

1. The NJDA adopts and incorporates by reference the acceptable methods of euthanasia as set forth in the American Veterinary Medical Association (AVMA) 2000 Report of the AVMA Panel on Euthanasia (JAVMA, Vol. 218, No. 5, March 1, 2001) as amended and supplemented.

2. A copy of the 2000 Report of the AVMA Panel on Euthanasia is on file in the Director's Office, Division of Animal Health, NJDA, Health and Agriculture Building, John Fitch Plaza, Trenton, New Jersey 08625. Copies may be procured by contacting the AVMA at 1931 North Meacham Road—Suite 100, Schaumburg, IL 60173. Phone: 847-925-8070; Fax: 847-925-1329; Website: <http://www.avma.org/>; Email: [avmainfo@avma.org](mailto:avmainfo@avma.org).

3. Non-ambulatory disabled cattle and other animals unable to move, as defined in 9 C.F.R. § 301.2:

- i. Shall be separated from normal ambulatory cattle, at all times including during transport, so that the normal ambulatory cattle do not injure the disabled cattle;
- ii. Shall not be dragged while conscious, except when necessary to provide life-saving treatment, although cattle in a state equivalent with one of surgical anesthesia may be dragged;
- iii. Disabled cattle must be moved as safely as possible, in order to minimize injury to the animal and handler;
- iv. Shall be provided with appropriate medical care if they can reasonably be expected to survive and the owner chooses to attempt treatment;
- v. Shall be handled humanely at all times even if they are to be slaughtered or euthanized, so as not to cause unnecessary pain and injury, and disposed of property; and
- vi. Shall not be transported to a livestock market.

4. Euthanasia shall be performed only by knowledgeable individuals who are skilled in the method used.

(b) Dead cattle must be promptly removed from contact with live cattle within 24 hours and disposed of in a manner consistent with all applicable Federal, State and local regulations governing disposal.

(c) Proper medical care for the diagnosis or management of injury or disease must be provided to sick, injured, or non-ambulatory disabled cattle.

(d) Nothing in these rules shall prohibit owners from providing medical care and treatment to their own animals provided it is performed in a sanitary manner, in such a way to minimize pain, and in compliance with all local, State and Federal laws.

(e) Plugging of teats, injecting material into udders or teats for non-medical purposes, or otherwise artificially modifying the appearance or conformation of the udder is prohibited.

(f) Nothing in these rules shall prohibit de-horning or disbudding, removing extra teats, tail docking, tattooing, branding and castrating or other routine husbandry practices provided that they are performed in a sanitary manner by a knowledgeable individual and in such a way as to minimize pain.

Amended by R.2005 d.207, effective July 5, 2005.  
See: 36 N.J.R. 2586(a), 37 N.J.R. 2465(b).  
In (a)3, added vi.

**2:8-2.7 Exceptions**

(a) Exceptions to the standards set forth in this subchapter may be made for cattle provided the practices meet one or more of the following conditions:

- 1. Cattle are under the direct care of a veterinarian who can provide a medically supportable written explanation for the conditions;
- 2. Cattle may be confined in a vehicle or vessel for up to 28 consecutive hours without unloading for feeding and watering, in accordance with 49 U.S.C. § 80502.
  - i. For purposes of determining this period of confinement, time spent in loading and unloading is not included; and/or
- 3. Nothing herein shall prohibit the confinement of cattle in holding cages or pens where feed may be withheld for up to 24 hours in accordance with 9 C.F.R. § 313.2.
  - i. For purposes of determining this period of confinement, time spent in a vehicle or vessel shall not be included.

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**SUBCHAPTER 3. STANDARDS FOR HORSES**

**2:8-3.1 General provisions**

(a) This subchapter establishes standards for the humane raising, treatment, care, marketing, and sale of horses, pursuant to the authority accorded by N.J.S.A. 2:44-16.1.

