

§ 88.5

9 CFR Ch. I (1-1-13 Edition)

(c) Handling of all equines for slaughter shall be done as expeditiously and carefully as possible in a manner that does not cause unnecessary discomfort, stress, physical harm, or trauma. Electric prods may not be used on equines for slaughter for any purpose, including loading or offloading on the conveyance, except when human safety is threatened.

(d) At any point during the commercial transportation of equines for slaughter, a USDA representative may examine the equines, inspect the conveyance, or review the owner-shipper certificates required by paragraph (a)(3) of this section.

(e) At any time during the commercial transportation of equines for slaughter, a USDA representative may direct the owner/shipper to take appropriate actions to alleviate the suffering of any equine. If deemed necessary by the USDA representative, such actions could include securing the services of an equine veterinarian to treat an equine, including performing euthanasia if necessary.

(f) The individual or other entity who signs the owner-shipper certificate must maintain a copy of the owner-shipper certificate for 1 year following the date of signature.

(Approved by the Office of Management and Budget under control numbers 0579-0160 and 0579-0332)

[66 FR 63615, Dec. 7, 2001, as amended at 76 FR 55216, Sept. 7, 2011]

§ 88.5 Requirements at a slaughtering facility.

(a) Upon arrival at a slaughtering facility, the owner/shipper must:

(1) Ensure that each equine has access to appropriate food and potable water after being offloaded;

(2) Present the owner-shipper certificates to a USDA representative;

(3) Allow a USDA representative access to the equines for the purpose of examination; and

(4) Allow a USDA representative access to the animal cargo area of the conveyance for the purpose of inspection.

(b) If the owner/shipper arrives during normal business hours, the owner/shipper must not leave the premises of a slaughtering facility until the equines have been examined by a USDA representative. However, if the owner/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: 49 U.S.C. 80502; 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 ¹)	200 lbs. of hay ^{1,2}	300 lbs. of hay. ^{1,2}