

**Title 2—DEPARTMENT OF  
AGRICULTURE  
Division 30—Animal Health  
Chapter 9—Animal Care Facilities**

**PROPOSED AMENDMENT**

**2 CSR 30-9.030 Animal Care Facilities Minimum Standards of Operation and Transportation.** The director is amending sections (1) and (3) and deleting (4).

*PURPOSE: This amendment removes the requirement of listing individual manufacturer's specifications for approved flooring. This amendment removes the requirements for vehicles which are not under the general enforcement of Missouri Department of Agriculture.*

(1) Facilities and Operating Standards.

(F) Primary Enclosures. Primary enclosures for animals must meet the following minimum requirements:

1. General requirements.

A. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary enclosure must be kept in good repair.

B. Primary enclosures must be constructed and maintained so that they—

(I) Have no sharp points or edges that could injure the animals;

(II) Protect the animals from injury;

(III) Contain the animals securely;

(IV) Keep other animals from entering the enclosure;

(V) Enable the animals to remain dry and clean;

(VI) Provide shelter and protection from extreme temperatures and weather conditions that may be uncomfortable or hazardous to the animals;

(VII) Provide sufficient shade to shelter all the animals housed in the primary enclosure at one time;

(VIII) Provide all the animals with easy and convenient access to clean food and water;

(IX) Enable all surfaces in contact with the animals to be readily cleaned and sanitized in accordance with this rule, or be replaceable when worn or soiled;

(X) Have floors that are constructed in a manner that protects the animals' feet and legs from injury and that, if elevated construction, must be constructed of materials strong enough to prevent sagging and with a mesh small enough that will not allow the animals' feet to pass through any openings in the floor. If the floor of the primary enclosure is constructed of elevated flooring, a solid resting surface(s) or a perforated surface(s) with holes small enough to prevent any portion of the animals' feet or toes to pass through that, in the aggregate, is large enough to hold all the occupants of the primary enclosure at the same time comfortably must be provided; and

(XI) Provide sufficient space to allow each animal to turn about freely, to stand, sit, and lie in a comfortable, normal position, and to walk in a normal manner.

C. Any primary enclosure subject to the provisions of section 273.345, RSMo shall meet the following standards for elevated flooring:

(I) Wire strand flooring shall be prohibited;

(II) Slatted flooring must be flat, no less than one and one-half inches (1.5") in width, and constructed of materials strong enough to prevent sagging and with openings that will not allow the animals' feet to pass through any openings in the floor. *[Any premanufactured slatted flooring must be described by specifications, listed on the approved flooring list maintained by the state veterinarian, and posted on the department's website, as revised];*

(III) Plastic flooring must be constructed of materials strong enough to prevent sagging and with openings that will not allow the animals' feet to pass through any openings in the floor. *[Any premanufactured flooring must be described by specifications, listed on the approved flooring list maintained by the state veterinarian, and posted on the department's website, as revised];*

(IV) *[Expanded m]* Metal flooring coated with a flexible plastic surface must be constructed of materials strong enough to prevent sagging and with openings that will not allow the animals' feet to pass through any openings in the floor. The coating must be maintained in such a manner that the animal is not allowed to come into contact with the metal. *[Any premanufactured flooring must be described by specifications, listed on the approved flooring list maintained by the state veterinarian, and posted on the department's website, as revised];* and

(V) Galvanized *[expanded]* metal flooring must be constructed of materials strong enough to prevent sagging and with openings that will not allow the animals' feet to pass through any openings in the floor. Galvanized *[expanded]* metal flooring must have a flat surface that is free of rust and sharp points. *[Any premanufactured flooring must be described by specifications, listed on the approved flooring list maintained by the state veterinarian, and posted on the department's website, as revised];*

## 2. Additional requirements for cats.

A. Space. Each cat, including weaned kittens, that is housed in any primary enclosure must be provided minimum vertical space and floor space as follows:

(I) Each primary enclosure housing cats must be at least twenty-four inches (24") high or sixty and ninety-six hundredths centimeters (60.96 cm). Temporary housing such as queening cages may be reduced to a height of eighteen inches (18") or forty-five and seventy-two hundredths centimeters (45.72 cm) to reduce injury to kittens;

(II) Cats up to and including eight and eight-tenths (8.8) pounds or four (4) kilograms must be provided with at least three (3.0) square feet or twenty-eight hundredths (0.28) square meters;

(III) Cats over eight and eight-tenths (8.8) pounds or four (4) kilograms must be provided with at least four (4.0) square feet or thirty-seven hundredths (0.37) square meters;

(IV) Each queen with nursing kittens must be provided with an additional amount of floor space, based on her breed and behavioral characteristics, and in accordance with generally accepted husbandry practices as determined by the attending veterinarian. If the additional amount of floor space for each nursing kitten is equivalent to less than five percent (5%) of the minimum requirement for the queen, the housing must be approved by the state veterinarian; and

(V) The minimum floor space required by this section is exclusive of any food or water pans. The litter pan may be considered part of the floor space if properly cleaned and sanitized.

B. Compatibility. All cats housed in the same primary enclosure must be compatible, as determined by observation. Not more than twelve (12) adult nonconditioned cats may be housed in the same primary enclosure. Queens in heat may not be housed in the same primary enclosure with sexually mature males, except for breeding. Except when maintained in breeding colonies, queens with litters may not be housed in the same primary enclosure with other adult cats, and kittens under four (4) months of age may not be housed in the same primary enclosure with adult cats, other than the dam or foster dam. Cats with a vicious or aggressive disposition must be housed separately.

C. Litter. In all primary enclosures, a receptacle containing sufficient clean litter must be provided to contain excreta and body wastes.

D. Resting surfaces. Each primary enclosure housing cats must contain a resting surface(s) that, in the aggregate, is large enough to hold all the occupants of the primary enclosure at the same time comfortably. The resting surfaces must be elevated, impervious to moisture, and be able to be easily cleaned and sanitized or easily replaced when soiled or worn.

(I) Low resting surfaces that do not allow the space under them to be comfortably occupied by the animal will be counted as part of the floor space. Floor space under low resting surfaces shall not be counted as floor space to meet the minimum space requirements.

(II) Elevated resting surfaces will not be required for short-term housing, **housed three (3) months or less**, facilities such as boarding kennels, commercial kennels, contract kennels, pet shops, and pounds or dog pounds, however, elevated resting surfaces may be properly installed to increase floor space to that required in this rule; and

3. Additional requirements for dogs.

A. Space.

(I) Each dog housed in a primary enclosure (including weaned puppies) must be provided a minimum amount of floor space, calculated as follows: Find the mathematical square of the sum of the length of the dog in inches (measured from the tip of its nose to the base of its tail) plus six inches (6"); then divide the product by one hundred forty-four (144). The calculation is: (length of dog in inches plus six (6)) times (length of dog in inches plus six (6)) equals required floor space in square inches. Required floor space in inches divided by one hundred forty-four (144) equals required floor space in square feet.

(II) Each bitch with nursing puppies must be provided with an additional amount of floor space, based on her breed and behavioral characteristics, and in accordance with generally accepted husbandry practices as determined by the attending veterinarian. If the additional amount of floor space for each nursing puppy is less than five percent (5%) of the minimum requirement for the bitch, this housing must be approved by the state veterinarian.

(III) The interior height of a primary enclosure must be at least six inches (6") higher than the head of the tallest dog in the enclosure when it is in a normal standing position.

(IV) Permanent tethering of dogs is prohibited for use as a primary enclosure. Temporary tethering of dogs is prohibited for use as a primary enclosure unless written approval is obtained from the state veterinarian.

B. Compatibility. All dogs housed in the same primary enclosure must be compatible, as determined by observation. Not more than twelve (12) adult nonconditioned dogs may be housed in the same primary enclosure. Bitches in heat may not be housed in the same primary enclosure with sexually mature males, except for breeding. Except when maintained in breeding colonies, bitches with litters may not be housed in the same primary enclosure with other adult dogs, and puppies under four (4) months of age may not be housed in the same primary enclosure with adult dogs, other than their dam or foster dam. Dogs with a vicious or aggressive disposition must be housed separately.

C. Additional space requirements for dogs subject to the provisions of section 273.345, RSMo, shall be based upon the minimum amount of floor space as calculated from part (1)(F)3.A.(I) of this rule and multiplied by factor or added to the total living area as prescribed in this rule.

(I) The minimum allowable space for primary enclosures subject to the provisions of section 273.345, RSMo, shall be calculated as follows:

(a) Dogs housed singly. Any dogs housed singly must have their minimum amount of floor space as calculated from part (1)(F)3.A.(I) of this rule (minimum amount of floor space) and multiplied by a factor of six (6);

(b) Dogs housed as a pair. Any dogs housed as a pair must have their minimum amount of floor space as calculated from part (1)(F)3.A.(I) of this rule (minimum amount of floor space) and multiplied by a factor of three (3);

(c) Dogs housed in small groups of three (3) to four (4). Any dogs housed in small groups of three (3) to four (4) shall have the largest two (2) dogs calculated from part (1)(F)3.A.(I) of this rule (minimum amount of floor space) and multiplied by a factor of three (3), with each additional dog being provided additional space at one hundred percent (100%) of the same formula; and

(d) Dogs housed in large groups of five (5) to six (6). Any dogs housed in large groups of five (5) to six (6) must have their minimum amount of floor space as calculated from part (1)(F)3.A.(I) of this rule (minimum amount of floor space) and multiplied by a factor of three (3). No more than six (6) adult dogs may be housed in the same primary enclosure.

Common examples under part (1)(F)3.C.(I)

	Single	Pair	Group of 3	Group of 4	Group of 5	Group of 6
18 inch dog	24 sq ft	24 sq ft	28 sq ft	32 sq ft	60 sq ft	72 sq ft
30 inch dog	54 sq ft	54 sq ft	63 sq ft	72 sq ft	135 sq ft	162 sq ft
42 inch dog	96 sq ft	96 sq ft	112 sq ft	128 sq ft	240 sq ft	288 sq ft

(II) Exemptions.

(a) Covered dogs subject to the provisions of section 273.345, RSMo, may be exempted from the space requirements of this rule for the purpose of documented treatment for veterinary purposes, provided that they meet space requirements under part (1)(F)3.A.(I) of this rule.

(b) Female covered dogs subject to the provisions of section 273.345, RSMo, may be exempted from the space requirements of this rule when they are within two (2) weeks of their whelping date and eight (8) weeks post parturition, provided that they meet space requirements under part (1)(F)3.A.(II) of this rule.

(3) Transportation Standards.

(C) Primary conveyances (motor vehicle, rail, air, and marine).

1. The animal cargo space of primary conveyances used to transport dogs and cats must be designed, constructed, and maintained in a manner that at all times protects the health and well-being of the animals transported in them, ensures their safety and comfort, and prevents the entry of engine exhaust from the primary conveyance during transportation.

2. The animal cargo space must have a supply of air that is sufficient for the normal breathing of all the animals being transported in it.

3. Each primary enclosure containing dogs or cats must be positioned in the animal cargo space in a manner that provides protection from the elements and that allows each dog or cat enough air for normal breathing.

4. During air transportation, dogs and cats must be held in cargo areas that are heated or cooled as necessary to maintain an ambient temperature that ensures the health and well-being of the dogs or cats. The cargo areas must be pressurized when the primary conveyance used for air transportation is not on the ground, unless flying under eight thousand feet (8,000'). Dogs and cats must have adequate air for breathing at all times when being transported.

5. During surface transportation, auxiliary ventilation, such as fans, blowers, or air conditioning, must be used in any animal cargo space containing live dogs or cats when the ambient temperature within the animal cargo space reaches eighty-five degrees Fahrenheit (85°F) or twenty-nine and five-tenths degrees Celsius (29.5°C). Moreover, the ambient temperature may not exceed eighty-five degrees Fahrenheit (85°F) or twenty-nine and five-tenths degrees Celsius (29.5°C) for more than four (4) hours; nor fall below forty-five degrees Fahrenheit (45°F) or seven and two-tenths degrees Celsius (7.2°C) for a period of more than four (4) hours.

6. Primary enclosures must be positioned in the primary conveyance in a manner that allows the dogs and cats to be quickly and easily removed from the primary conveyance in an emergency.

7. The interior of the animal cargo space must be kept clean.

8. Live dogs and cats may not be transported with any material, substance (for example, dry ice), or device in a manner that may reasonably be expected to harm the dogs and cats or cause inhumane conditions.

[9. Motor vehicles used to transport animals in Missouri by persons subject to the ACFA must be mechanically sound, must have a current state inspection, and must have proof of insurance.]

[(4) Index.

*Facilities and Operating Standards—section (1)*

*Housing facilities, general—section (1), subsection (A)*

*Structure and construction—section (1), subsection (A), paragraph 1.*

*Condition and site—section (1), subsection (A), paragraph 2.*

*Surfaces—section (1), subsection (A), paragraph 3.*

*Water and electric power—section (1), subsection (A), paragraph 4.*

*Storage—section (1), subsection (A), paragraph 5.*

*Drainage and waste disposal—section (1), subsection (A), paragraph 6.*

*Washrooms and sinks—section (1), subsection (A), paragraph 7.*

*Fire detection and extinguishers—section (1), subsection (A), paragraph 8.*

*Indoor housing facilities—section (1), subsection (B)*

*Heating, cooling and temperature—section (1), subsection (B), paragraph 1.*

*Ventilation—section (1), subsection (B), paragraph 2.*

*Lighting—section (1), subsection (B), paragraph 3.*

*Interior surfaces—section (1), subsection (B), paragraph 4.*

*Sheltered housing facilities—section (1), subsection (C)*

*Heating, cooling, and temperature—section (1), subsection (C), paragraph 1.*

*Ventilation—section (1), subsection (C), paragraph 2.*

*Lighting—section (1), subsection (C), paragraph 3.*

*Shelter from the elements—section (1), subsection (C), paragraph 4.*

*Surfaces—section (1), subsection (C), paragraph 5.*

*Outdoor housing facilities—section (1), subsection (D)*

*Restrictions—section (1), subsection (D), paragraph 1.*

*Shelter from the elements—section (1), subsection (D), paragraph 2.*

*Construction—section (1), subsection (D), paragraph 3.*

*Mobile or traveling facilities—section (1), subsection (E)*

*Heating, cooling, and temperature—section (1), subsection (E), paragraph 1.*

*Ventilation—section (1), subsection (E), paragraph 2.*

*Lighting—section (1), subsection (E), paragraph 3.*

*Primary enclosure—section (1), subsection (F)*

*General requirements—section (1), subsection (F), paragraph 1.*

*Space/additional requirements for cats—section (1), subsection (F), paragraph 2.*

*Space/additional requirements for dogs—section (1), subsection (F), paragraph 3.*

*Animal Health and Husbandry Standards—section (2)*

*Compatible grouping—section (2), subsection (A)*

*Exercise for dogs—section (2), subsection (B)*

*Feeding—section (2), subsection (C)*

*Watering—section (2), subsection (D)*

*Cleaning, sanitization, housekeeping and pest control—section (2), subsection (E)*

*Employees—section (2), subsection (F)*

*Transportation Standards—section (3)*

*Consigning animals—section (3), subsection (A)*

*Primary enclosure—section (3), subsection (B)*

*Primary conveyance—section (3), subsection (C)*

*Food and water requirements—section (3), subsection (D)*

*Care in transit—section (3), subsection (E)*

*Terminal facilities—section (3), subsection (F)*

*Handling—section (3), subsection (G)]*

*AUTHORITY: sections 273.344 and 273.346, RSMo 2000.\* Original rule filed Jan. 13, 1994, effective Aug. 28, 1994. Amended: Filed Nov. 30, 1995, effective July 30, 1996. Emergency amendment filed July 11, 2011, effective July 21, 2011, expired Feb. 23, 2012. Amended: Filed July 22, 2011, effective Jan. 30, 2012. Amended: Filed Jan. 21, 2016, effective Aug. 30, 2016.*

*\*Original authority: 273.344, RSMo 1992 and 273.346, RSMo 1992. Amended: Filed November 25, 2019*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COSTS: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by website: <https://agriculture.mo.gov/proposed-rules/> or by mail: Missouri Department of Agriculture, attn: Animal Care Program, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days of publication of this notice in the **Missouri Register**. No public hearing is scheduled.*