- 1. All determinations as to whether the standards for horses have been met shall take into account the age, breed, type, physiologic condition, size, production level/stage of development of the animal, the daily maintenance requirements necessary for that particular animal, and environmental conditions.

**2:8-3.2 Feeding**

(a) Each horse shall be assessed individually for purposes of determining compliance with the standards for feeding set forth in this section. Compliance with these standards shall not be determined by averaging the treatment or condition in a herd or group of horses.

1. Each horse must have daily access to sufficient and nutritious feed to allow for growth and maintenance of an adequate body condition, as determined pursuant to the criteria in (a)2 and 3 below.
2. Body condition can be measured using one of the following methods:
  - i. By direct measurement using a weight scale, when available, or by indirect measurement using a weight tape, when available; or
  - ii. The NJDA adopts and incorporates by reference the BCS method (hereinafter referred to as BCS-horse) described in the Carroll C.L., and Huntington P.J., Body Condition Scoring and Weight Estimation of Horses, Equine Veterinary Journal (1988) 20(1), (41-45) as amended and supplemented.
3. A copy of the document is on file in the Director's Office, Division of Animal Health, NJDA, Health and Agriculture Building, John Fitch Plaza, Trenton, New Jersey 08625. Copies of this document may be procured by contacting the Equine Veterinary Journal Ltd., 351 Exning Road, New Market, Suffolk, CB8 0AU, UK. Phone: +44 (0) 1638 666 160; Fax: +44 (0) 1638 668 665; Bookshop Direct Line Phone: +44 (0) 1638 663 853.
4. Each horse must have a BCS of at least a level 2.0 using the BCS-horse provided, however, a score lower than a 2.0 may be permitted for a reasonable period of time if stage or level of production, physiologic conditions, or other factors result in such an appearance, during which time the horse's management is being altered to improve the condition.
  - i. For purposes of (a)2ii above, a "reasonable period of time" refers to the amount of time it would be expected to take to restore an animal to an acceptable body condition, using diligent efforts to do so.
  - ii. A score of 1.0 is permitted at market.
5. If pasture alone does not provide sufficient nutrients to adequately maintain the BCS-horse, supplemental feeds must be provided in sufficient amounts to maintain the minimum acceptable BCS.
6. Horses unable to maintain a BCS-horse which meets the minimum score set forth in (a)2 and 3 above due to group feeding practices, must be fed in such a manner that allows the horse to maintain an acceptable BCS.

**2:8-3.3 Watering**

(a) Each horse shall be assessed individually for purposes of determining compliance with the standards for watering set forth in this section. Compliance with these standards shall not be determined by averaging the condition or treatment in a herd or group of horses.

1. Each horse shall have daily access to water in sufficient quantity and quality to satisfy the animal's physiologic needs as evidenced by the horse's hydration status.

**2:8-3.4 Keeping**

(a) The horses' environment must provide relief from the elements, such as excessive wind, excessive temperature and excessive precipitation, that result in hyperthermia or hypothermia detrimental to the horses' health.

(b) Relief under (a) above can be accomplished with natural features of the environment including, but not limited to, trees, land, windbreaks, overhangs, or other natural weather barriers or constructed shelters.

(c) Where constructed shelters are provided, they shall:

1. Be of sufficient size to provide adequate space for each horse seeking shelter within to stand, lie down, get up, rest, and move its head freely;
2. Be structurally sound;
3. Have a safe interior surface, reasonably free of injurious matter;
4. Have natural or mechanical ventilation to provide air quality and maintain an environment suitable for the horses;
5. Provide an environment that supports horse health;
6. Be maintained at a level of repair such that they continue to fulfill the requirements of (c)1 through 5 above.

(d) If enclosed yards are used to contain horses, the following conditions shall be met:

1. Sharp objects or debris that pose an actual threat to the animals' health shall be minimized to reduce the risk of injury to the animals.
2. If stationary objects that pose a risk of injury cannot be removed, reasonable efforts must be made to minimize contact of the horses with these objects by fencing off or covering the object, or through similar means.

