ANIMAL WELFARE LAW

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A. Introduction

Both laws and animals have long existed as an integral part of our society. It is an undisputed fact that livestock-rearing agricultural operations are of great importance to the agricultural industry and the food supplies of our nation and the world. According to the U.S. Department of Agriculture, more than 8 billion animals a year are used for food, including approximately 37 million cows and calves, 102 million hogs, almost 4 million sheep and lambs, 7.9 billion chickens, 290 million turkeys, and 22 million ducks.¹ In fact, agriculture is Pennsylvania’s number one industry and Pennsylvania has one of the largest rural populations in the nation.² The purpose of this article is to provide farmers and others interested with useful and important information about the current state of possible legal liability for the mistreatment of animals, particularly farm animals. An overview of both federal and Pennsylvania law regarding animal cruelty, animal handling and transport, and laws relating to the powers of Humane Society officers should serve to inform interested parties of the legal protection enacted for animals raised for food production. We also hope that this article will act to encourage all involved to utilize the utmost care and respect for animals raised in an agricultural setting.

B. Federal Protection

While there are many federal statutes providing for animal welfare, only two pertain to farm animals. These two statutes are the Twenty-Eight Hour Law and the Humane Methods of Slaughter Act. The third federal statute is the Animal Welfare Act, which is rarely a concern for Pennsylvania farmers.

Twenty-Eight Hour Law

The first federal law specifically dealing with farm animals was passed in 1873. Known as the Twenty-Eight Hour Law, this law provides that animals cannot be transported across state lines for more than twenty-eight hours by a “rail carrier, express carrier, or common carrier (except by air or water)” without being unloaded for at least five hours of rest, watering, and feeding. This law was specifically enacted because of growing citizen concern over cattle transportation. During transportation, many animals were being exposed to extreme temperatures, crowded into vehicles, and transported without food or water. According to the Twenty-Eight Hour Law, transported animals need to be unloaded from the vehicle in a humane manner and taken to an area where they can rest in pens for at least 5 consecutive hours. The law provides in pertinent part that:

A rail carrier, express carrier, or common carrier (except by air or water), a receiver, trustee, or lessee of one of these carriers, or an owner

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3 This can be located at 49 U.S.C. § 80502 (1995).
4 Id. There is some doubt as to whether this section applies to trucking because at the time of original enactment, animals were not carried by motor transport. However, in the 1990s this law lapsed and was subsequently reenacted. Additionally, the nonapplication section discussed below refers to vehicles and therefore the application to trucking is arguably implied.
or master of a vessel that knowingly and willfully violates this section is liable to the U.S. Government for a civil penalty of at least $100 but not more than $500 for each violation.

It is important to note that operators of these carriers, as well as farmers who know of the operating practices, could be liable for civil punishment under the Twenty-Eight Hour Law. Currently, transporters must provide ample potable water and pens with:

(1) sufficient space for all the livestock to lie down at the same time
(2) properly designed facilities for feeding and watering the livestock
(3) reasonably well-drained, clean, and safe floors of concrete, cinders, gravel, hard-packed earth, or other suitable material, and
(4) suitable protection from weather reasonably to be expected in the region in which the pens are located.

Additionally, 49 U.S.C. §80502 (c) creates an exception to the Twenty-Eight Hour Law. This exception provides:

(c) Nonapplication. This section does not apply when animals are transported in a vehicle or vessel in which the animals have food, water, space, and an opportunity for rest.

Humane Methods of Livestock Slaughter Act

An additional source of federal protection that should be considered is the Humane Methods of Livestock Slaughter Act (HMSA) passed in 1958. This Act provides that livestock slaughter “be carried out only by humane methods” in order to prevent “needless suffering.” Under the statute, two humane slaughter methods have been approved through federal legislation. The statute provides in pertinent part:

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6 The HMSA was amended in 1978 to include the Federal Meat Inspection Act, which requires that all livestock slaughtered for meat imported to the United States must also be humanely slaughtered. This means foreign packers must meet the same guidelines required of U.S. Packers.
7 This Act can be found in its entirety at 7 U.S.C. § 1901-1906 (1994).
(a) in the case of cattle, calves, horses, mules, sheep, swine, and other livestock, all animals are rendered insensible to pain by a single blow or gunshot or an electrical, chemical or other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut; or (b) by slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument and handling in connection with such slaughtering.  

