

The California Equine Council

January 6, 1996

RE: S1283/HR2433: Water requirements for horses being commercially transported to slaughter

The standards of care should be the same for horses being privately or commercially transported. The same minimal standards of care should be mandated whether the horse is being transported to the Olympics or to slaughter. The criterion for standards of care for "non industry" horse owners who comprise 85% of the horse community nationally should be.....would you want your horse transported that way!

The American Association of Equine Practitioners (the "experts" in equine husbandry) claim that there is no empirical data regarding water requirements and equines; and therefore, signed off on the 24 hours, sealing the fate of hundreds of thousands of horses each year.

You don't have to be a rocket scientist to know that if you withhold water from severely stressed horses in extreme temperatures for 24 hours the result is severe dehydration, electrolyte imbalances, disorientation, temperatures and diarrhea. I hope the "meaningful result" the AAEP is trying to ascertain is not how much water can be withheld before the horse dies!

In thumbing through my files, I came up with several references which seem to lay the ground work for an equine in transport being given water every 12 hours.

1. The Merck Veterinary Manual, Seventh Edition, 1991

Nutrition: Horses: Water

"Clean, fresh water should be provided ad lib for all horses."

Disease-Management Interaction: Horses: Transportation

"Horses are frequently injured during transportation. Many of these injuries are due to improper preparation of the animal before loading. Trailer must be free of protruding objects, and should be of adequate height. Available hay in the trailer helps prevent boredom during transit. Suitable flooring (rubber mats) should be available on long transits. Appropriate rest stops should be planned; when trips are 24 hrs. or longer, an overnight rest stop and fresh water should be given."

a project of the
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2. Food & Agriculture Codes 19348.5: amended 1984

Care of Horses Transported to Slaughterhouse

"Every person who transports a live horse or horses to slaughterhouse subject to licensing under this chapter (Sections 19200-1944) shall provide such horse or horses with adequate food and water. A violation of this section shall constitute cruelty to an animal within the meaning of Section 597a of the Penal Code." (Enacted 1972)

3. Guidelines for Horse Husbandry - PMU Farms: 1992

Nutrition:

"..water in amounts as recommended by the National Research Council (1989) and as indicated in the following table. Water should be offered at least twice a day, once being in the morning and once being in the evening. Water requirements increase as temperatures increase."

Water:

"Water should be continuously available or made available at least twice daily."

NOTE: The withholding of water for 12 hour intervals has been widely criticized relative to the PMU issue; however some of the same organizations have signed off on this bill which would require that horses going to slaughter have water withheld for 24 hrs.?

4. Penal Code 597 e: amended 1982

Impounding Without Food or Water

"In case any domestic animal is at any time impounded and continues to be without necessary food and water for more than 12 consecutive hours, it is lawful for any person, from time to time, as may be deemed necessary, to enter into and upon any pound in which the domestic animal is confined, and supply it with necessary food and water so long as it remains so confined. Such person is not liable for the entry, and may collect the reasonable cost of the food and water from the owner of the animal.." (Enacted 1905)

NOTE: A horse is a domestic animal.

5. Penal Code 597a

Unnecessary Torture, Suffering or Cruelty

"Whoever carries or causes to be carried in or upon any vehicle any domestic animal in a cruel or inhuman manner, or knowingly and willfully authorizes or permits it to be subjected to unnecessary torture, suffering or cruelty of any kind is guilty of a misdemeanor." (Enacted 1905)

6. Penal Code 597: amended 1988

Crimes Against Animals

"...every person who...deprives any animal of necessary sustenance, drink,.....whoever having the charge or custody of any animal, either as owner or otherwise, subjects any animalor fails to provide the animal with proper food, drink....is, for every such offense, guilty of a crime punishable as a misdemeanor or as a felony or alternatively punishable as a misdemeanor or a felony and by a fine of not more than twenty thousand dollars (\$20,000) (Enacted 1872)

7. Food & Agriculture Code 16908: amended 1967

Confinement of Animals in Truck Transit: Rest, Water and Feeding: Storm or Accident

"It is unlawful for any person...to confine or permit to be confined...an animal for a longer period than 28 consecutive hours from the time the animal was last fed and watered. Upon the written request of the owner or person in charge of the animal, the period of confinement may be extended to 36 hours." (Enacted 1933)

State law, if more stringent, supercedes federal law. However, if two state statutes are in conflict, the statute enacted later in time supercedes the earlier statute. So, Food & Agr. Code 19348.5 enacted in 1972 and last amended in 1984 supercedes Food & Agr. Code 16908 which was enacted in 1933 and last amended in 1967.

The "industry" proponents of this bill are basing the 24 hour water language on a 63 year old bill that was last amended 30 years ago. Recent laws on the books calling for water at least every 12 hours should take precedent.

This is just common sense...get a life guys...give the horses a drink of water!

For the horses,


Cathleen Doyle