

**§ 88.6**

shipper arrives outside of normal business hours, the owner/shipper may leave the premises but must return to the premises of the slaughtering facility to meet the USDA representative upon his or her arrival.

(c) Any owner/shipper transporting equines to slaughtering facilities outside of the United States must present the owner-shipper certificates to USDA representatives at the border.

**§ 88.6 Violations and penalties.**

(a) The Secretary is authorized to assess civil penalties of up to \$5,000 per violation of any of the regulations in this part.

(b) Each equine transported in violation of the regulations of this part will be considered a separate violation.

(Approved by the Office of Management and Budget under control number 0579-0160.)

**PART 89—STATEMENT OF POLICY UNDER THE TWENTY-EIGHT HOUR LAW**

Sec.

- 89.1 Amount of feed.
- 89.2 Two or more feedings at same station.
- 89.3 Feeding, watering, and resting livestock in the car.
- 89.4 Watering.
- 89.5 Feeding pens.

AUTHORITY: 34 Stat. 607; 45 U.S.C. 71-74; 19 FR 74, as amended; 7 CFR 2.22, 2.80, and 371.4.

SOURCE: 28 FR 5967, June 13, 1963, unless otherwise noted.

**§ 89.1 Amount of feed.**

(a) Under normal conditions, the amount of feed designated in the following schedule will be considered as sustaining rations for livestock in transit when fed at the intervals required by the Twenty-Eight Hour Law:

Species and quantity of livestock	At first feeding station	At second and subsequent feeding stations
Cattle and beef type or range calves (for each car <sup>1</sup> ) .....	200 lbs. of hay <sup>1, 2</sup>	300 lbs. of hay. <sup>1, 2</sup>
Dairy calves (for each car deck <sup>1</sup> ) .....	100 lbs. of hay <sup>1, 2</sup>	150 lbs. of hay. <sup>1, 2</sup>
Horses and mules (for each car <sup>1</sup> ) .....	400 lbs. of hay <sup>1, 2</sup>	400 lbs. of hay. <sup>1, 2</sup>
Sheep and goats (for each car deck <sup>1</sup> ) .....	200 lbs. of hay <sup>1, 2</sup>	300 lbs. of hay. <sup>1, 2</sup>
Lambs and kids (for each car deck <sup>1</sup> ) .....	100 lbs. of hay <sup>1, 2</sup>	150 lbs. of hay. <sup>1, 2</sup>
Swine (for each carload lot, in single or double deck car, the amount of shelled corn <sup>2</sup> indicated):		
Lots of not more than 18,000 lbs .....	2 bushels .....	2 bushels.
More than 18,000 lbs. but not more than 21,000 lbs .....	2½ bushels .....	2½ bushels.
More than 21,000 lbs. but not more than 24,000 lbs .....	3 bushels .....	3 bushels.
More than 24,000 lbs. but not more than 27,000 lbs .....	3½ bushels .....	3½ bushels.
More than 27,000 lbs. but not more than 30,000 lbs .....	4 bushels .....	4 bushels.
More than 30,000 lbs.—proportionately larger amounts .....	.....	.....

<sup>1</sup>The requirements set forth the sustaining rations for a full load of livestock in a railroad car 40 feet in length. The requirements for a full load of livestock in railroad cars of different sizes should be modified proportionately, i.e., a load of livestock transported in a car 50 feet in length would require an additional 25 percent of feed or 2.5 percent for each additional foot of car over 40 feet.

<sup>2</sup>Or the equivalent in other suitable feed. Dairy calves too young to eat hay or grain, or shipped without their dams, should be given a sufficient amount of prepared calf feed, milk, raw eggs, or other suitable feed. All feed should be of good quality.

(b) When the owner of a consignment of livestock desires that they be fed larger amounts of feed than those designated in paragraph (a) of this section for the particular kind and quantity of livestock, or the carrier believes that they should be fed larger amounts, the amounts to be fed should be agreed upon, if practicable, by the owner and the carrier at the time the animals are offered for shipment.

(c) When emergency conditions arise, such as severe changes in the weather, which increase the rigors of transportation, the livestock should receive amounts of feed, additional to those

designated in paragraph (a) of this section, sufficient to sustain them until they arrive at the next feeding station or destination.

(d) When the movement of livestock is delayed en route so that the period of their confinement in the cars materially exceeds that specified by the Twenty-Eight Hour Law, the livestock should receive additional feed in proportion to such excess time.

**§ 89.2 Two or more feedings at same station.**

When livestock are held at a feeding station 12 hours after the last previous