It should be noted that the Humane Methods of Slaughter Act applies only to animals slaughtered in federally inspected meat processing plants. Most facilities in the United States are covered by the HMSA; packing houses not a part of the federal meat inspection program are subject only to state slaughter guidelines. This Act does not cover chickens and turkeys. Therefore, no federal legislation currently exists which provides for the humane slaughter of poultry. 7 U.S.C. § 1902 (b) of the Act exempts kosher killing methods, where the animal is slaughtered while conscious for religious reasons. Known as the ritual slaughter exemption, this section of the Act is often litigated by individuals or groups asserting religious freedom claims.  

Animal Welfare Act  

The Animal Welfare Act (AWA), enacted in 1966, is one of the most expansive pieces of federal legislation relating to animals. However, the AWA generally only applies to animals used in exhibitions, research, and commercial breeding facilities. The AWA does not protect animals such as horses and farm animals used or intended for use as food or fiber, according to a recent USDA interpretation of the Act. In fact, because

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8 This part of the Act is 7 U.S.C. § 1902 (1994).
9 This Act is found at 7 U.S.C. § 2131-2155 (1966).
horses and farm animals are only covered if they are used in scientific experiments, the
AWA is rarely a concern for agricultural operations attempting to avoid legal liability for
mistreatment of farm animals. Even with four amendments to the Act, each amendment
has continued to specifically exclude farm animals.

C. Additional Federal Legislation

Horse Protection Act

After Congress declared that the “soring of horses is cruel and
inhumane,”\textsuperscript{10} the Horse Protection Act (HPA) was passed in 1970. This Act bans
the use of devices or methods known as “soring” to alter the gait of horses. It
should be noted that the Horse Protection Act does not prohibit the practice itself
of soring horses. The Act rather prohibits sore horses from being entered or
allowed to participate in horse shows, exhibitions, sales and auctions and moving
in interstate commerce or substantially affecting such commerce. The forefeet of
horses are typically made “sore” by applying an irritating or blistering agent or by
burning, cutting, or lacerating the horse limb. After being amended in 1976, the
soring of a horse is punishable by up to 3 years imprisonment and $5,000 in
fines.\textsuperscript{11} The HPA authorizes liability to be placed on the owner of the sore horse
as well as the management of any horse show, exhibition or auction who fails to
disqualify a horse from exhibition or prohibits a sore horse from being sold.

\textsuperscript{10} Congressional statement of findings for the Horse Protection Act can be found in their entirety at
D. Pennsylvania Protection

Since federal laws which regulate abuse to farm animals are not incredibly detailed or expansive, state law has often served to supplement this legislation to avoid gaps in federal legislation.

Humane Slaughtering

In an effort to protect animals raised for food or food production from additional inhumane treatment, Pennsylvania has enacted its own humane slaughter act in order to supplement the limited protection federal law provides in this area. 12 This statute provides in pertinent part:

3 Pa.C.S.A. §2362. Humane methods of slaughtering domestic animals

(a) Humane methods required.
   (1) Humane methods shall be used in the handling of domestic animals for slaughter and in the actual bleeding and slaughter of domestic animals.
   (2) The use of a manually operated hammer, sledge, or poleax by slaughterers, packers or stockyard operators during slaughtering operations is not a humane method of slaughter.

(b) Ritual slaughter. Subsection (a) shall not apply to the operator of a Commercial establishment with respect to the positioning and ritual slaughter of cows, poultry and sheep until one year after the department finds and notifies the operator that there is available at reasonable cost a ritually acceptable, practical and humane method of handling or otherwise preparing conscious calves, poultry and sheep for slaughter.

(c) Exception. Subsection(a) shall not apply to a farmer or other person Slaughtering domestic animals owned by the farmer or person.