(e) Constructed floor surfaces on which horses are kept must provide footing that minimizes injury to the horses.

(f) Where cement floors are used, bedding or matting must be provided and kept reasonably clean.

(g) Dirt floors or rubber mats are acceptable without bedding if adequate drainage is provided.

(h) Bedding or matting, if used, shall provide an environment that supports horse health.

(i) Horses not in transit may be tied using halters or neck bands in their stalls or to stationary objects for up to 12 hours if feed and water are not available and for longer periods of time if feed and water are offered at reasonable intervals and the horses can lie down safely.

**2:8-3.5 Marketing and sale**

(a) The driver of the transport vehicle, and/or any person who is present in the vehicle for purposes of transporting the horses, shall be responsible for the welfare of the horses at all times during transport.

(b) Horses transported for any purpose must be handled (loaded and off-loaded) and transported in a manner that minimizes injury, illness and death.

1. During loading and unloading, the horses' owner or owner's agent, if present, shall be responsible for handling horses.

2. If the horses' owner or owner's agent is absent, the driver of the transport vehicle, and/or any person who is present in the vehicle for purposes of transporting the horses, shall be responsible for the welfare of the horses.

(c) Horses must be transported with minimal delay.

(d) Horses shall be provided with adequate ventilation during transport.

(e) During transport, the horses' environment must provide relief from the elements that result in hyperthermia or hypothermia detrimental to the horses' health.

(f) Horses must be transported in a manner that complies with the Commercial Transportation of Equines to Slaughter, 9 C.F.R. § 88.

(g) Horses not moved from an auction barn, transfer station or similar location shall have access to water in holding pens, and if held longer than 24 hours, access to feed in accordance with 9 C.F.R. § 313.2(e).

1. These are maximum times without feed and water and are not in addition to transportation times.

**2:8-3.6 Care and treatment**

(a) Sick or injured horses shall be promptly treated or humanely euthanized.

1. The NJDA adopts and incorporates by reference the acceptable methods of euthanasia as set forth in the American Veterinary Medical Association (AVMA) 2000 Report of the AVMA Panel on Euthanasia (JAVMA, Vol. 218, No. 5, March 1, 2001) as amended and supplemented.

2. A copy of the 2000 Report of the AVMA Panel on Euthanasia is on file in the Director's Office, Division of Animal Health, NJDA, Health and Agriculture Building, John Fitch Plaza, Trenton, New Jersey 08625. Copies may be procured by contacting the AVMA at 1931 North Meacham Road—Suite 100, Schaumburg, IL 60173. Phone: 847-925-8070; Fax: 847-925-1329; Website: <http://www.avma.org/>; Email: [avmainfo@avma.org](mailto:avmainfo@avma.org).

3. Euthanasia shall be performed only by knowledgeable individuals who are skilled in the method used.

(b) Dead horses must be promptly removed from contact with live horses within 24 hours and disposed of in a manner consistent with all applicable Federal, State and local regulations governing disposal.

(c) Proper medical care for the diagnosis or management of injury or disease must be provided to sick, injured, or non-ambulatory disabled horses.

1. Nothing in these rules shall prohibit owners from providing medical care and treatment to their own animals provided it is performed in a sanitary manner, in such a way to minimize pain, and in compliance with all local, State and Federal laws.

(d) All horses for public hire must have routine hoof care, medical care, and sufficient strength and rest to maintain their health to be used for the purpose for which they were hired.

(e) Proper hoof care should be provided.

(f) Nothing in these rules shall prohibit tattooing, branding, and castrating or other routine husbandry practices provided that they are performed in a sanitary manner by a knowledgeable individual and in such a way as to minimize pain.

