

CHAPTER 8
HUMANE TREATMENT OF DOMESTIC LIVESTOCK

Authority

N.J.S.A. 4:22-16.1.

Source and Effective Date

R.2004 d.205, effective June 7, 2004.
See: 35 N.J.R. 1873(a), 36 N.J.R. 2637(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 8, Humane Treatment of Domestic Livestock, was extended by gubernatorial directive from June 7, 2009 to December 7, 2010. See: 41 N.J.R. 2647(b).

Chapter Historical Note

Chapter 8, Humane Treatment of Domestic Livestock, was adopted as R.2004 d.205, effective June 7, 2004. See: Source and Effective Date.

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SUBCHAPTER 1. GENERAL PROVISIONS

2:8-1.1 Purpose

(a) These rules establish minimum humane standards for the raising, keeping, care, treatment, marketing, and sale of domestic livestock and procedures for the enforcement of those standards, pursuant to the direction of N.J.S.A. 4:22-16.1. For purposes of these rules, an animal's status or well-being shall be determined based on a holistic evaluation of the animal.

(b) It shall be presumed that the raising, keeping, care, treatment, marketing and sale of domestic livestock for purposes that include, but are not limited to, their use for food, fiber or service, in accordance with these standards, does not constitute cruelty to or inhumane care and treatment of domestic livestock in violation of N.J.S.A. 4:22-15 et seq.

(c) 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.

1. Certain treatments may be withheld for food safety considerations (for example, antibiotics, anti-inflammatory medicine, analgesics).

2:8-1.2 Definitions

(a) The following words and terms, as used in this chapter, shall have the following meanings. Words of art undefined in the following paragraphs shall have the meaning attributed to them by trade usage or general usage as reflected by definition in a standard dictionary, such as Webster's.

"Air quality" means the nature of the air with respect to its effects on the health and well-being of the animals in that environment. Acceptable air quality is achieved by adequate ventilation, waste management and husbandry practices. Acceptable air quality results in minimal irritation of the sensitive membranes of an animal's mouth, eyes, nose and respiratory tract caused by elevated levels of irritants such as ammonia in the air.

"Ambulatory disabled livestock" means livestock capable of walking but with physical impairment such as central nervous system signs, lameness or similar conditions.

"Animal feed" means any ingredient or material fed to animals to provide nutrients and may include, but is not limited to, natural or manufactured material that can include roughages, concentrates, protein supplements, by-product feeds and crop residues, special feeds, plate waste, minerals, vitamins and feed additives so long as all State and Federal laws are followed.

"Animal housing techniques" means methods used to keep livestock within a certain area or environment and include, but are not limited to, pasture, stanchion barns, stalls, cages and feed-lots.

"Animal identification" means the use of visible tags, bands, electronic devices, tattooing, branding, ear notching or other means to identify individuals of any species.

"Animal welfare" means a state or condition of physical and psychological harmony between the animal and its surroundings characterized by an absence of deprivation, aversive stimulation, over stimulation or any other imposed condition that adversely affects health and productivity of the animal.

"Biosecurity" means all measures required to prevent the spread of infections and toxins and to protect animals from pathogenic organisms that can be transferred by humans, vectors or fomites.

"Body Condition Score" (BCS) means a quantitative score of an animal's body condition taking into account fat and muscle deposition as it occurs in various places on the animal's body. Body Condition Scoring systems assign a numerical value for body conditions ranging from emaciated to obese and is based on visual observation or manual palpation of the rump, tail, head and hips of the animal. Different methods are used for different species, breeds or types of animals.

"Cattle" includes cattle, including calves, bison, buffalo and other domesticated Bovidae.

"CLI" means NJDA-certified livestock inspector.

"Condition" means state of nutritional fitness or readiness for agricultural use such as for calving, reproduction, exercise or slaughter.

"Cruel or inhumane" refers to the raising, keeping, marketing, care, treatment, or sale of domestic livestock in violation of the standards set forth at N.J.A.C. 2:8-2 through 7 or any other acts or treatment of domestic livestock as prohibited as by N.J.S.A. 4:22-17; 4:22-18; 4:22-20; 4:22-21; 4:22-22 and 4:22-26.

"Cushing" means a resting position of camelids in sternal recumbency with their legs folded under them and their necks and heads held erect.

"Daily maintenance requirements" refer to the minimum level of nutrients that must be provided on a daily basis to sustain health and maintenance of an animal.

"Environmental conditions" refer to the sum of all physical (housing, temperature, humidity, photoperiod, etc.) and social (presence of other animals) factors affecting an animal.

"Enforcement action" means any action taken to require compliance with these standards, to seek civil or criminal penalties for the cruel or inhumane treatment of domestic livestock, or to confiscate or seek the forfeiture of domestic livestock, as authorized by N.J.S.A. 4:22-15 et seq.

"Extraordinary or catastrophic conditions" means an act or event exclusively characterized by an unanticipated, grave, natural or man-made disaster which occurs without input or fault by the owner, and which is of sufficient magnitude to excuse compliance with these rules.

"Fencing material" means material used to contain an area and includes, but is not limited to, materials such as plain or treated wood, PVC and other plastics, electric wire, barbed wire, tensile wire, woven wire and metal pipe.

"Floor housing" means the keeping of uncaged animals in a building on a dirt or constructed floor that the animals and human caretakers can walk on.

"Fomite" means inanimate objects that serve to carry infections or toxins from one animal to another.

"Handling techniques" mean techniques used to move, train, restrain or otherwise manipulate livestock and may be accomplished manually or with devices that allow the sorting, driving, roping, separating, and relocating of livestock in a manner that provides safety for both handler and animal.