(d) Construction of section. This section shall not be construed to

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12 Additionally, 3 Pa.C.S.A. § 2389 is entitled “Preemption of local laws and regulations” and it is worth noting that this preemption clause expressly pertains to the regulation of humane slaughter. This preemption clause also refers to the disposal of dead animals. § 2389 provides: “This chapter and its provisions are of Statewide concern and shall have eminence over any ordinances, resolutions, and regulations of political subdivisions which pertain to transmissible diseases of domestic animals as defined this chapter; the whole field of regulation regarding the identification of domestic animals; the detection, containment or eradication of dangerous transmissible diseases and hazardous substances; the licensure of domestic animal or dead animal dealers, agents and haulers; the procedure for disposal of dead domestic animals and domestic animal waste; the procedure for the slaughter and processing of domestic animals; humane husbandry practices and the licensure and conditions of garbage feeding businesses.”
Prohibit, abridge, or in any way hinder the religious freedom of any person or group.

(e) **Review.** Determinations made by the department under authority of this section shall be subject to review in the manner provided by 2 Pa.C.S. Ch 7 Subch. A (relating to judicial review of Commonwealth agency action).

(f) **Applicability.** Where the slaughtering operations of slaughterers, Packers or stockyard operators who would otherwise be subject to the requirement of this section are subject to inspection by the United States Department of Agriculture, applicable Federal law shall control, and the determination of whether slaughter is conducted by humane methods shall be made by the United States Department of Agriculture in accordance with Federal authority on the subject of humane methods of slaughter.

Cruelty to Animals

Like all other fifty states, Pennsylvania has its own anti-cruelty to animals statute. While every state has an anti-cruelty to animals statute in general, they vary significantly in degree and coverage. Pennsylvania’s statute is titled “Cruelty to Animals” and is found in the “Offenses Against Public Order and Decency” article of Title 18. The following is a breakdown of the statute and related cases.\(^\text{13}\)

**Definitions**

1) **Domestic Animal**—Any dog, cat, equine animal, bovine animal, sheep, goat or porcine animal.

2) **Domestic Fowl**—Any avis raised for food, hobby or sport.

3) **Normal Agricultural Operation**—Normal activities, practices and procedures that farmers adopt, use or engage in year after year in the production and preparation for market of poultry, livestock and their products or in the production and harvesting of agricultural, agronomic, horticultural, silvicultural and agricultural crops and commodities.

4) **Zoo Animal**—Any member of the class of mammalia, aves, amphibia or reptilia which is kept in a confined area by a public body or private individual for purposes of observation by the general public.

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\(^{13}\) This part of the publication was adapted from the prior work of Gregory R. Riley, a legal research assistant at the Agricultural Law Research and Education Center. This section is part of a larger publication titled *Selected Topics in Agricultural Liability*, which can be found on the Agricultural Law Center’s website in its entirety.
Section (A) of the Act:

- (A)(1)-A person commits a misdemeanor of the second degree if he willfully and maliciously kills, maims or disfigures any domestic animal or fowl belonging to another person.
- (A)(2)-A person commits a felony of the third degree if he willfully and maliciously kills, maims, poisons or disfigures any zoo animal in captivity.
- (A)(2)(2.1)(i)-A person commits a misdemeanor of the first degree if he willfully and maliciously kills, maims, mutilates, tortures, poisons or disfigures any dog or cat, whether belonging to himself or otherwise.

Exceptions to Section (A):

- The killing of a dog or cat by the owner of that animal is not malicious if it is accomplished in accordance with the act of December 22, 1983 (P.L. 303, No. 83), referred to as the Animal Destruction Method Authorization Law.
- The subsection does not apply to the killing of any animal taken or found in the act of actually destroying any domestic animal or domestic fowl (i.e. a domestic dog that is attacking and/or harassing livestock can be killed by the farmer).
- The subsection does not apply to the killing of any animal or fowl pursuant to the act of June 3, 1937 known as the Game Law. (In other words, legal hunting and fishing).
- Finally, the subsection does not apply to reasonable vermin or pest control.

Section (B) of the Act:

- Section B concerns regulating the sale of baby birds and rabbits. The section makes it a summary offense if a person sells, offers for sale, barters, or gives away baby chickens, ducklings, or other fowl under one month of age and rabbits under two months of age for use as pets or novelties. It also prohibits the changing of the color of such animals. The section was included to combat the sale of young chicks and rabbits as pets and novelties around Easter and other holidays.