**2:8-3.7 Exceptions**

Exceptions to the standards set forth in this subchapter may be made for horses provided the horses are under the direct care of a veterinarian who can provide a medically supportable written explanation for the conditions.

**SUBCHAPTER 4. STANDARDS FOR POULTRY****2:8-4.1 General provisions**

(a) This subchapter establishes standards for the humane raising, treatment, marketing, and sale of poultry pursuant to the authority accorded by N.J.S.A. 4:22-16.1.

1. All determinations as to whether the standards for poultry have been met shall take into account the age, breed, type, physiologic condition, size, production level/stage of development of the animal, the daily maintenance requirements necessary for poultry, and environmental conditions.

**2:8-4.2 Feeding**

(a) Each bird shall be assessed individually for purposes of determining compliance with the standards for feeding of poultry set forth in this section. Compliance with these standards shall not be determined by averaging the treatment or condition in a flock or group of birds.

(b) Each bird must have daily access to sufficient and nutritious feed to allow for growth and maintenance of an adequate body condition.

(c) Exceptions to feeding requirements for poultry are as follows:

1. Day-old poultry may be transported without feed, provided said poultry are delivered within 72 hours of hatching, and feed is provided immediately following unloading.

2. Birds may be transported without feed in accordance with the United States Postal Regulations, 39 C.F.R. § 111.5. (US Postal Service Domestic Mail Manual, § C022 Perishables; Subsection 3.1, Day-old poultry, Subsection 3.3 Adult fowl, Subsection 3.4 Adult Chickens.)

3. Induced molting is permitted provided that the following conditions are met:

i. Feed may not be withdrawn during the molt. Molting hens must have daily access to a maintenance diet or resting diet.

ii. Mortality and body weight loss shall be monitored daily throughout the molt, and if the average weight loss exceeds 30 percent of pre-molt weight, or if mortality exceeds 1.2 percent molting hens must be returned to a resting or a layer diet.

Amended by R.2006 d.411, effective December 4, 2006.

See: 38 N.J.R. 1491(a), 38 N.J.R. 4991(a).

In (c)3, substituted "Induced molting is permitted" for "Feed may be withdrawn from adult poultry during an induced molt,"; rewrote (c)3i; and in (c)3ii, deleted "feed must be returned immediately" preceding "if the average weight loss" and substituted "molting hens must be returned to a resting or a layer diet" for "during the feed withdrawal".

### 2:8-4.3 Watering

(a) Each bird shall be assessed individually for purposes of determining compliance with the standards for watering poultry set forth in this section. Compliance with these standards shall not be determined by averaging the treatment or condition in a flock or group of birds.

1. Each bird must have daily access to water in sufficient quantity and quality to satisfy the bird's physiologic needs.

2. During induced molting of poultry, sufficient water shall be available to satisfy the maintenance requirements of each bird.

(b) Exceptions to watering requirements are as follows:

1. Day-old poultry may be transported without water, provided said poultry are delivered within 72 hours of hatching, and water is provided immediately following unloading.

2. Birds may be transported without water in compliance with the United States Postal Regulations 39 C.F.R. § 111.5. (US Postal Service Domestic Mail Manual, § C022 Perishables; Subsection 3.1, Day-old poultry, Subsection 3.3 Adult fowl, Subsection 3.4 Adult Chickens.)

### 2:8-4.4 Keeping

(a) The birds' environment must provide relief from the elements, such as excessive wind, excessive temperature and excessive precipitation, that result in hyperthermia or hypothermia detrimental to the birds' health.

(b) Relief under (a) above can be accomplished with natural features of the environment including, but not limited to, trees, land windbreaks, overhangs, or other natural weather barriers or constructed shelters.

1. Constructed shelters shall:

i. Be of sufficient size to provide adequate space for each bird seeking shelter within to stand, lie down, get up, walk, spread its wings, move its head freely, turn around and rest;

ii. Be structurally sound;

iii. Have a safe interior surface, reasonably free of injurious matter;

iv. Maintain air quality by natural or mechanical ventilation;

v. Minimize extremes in environmental temperature; and

vi. Be maintained at a level of repair such that they continue to fulfill the requirements of (b)1i through v above.

