that all equines can lie down at the same time and be protected from adverse weather. In addition, they

must be provided access to water, and access to feed if maintained more than eight hours.

**901:12-15-04 Transportation**

- A. Suckling foals must be transported with their dams and separate from other animals unless the health and safety of the foal is compromised;
- B. Stallion and jacks must be separated from other equines during transport;
- C. Equines must not be transported in two-tiered or double-deck semi-trailers which are designed to transport cattle, sheep or swine;
- D. Non-ambulatory disabled equine must not be loaded for transport except for treatment; and,
- E. Equines must be able to stand upright in their normal position without their heads, exclusive of the ears, touching the top of the transport conveyance.

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