Exception to Section (B):

- The section shall not be construed to prohibit the sale or display of the above named animals in proper facilities by persons engaging in the business of selling them for purposes of commercial breeding and raising.

***The following sections of the Act apply more directly to agriculture and include many exceptions under the definition of “normal agricultural operation.”

Section (C) of the Act:\footnote{See Commonwealth v. Ulrich, 726 A2d. 1070 (Pa. Super. 1999). In this case, appellant was charged with cruelty to animals under 18 Pa. Cons. Stat. Ann. § 5511(c), after shooting and killing a dog owned by another person when appellant discovered the dog attacking his own dog and threatening to attack calves belonging to the appellant. On review, the court found that the statute under which appellant was charged pertained to the ill-treatment, overloading, beating, or other abuse of an animal including deprivation of}
A person commits a summary offense if he wantonly or cruelly ill-treats, overloads, beats, otherwise abuses any animal, or neglects any animal as to which he has a duty of care, whether belonging to himself or otherwise, or abandons any animal, or deprives any animal of necessary sustenance, drink, shelter or veterinary care, or access to clean and sanitary shelter which will protect the animal against inclement weather and preserve the animal’s body heat and keep it dry.

Exception to Section (C) (AG EXCEPTION):
- This subsection shall not apply to activity undertaken in **normal agricultural operation** (see definition).

Section (D) of the Act:
- This section of the Act makes it a summary offense to sell or offer for sale any horse which by reason of disability or disease could not be worked without violating portions of this Act. It is also a summary offense to lead, drive, ride or transport any diseased or lame horse except to transport the horse to the nearest facility for its humane keeping, destruction or medical treatment.15

Section (E) of the Act:
- A person commits a summary offense if he carries, or causes, or allows to be carried in or upon any cart, or other vehicle whatsoever, any animal in a cruel or inhumane manner.

Section (E.1) of the Act:
- A person commits a summary offense for each equine animal if the person carries or causes or allows to be carried, any equine animal in or upon any conveyance or other vehicle whatsoever with two or more levels stacked on top of one another.

Exception to Section (E) (AG EXCEPTION):
- For the purposes of this section, it shall not be deemed cruel or inhumane to transport live poultry in crates so long as not more than 15 pounds of live poultry are allocated to each cubic foot of space in the crate.16

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sustenance, drink, shelter, or veterinary care. The more appropriate charge would have been under 19 Pa. Cons. Stat. Ann. § 5511(a), pertaining to the killing, maiming, or poisoning of a domestic animal. The court declined to stretch the semantics of the language of the statute to uphold appellant's conviction where appellant was regretfully charged under the wrong section of the statute. The court held that the evidence did not support the cruelty conviction. (LEXIS-NEXIS Overview).

15 See *Commonwealth v. Harris*, 36 Pa. D. & C. 122 (1939). In this case, the court discusses the language found in section (D) of the Act, which is unchanged from the language of the Act of 1909, which made it unlawful to sell a horse in the above-described condition. The court analyzes the state of mind pertaining to wanton cruelty and the general burden of proof that needs to be met by a plaintiff (the state) bringing a cruelty to animals action.

16 See *Commonwealth v. Boltz*, 41 Pa. D. and C. 2d 201 (1966). In this case, the state prosecuted a transporter of live chickens under Section 831 of the Vehicle Code. The prosecution alleged that the trucks were creating a hazard on the roadways due to the fact that chicken feathers and feces were flying out of the cages and into the view of motorists traveling behind the trucks. The court held that there is no more humane or effective way of transporting live poultry than methods currently used. The court describes the
Section (F) of the Act:
- It is a summary offense to work any animal, whether belonging to yourself or in your possession, for more than 15 hours in any 24 hour period, or more than 90 hours in any one week.

Section (G) of the Act:
- A person commits a summary offense if he kneads or beats or pads the udder of any cow, or willfully allows it to go unmilked for a period of 24 hours or more, for the purpose of enhancing the appearance or size of the udder of said cow, or by a muzzle or any other device prevents its calf, if less than six weeks old, from obtaining nourishment, and thereby relieving the udder of said cow, for a period of 24 hours.

Section (H) of the Act:
- This section makes it a summary offense to crop the ears of a dog unless the cropping is done by a licensed veterinarian and the dog is properly anesthetized.

Section (H.1) of the Act:
- This section pertains to animal fighting and makes it a third degree felony if a person:
  1) For amusement or [financial] gain, causes, allows or permits any animal to engage in animal fighting;
  2) Receives compensation for the admission of another person to any place kept or used for animal fighting;
  3) Owns, possesses, keeps, trains, promotes, purchases or knowingly sells any animal for animal fighting;
  4) In any way knowingly encourages, aids or assists therein;
  5) Wagers on the outcome of an animal fight;
  6) Pays for admission to an animal fight or attends an animal fight as a spectator; or
  7) Knowingly permits any place under his control or possession to be kept or used for animal fighting.

Exception to Section (H.1) (AG EXCEPTION)

See [Commonwealth v. Balog](http://www.lexisnexis.com), 448 Pa. Super 480 (1996). Appealing his conviction for cruelty to animals (gamecocks), defendant argued that 18 Pa. Cons. Stat. Ann. § 5511(h.1)(3), which prohibited owning animals for animal fighting, was vague and overbroad in violation of U.S. Const. amend. I and XIV. He also argued that his conduct fell within a statutory exception to the crime of cruelty to animals and that a humane society officer that testified at trial was not qualified as an expert. On appeal, the court affirmed the sentence. The court held that defendant failed to carry his burden of showing that the statute was unconstitutional. The court held that defendant's conduct fell within the scope of the statute. The court found that a trooper with a search warrant discovered individually caged roosters altered for fighting on defendant's property and that he seized 36 magazines on fighting birds and two sets of spurs. The agent that testified as an expert participated in about 100 investigations involving cockfighting and qualified as an expert on the subject in 20 court cases, and therefore, the trial court did not abuse its discretion in admitting his testimony. (LEXIS-NEXIS Overview).
This subsection shall not apply to activity undertaken in a **normal agricultural operation**. [At first glance, this may sound like a strange exception. However, it does not mean that farmers are allowed, under the statute, to engage in animal fighting. The exception most likely addresses normal animal fighting that occurs on farms. Bulls fighting in a farm field or poultry squabbling in a poultry coop, et cetera].

**Section (I) of the Act:**
- An agent of any society or association for the prevention of cruelty to animals, incorporated under the laws of the Commonwealth, shall have the same powers to initiate criminal proceedings provided for police officers by the Pennsylvania Rules of Criminal Procedure. An agent of any society or association for the prevention of cruelty to animals, incorporated under the laws of this Commonwealth, shall have standing to request any court of competent jurisdiction to enjoin any violation of this section.\(^{18}\)

**Section (J) of the Act:**
- This section empowers any police officer or agent of a society or association for the prevention of cruelty to animals to seize any animal kept, used, or intended to be used for animal fighting. The animal can be seized prior to the conviction of the supposed violator. The officer also has the option to destroy the animal if it is in a sick or disabled condition. Otherwise, the officer is charged with maintaining the care of the animal until a conviction is handed down or not. In case of conviction, the owner of the animal is responsible for compensating the Commonwealth for the care and keeping of the animal while the legal process was underway.

**Section (K) of the Act:**
- A person commits a summary offense if he shoots, maims, traps, detains or kills any Antwerp or homing pigeon which carries the name of its owner.

**Section (L) of the Act:**
- This section authorizes any issuing authority the power to issue any police officer or SPCA officer a search warrant authorizing the search of any building or enclosure in which any violation of the Act is occurring or has occurred.

**Exception to Section (L):**

\(^{18}\) See *Hulsizer v. Labor Day Comm., Inc.*, 557 Pa. 467 (1999). This is the famous Hegins, PA Labor Day pigeon shoot case. See this case for an example of the authority of a humane officer pursuant to Section (I) of this Act. The court reversed a decision made by the lower court that affirmed dismissal of the Humane Society officer’s action to prevent the Labor Day committee from conducting pigeon shoots because the Humane Society officer had no standing to initiate the lawsuit based on the fact that the officer had authority to act in another county as a humane society police officer. See also *In re Application for the Fayette Society for the Prevention of Cruelty to Animals, Inc.*, 28 Pa. D & C 4th 187 (1993). This case describes the qualifications necessary and the abuse of (appointment) power under 22 Pa.C.S. § 501 relative to officers/agents representing the SPCA.
• No search warrant shall be issued based upon an alleged violation of this section which involves a place where scientific research work is being conducted by, or under the supervision of, graduates of duly accredited scientific schools or where biological products are being produced for the care or prevention of disease.