(c) If enclosed yards are used to contain poultry, the following conditions shall be met:

1. Sharp objects that pose an actual threat to the birds shall be minimized to prevent an unreasonable risk of injury to the birds.

2. If stationary objects that pose a risk of injury cannot be removed, reasonable efforts must be made to minimize contact of the poultry with these objects by fencing off or covering the object, or through similar means.

(d) Cage housing, not including transport crates, shall be:

1. Of sufficient size to allow each bird to stand upright in the cage without having its head protrude through the top of the cage, lie down, get up, walk, spread its wings, move its head freely, turn around and rest;

2. Constructed to minimize the risk of injury or entrapment; and

3. Constructed to minimize soiling of birds by fecal material from birds in cages above them.

(e) Floor housing shall provide:

1. Each bird enough room to stand, lie down, get up, walk, spread its wings, move its head freely, turn around and rest; and

2. A sufficient number of nesting boxes for laying hens seeking access to a nesting box.

(f) Constructed floor surfaces on which poultry are kept must provide a suitable environment for poultry health.

(g) Poultry shall be provided with an environment that supports poultry health.

(h) When inducing a molt in egg-laying hens, the light period should be reduced to not less than eight hours in closed houses or to natural day length in open houses for the duration of the molt period. When the flock is placed back on a layer diet, lights should be returned to the normal layer program schedule.

Amended by R.2006 d.411, effective December 4, 2006.  
See: 38 N.J.R. 1491(a), 38 N.J.R. 4991(a).  
Added (h).

#### 2:8-4.5 Marketing and sale

(a) The driver of the transport vehicle, and/or any person who is present in the vehicle for purposes of transporting the poultry, shall be responsible for the welfare of the birds at all times during transport.

(b) Poultry transported for any purpose must be handled (loaded and off-loaded) and transported in a manner that minimizes injury, illness and death.

1. During loading and unloading, the birds' owner or owner's agent, if present, shall be responsible for handling poultry.

2. If the birds' owner or owner's agent is absent, the driver of the transport vehicle, and/or any person who is present in the vehicle for purposes of transporting the poultry, shall be responsible for the welfare of the animals.

(c) Poultry may be mailed in compliance with the United States Postal Regulations Federal rule 39 C.F.R. § 111.5. (US Postal Service Domestic Mail Manual, § C022 Perishables; Subsection 3.1, Day-old poultry, Subsection 3.3 Adult fowl, Subsection 3.4 Adult Chickens.)

(d) Birds that are transported by any method other than mailing shall be:

1. Transported with minimal delay;
2. Provided with adequate ventilation during transport; and
3. Protected from the elements in order to minimize illness or mortality.

(e) Crates, trays or carts for transport must be:

1. Designed in such a manner that loading, transport, and removal of birds may be carried out with minimal injury or mortality;
2. Designed to remain intact during normal processing;

3. Constructed to confine the birds; and

4. Ventilated properly.

(f) During transport, the birds' environment must provide relief from the elements that result in hyperthermia or hypothermia detrimental to the birds' health.

(g) Consideration shall be given to minimize exposure of poultry during transport to excessive solar radiation and excessive precipitation.

(h) Mortality in broilers or turkeys shall not exceed 1.0 percent during transport and mortality in spent hens shall not exceed 2.5 percent during transport.

(i) Birds shall not be transported for more than 24 hours without access to feed and water.

(j) Once delivered to the destination, birds must not be kept in transport crates, trays or carts for longer than 18 hours.

#### 2:8-4.6 Care and treatment

(a) Sick or injured poultry must be promptly treated or removed within 24 hours and humanely euthanized.

