APA-1

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 80 Department of Agriculture and Industries

Rule No.: 80-3-6-.41

Rule Title: Minimum Standards for Equine Care

x New; ____ Amend; ____ Repeal; ____ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?	No
Is there a reasonable relationship between the State's police power and the protection of the public health, safety or welfare?	Yes
Is there another less restrictive method of regulation available that could adequately protect the public?	No
Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?	No
Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?	No
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?	Yes

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Does the proposed rule have any economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official
I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer John McMillan

Date: 9-20-2012

(DATE FILED)
(STAMP)

APA-2

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES
ANIMAL INDUSTRY

NOTICE OF INTENDED ACTION

Agency Name: Alabama Department of Agriculture and Industries

Rule No. & Title: 80-3-6-.41 Minimum Standards for Equine Care.

Intended Action: To create new rule.

Substance of Proposed Action: This proposed rule would implement minimum standards for equine care.

Time, Place, Manner of Presenting Views: Presenting views must be in writing to the contact person below or in person on Tuesday, November 13, 2012 at 10:00 a.m., in the Auditorium of the Richard Beard Building, 1445 Federal Drive, Montgomery, Alabama.

Final Date for Comment and Completion of Notice: November 13, 2012.

Contact Person at Agency: Patrick B. Moody, Legal Counsel and, Department of Agriculture and Industries, 1445 Federal Drive, Montgomery, Alabama 36107-1123, Telephone No. (334)240-7117.

9-20-2012
Date

John McMillan
Commissioner of Agriculture
and Industries

80-3-6-.41 Minimum Standards for Equine Care

(1) Minimum standards for water:

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

(b) Water consumption will increase depending on environmental temperature and humidity, diet, exercise level and/or lactation status in the case of mares. See attached table for minimum daily water requirements.

(c) 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.

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

(2) Minimum standards for feed:

(a) 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 attached table) 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 or an equine professional with an advanced degree in nutrition 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.

(b) Several common feeding programs are used in Alabama 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 to maintain body weight. Horses should be fed a diet that is consumed at 1.5-3% of their body weight per day to maintain their body condition or weight. Horses should consume at least 1% of their body weight in long stemmed

forage (e.g. hay, pasture) on a dry matter basis to aid proper digestion function. Common types of hay fed in Alabama include alfalfa, bahia, bermuda, timothy, orchard grass and cereal grain hay (e.g., oat hay). Hay provided to horses should be free of dust, mold, toxins and weeds.
EXAMPLE: For a 1,000 lb horse, the diet should include at least 10 lbs of hay per day, or the equivalent amount of pasture, on a dry matter basis.

(c) 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. There are some situations (heavy milking mare, heavy workload performance horse) where the concentrate may exceed 1% of body weight in order to maintain adequate body condition. Under these conditions, horses should still receive at least 1% of their body weight in forage daily.

(d) Salt and trace minerals may be deficient in some diets. Therefore, trace mineral salt should be added to deficient diets or accessible free choice in the form of a block or loose salt.

(e) 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.

(f) Visual appraisal of animal body condition in Alabama will follow the Henneke Body Condition Scoring System as described below:

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; (F) behind the shoulders.

A score between 5 and 7 is considered ideal for healthy horses. Horses scoring in the 1 and 2 categories should be evaluated further for 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.

(3) Minimum Standards for Shelter:

(a) Shelter in the form of a structure, shade, and/or windbreak must be available for horses, especially in cases of extreme weather conditions (below freezing temperatures, excessively high temperatures, high winds, excessive rainfall), regardless of the horses' age, breed or body condition. Any horse that shows physical deterioration, loss of body condition or weight, or failure to adapt to the weather conditions must be provided with shelter adequate to stabilize their body condition without severe loss of weight, injury or illness. Shelter must provide a horse ample room for 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. See table below for recommended space standards for confined horses.

(b) The minimum ceiling height of a structured shelter must be 1 foot above the horse's head when held at its highest level.

(c) All enclosures and shelters must be free of hazards such as fire or electrical hazards, 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.

(d) Excessive feces, urine, mud or other waste products must not accumulate within the housing enclosures or to the extent that these cause unhealthy conditions. 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. 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.

(e) Ventilation in enclosed areas must be sufficient to control excessively high ambient temperature and prevent the accumulation of toxic gases, such as ammonia. 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. Air quality is important to healthy lung and eye function. Horses housed in poorly ventilated stalls easily can 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. It is recommended that horse facilities have 8 to 10 complete air changes per hour. Ground level ventilation is particularly important in stalls to reduce ammonia concentrations. See table below for ammonia concentration effects.

(f) Horses confined to minimal enclosed areas must have access to adequate exercise area in order to reduce boredom and/or stress. Horses should receive at least 30 minutes of free time (turnout) or at least 15 minutes of controlled exercise per day (e.g. hand-walking, lunging, riding, driving, hot walker, treadmill, Eurociser) unless directed otherwise by a veterinarian. 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 protection from the elements (heat, sun, wind and rain). Halters used with tethering should not be so tight as to induce suffocation or choking.

(4) Minimum standards for Health Care:

(a) 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 as to insure the medical conditions or injuries are alleviated and not worsened.

(b) All horses must receive proper hoof care to maintain hooves in a functional condition.

(c) Euthanasia must be performed by a veterinarian, horse owner, equine professional, or trained law enforcement officer if the horse is too severely injured to move or if it is suffering without probability to be rehabilitated. The three acceptable forms of euthanasia are chemical euthanasia with pentobarbital or a pentobarbital combination (euthanasia solution), gunshot, and penetrating captive bolt.

(5) Minimum standards for Transporting Horses:

(a) Horses that are non-ambulatory (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 foaling must not be transported except 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. During unloading, no recumbent, down or weak horse 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.

(b) Horses shall not be transported in two-tiered or double-deck semi-trailers, which are commonly used to haul cattle, sheep or swine. 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. 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.

(c) Transport vehicles for horses shall be safe and maintained in working condition, including proper ventilation, floors, doors and latches. 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.

(d) Horses shall not be transported continuously longer than 24 hours as this may cause 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 shall 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.

(e) 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.

(f) 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.

Author: Patrick B. Moody
Statutory Authority: Code of Ala. 1975, §2-4-1, 2-15-5
History: