

engine exhaust fumes and gases in excess of that ordinarily contained in the passenger compartments.

(c) No marine mammal shall be placed in an animal cargo space that does not have a supply of air sufficient for normal breathing for each live animal contained therein, and the primary enclosures shall be positioned in the animal cargo spaces of primary conveyances in such a manner that each marine mammal contained therein shall have access to sufficient air for normal breathing.

(d) Primary enclosures shall be positioned in primary conveyances in such a manner that in an emergency the live marine mammals can be removed from the conveyances as soon as possible.

(e) The interiors of animal cargo spaces in primary conveyances shall be kept clean.

(f) Live marine mammals shall not knowingly be transported with any material, substance or device which may be injurious to the health and well-being of such marine mammals unless proper precaution is taken to prevent such injury.

#### §3.115 Food and water requirements.

(a) Those marine mammals which require drinking water shall be offered potable water within 4 hours prior to being transported in commerce or offered for transportation in commerce. Such marine mammals shall be watered as often as necessary and appropriate to the species involved to prevent excessive dehydration which would jeopardize the good health and well-being of the animals.

(b) Marine mammals shall not be transported for more than a period of 36 hours without being offered food. When an employee or attendant is required to accompany a shipment of marine mammals, as provided in §3.116 of these standards, such marine mammals shall be fed during transit when necessary to provide for their good health and well-being.

#### §3.116 Care in transit.

(a) An employee or attendant of the shipper or receiver of any marine mammal being transported, in commerce, knowledgeable in the area of marine mammal care, shall accompany

cetaceans, sirenians, pinnipeds, and sea otters during periods of transportation to provide for their good health and well-being, to observe such marine mammals and to determine whether they need veterinary care and to obtain any needed veterinary care as soon as possible.

(b) An employee or attendant of the shipper or receiver of cetaceans or sirenians being transported, in commerce, shall provide for such cetaceans and sirenians during periods of transport by (1) keeping the skin moist or preventing the drying of the skin by such methods as intermittent spraying of water or application of a nontoxic emollient, such as lanolin; (2) assuring that the pectoral flippers shall be allowed freedom of movement at all times; (3) making adjustments in the position of such marine mammals when necessary to prevent necrosis of the skin at weight pressure points; and (4) calming such marine mammals to avoid struggling, thrashing, and other unnecessary activity which may cause overheating or physical trauma. No cetacean or sirenian in need of veterinary care shall be transported in commerce, unless such transportation is for the purpose of obtaining such care.

(c) Not less than one-half of the floor area in a primary enclosure used to transport sea otters shall be leakproof and shall contain sufficient crushed ice or ice water to provide each sea otter contained therein with moisture necessary to allow each sea otter to maintain its hair coat by preventing it from drying and to minimize soiling of the hair coat with urine and fecal material. No sea otter in need of veterinary care shall be transported in commerce, unless such transportation is for the purpose of obtaining such care.

(d) Polar bears need not be accompanied by an employee or attendant of the shipper or receiver, unless the period of transportation will exceed 24 hours in duration. During surface transportation, it shall be the responsibility of the carrier to inspect polar bears unaccompanied by an employee or attendant at least every 4 hours to determine whether they need veterinary care and to provide any needed veterinary care as soon as possible. When transported by air, live polar