1. The NJDA adopts and incorporates by reference the acceptable methods of euthanasia as set forth in the American Veterinary Medical Association (AVMA) 2000 Report of the AVMA Panel on Euthanasia (JAVMA, Vol. 218, No. 5, March 1, 2001) as amended and supplemented.

2. The NJDA adopts and incorporates by reference the AVMA position on disposal of unwanted chicks and pipped eggs (1999) as amended and supplemented.

3. A copy of the documents listed in subsections (a)1 and 2 above is on file in the Director's Office, Division of Animal Health, NJDA, Health and Agriculture Building, John Fitch Plaza, Trenton, New Jersey 08625. Copies may be procured by contacting the AVMA at 1931 North Meacham Road—Suite 100, Schaumburg, IL 60173. Phone: 847-925-8070; Fax: 847-925-1329; Website: <http://www.avma.org/>; Email: [avmainfo@avma.org](mailto:avmainfo@avma.org).

4. Euthanasia shall be performed only by knowledgeable individuals who are skilled in the method used.

5. Birds must be euthanized prior to disposal.

(b) Dead poultry must be promptly removed from contact with live birds within 24 hours and disposed of in a manner consistent with all applicable Federal, State and local regulations governing disposal.

(c) Proper medical care for the diagnosis or management of injury or disease must be provided to sick or injured poultry.

1. Nothing in these rules shall prohibit owners from providing medical care and treatment to their own animals

provided it is performed in a sanitary manner, in such a way to minimize pain, and in compliance with all local, State and Federal laws.

(d) Birds shall be inspected immediately prior to beginning an induced molt. Sick birds shall be removed from the flock before molting.

(e) All life-supporting mechanical equipment, including, but not limited to, feeders, drinkers, and ventilation systems, shall be inspected at least once daily and maintained in functioning order.

#### 2:8-4.7 Handling of poultry

(a) Birds shall be caught, carried and removed in a manner that minimizes injury to the bird.

(b) All doors and openings through which birds are moved shall be large enough to provide passage of birds without injury to the bird.

(c) Catching and transport protocols shall minimize the number of times a bird is handled between capture and rehousing or slaughter.

(d) The time between capture and slaughter shall be minimized to the extent possible consistent with food safety considerations.

(e) Nothing in these rules shall prohibit beak-trimming or other routine husbandry practices provided that they are performed in a sanitary manner by a knowledgeable individual and in such a way as to minimize pain.

1. Beaks of chickens shall not be trimmed after eight weeks of age, except that therapeutic beak trimming may be done at any age if an outbreak of cannibalism occurs in a non-beak-trimmed flock.

2. Beaks of turkeys shall not be trimmed after 24 weeks of age.

(f) Toe trimming may be performed on male broiler breeder chicks and poults, but shall be limited as follows:

1. No toe trimming can be performed on chickens after one day of age.

2. No toe trimming can be performed on turkeys after seven days of age.

#### 2:8-4.8 Exceptions

(a) Exceptions to the standards set forth in this subchapter may be made for poultry provided the practices meet one or more of the following conditions:

1. The poultry are under the direct care of a veterinarian who can provide a medically supportable written explanation for the conditions; and/or

2. To the extent permitted by law, poultry may be confined in a vehicle or vessel for up to 28 consecutive hours

without unloading for feeding and watering in accordance with 49 U.S.C. § 80502.

i. For purposes of determining this period of confinement, time spent in loading and unloading is not included.

### SUBCHAPTER 5. STANDARDS FOR RABBITS

#### 2:8-5.1 General provisions

(a) This subchapter establishes standards for the humane raising, treatment, care, marketing, and sale of rabbits, pursuant to the authority accorded by N.J.S.A. 4:22-16.1.

1. All determinations as to whether these standards for rabbits have been met shall take into account age, breed, type, physiologic condition, size, production level/stage of development of the animal, the daily maintenance requirements necessary for that particular animal, and environmental conditions.

#### 2:8-5.2 Feeding

(a) Each rabbit shall be assessed individually for purposes of determining compliance with the standards for the feeding of rabbits set forth in this section. Compliance with these standards shall not be determined by averaging the treatment or condition in a herd or group of animals.

1. Each rabbit must have daily access to sufficient and nutritious feed to allow for growth and maintenance of an adequate body condition.

#### 2:8-5.3 Watering

(a) Each rabbit shall be assessed individually for purposes of determining compliance with the standards for watering rabbits set forth in this section. Compliance with these standards shall not be determined by averaging the treatment or condition in a herd or group of animals.

1. Each rabbit shall have daily access to water in sufficient quantity and quality to satisfy the animal's physiologic needs as evidenced by the rabbit's hydration status.

#### 2:8-5.4 Keeping

(a) The rabbits' environment must provide relief from the elements, such as excessive wind, excessive temperature and excessive precipitation, that result in hyperthermia or hypothermia detrimental to the rabbits' health.

(b) Relief under (a) above can be accomplished with natural features of the environment including, but not limited to, trees, land windbreaks, overhangs or other natural weather barriers, or constructed shelters.

1. Where constructed shelters are provided, they shall:

**2:8-8.7 Actions on violations or other acts of cruelty****(a) The following apply to minor violations:**

1. Where the State veterinarian, NJSPCA, county SPCAs, or other State or local government authority determines that the person who has custody of, or is responsible for, and/or is the owner of the domestic livestock has committed a minor violation of this chapter, that official or authority shall:

i. Inform the person having immediate custody of or responsibility for the domestic livestock in a written warning of the provisions violated;

(1) The initial notification may be in person, by telephone, fax, or email.

(2) If the initial notice is not in writing, the investigating authority shall, within 24 hours of the finding that the minor violation has occurred, serve on the person or mail to the person's last known address, a written notification of the findings of the inspection, of the standard of statutes violated or other acts of cruelty.

(3) Either of these notifications, if in writing, shall constitute the written warning of the offense in those cases where required by N.J.S.A. 4:22-16.1.

ii. If the inspection is conducted by the State veterinarian, the written notice will also include corrective measures which must be taken to achieve compliance with the standards contained in N.J.A.C. 2:8-2, including the amount of time allowed to take corrective measures;

iii. The NJSPCA, county SPCAs and other State and local authorities are encouraged to consult with the State veterinarian to determine appropriate corrective measures and the amount of time necessary for same; and

**iv. Advise other authorities of the action taken.**

2. If the person who has custody of, or is responsible for, and/or is the owner of the domestic livestock, after receiving notice of violation under this section, fails to cure the violation within a reasonable time, the State veterinarian, NJSPCA, county SPCAs or other State or local authority may determine that the person is in continuing violation of this chapter, and initiate enforcement of these standards as provided by N.J.S.A. 4:22-15 et seq.

3. For subsequent minor violations, no written warning need be provided.

**(b) The following apply to severe violations:**

1. Where the State veterinarian, NJSPCA, county SPCA or other State or local authority determines that the person who has custody of, or is responsible for, and/or the owner of the domestic livestock has committed a severe violation of this rule, that official or authority shall initiate enforcement or penalty proceedings pursuant to N.J.S.A. 4:22.15 et seq.

2. Where severe violations of these standards are continuing, the NJSPCA, county SPCAs or other State or local authority may:

i. Take any steps authorized by N.J.S.A. 4:22-15 et seq. to assure that the animal is cared for appropriately including, but not limited to, feeding, watering, providing medical care, euthanasia and disposal; and

ii. Bring an action in a court of competent jurisdiction to allow it to confiscate the domestic livestock from the person as allowed by N.J.S.A. 4:22-26.1.

3. Where the State veterinarian determines that a severe violation is continuing, he or she shall request the SPCA, ACO or other State or local authority to take the actions identified in (b)2i and ii above.