D. Pennsylvania’s “Normal Agricultural Operation” Exception

Because 18 Pa. C.S. §5511 does not apply to activity undertaken in normal agricultural operation, it is useful to understand Pennsylvania judicial treatment of the definition “normal agricultural operation.” The case of Commonwealth v. Barnes serves to illustrate this point.

In the case of Commonwealth v. Barnes, Alice and David Barnes were convicted of 7 counts of cruelty to animals, pursuant to 18 Pa.C.S. §5511(c). The Barnes owned a horse farm in Erie County. After being charged with Health Department violations, the farm was investigated by the Erie Humane Society. Ms. Wolfgang of the Humane Society secured a search warrant and found horses that “were suffering from numerous, severe, and chronic health problems.”19 Apparently the Barnes had decided to stop feeding and caring for the sick horses because it was an economically sound business decision to do so. According to the court, there are “various practices in the farming industry that might be considered cruel except for the fact they are practices within the industry. These practices include the castration of pigs, the raising of veal calves in confined quarters, and the raising of chickens in cages.”20 The court held that the treatment of horses in such a way was not considered “normal agricultural activity” and the animal cruelty conviction of the Barnes was upheld. The court went on to conclude that the “exception for activity undertaken in normal agricultural operation” applies only

19 629 A.2d 123 at 125.
20 Id at 132.
to routine and accepted agricultural practices engaged in year after year. From these definitions, persons of common intelligence could be expected to conclude that appellant’s utter neglect of their horses, as described above, would not fall within the purview of the exception.”

Furthermore, Pennsylvania’s anti-cruelty statute has additional sections governing the transportation of animals not provided for by federal statute. As previously mentioned, federal legislation does not govern the transportation of poultry. According to Pennsylvania law, “it shall not be deemed cruel or inhumane to transport live poultry in crates so long as not more than fifteen pounds of live poultry are allocated to each cubic foot of space in the crate.” This is approximately four birds per cubic foot. It should be noted that many animal rights advocates feel that most laws are not effectively enforced. For example, in the case of Commonwealth v. Boltz, explained in footnote 16, the court determined 14 birds per cage was the norm while the Cruelty to Animals Statute stipulates no more than 15 pounds per cage. While discrepancies do indeed exist in the realm of legal interpretation, strict adherence to the statute is perhaps the safest avenue to adopt.

E. Powers of Pennsylvania Humane Society Officers

The role of the Humane Society should also be mentioned, since humane society officers are the principal enforcers of Pennsylvania’s Cruelty to Animals Statute. For example, the Humane Society of the United States has compiled information on 1,677 animal cruelty cases in 2001. According to 3 P.S. § 456.1 et seq., known as the

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21 Id at 129.
22 Ag exception to 18 Pa.C.S. § 5511 (E).
23 June 7, 2002 HSUS Cruelty Investigations.
Humane Society Police Officer Enforcement Act, individuals who are properly appointed by the court of common pleas and who complete the statutorily prescribed training program may “act as a police officer for a society or association for the prevention of cruelty to animals.” In fact, 18 Pa.C.S. § 5511 (I) of Pennsylvania’s anti-cruelty statute states that any such agent has the same powers to initiate criminal proceedings provided for police officers by the Pennsylvania Rules of Criminal Procedure.” 18 Pa. C.S. § 5511 (J) empowers any police officer or agent of a society or association for the prevention of cruelty to animals to seize any animal kept, used, or intended to be used for animal fighting. As a part of their humane society police officer training program, individuals must have at least 24 hours of instruction on the combined group of topics:

1. animal husbandry practices constituting normal agricultural operation.
2. practices accepted in the agricultural industry in the raising, keeping and production of agricultural animals.
3. characteristics of agricultural animals likely evidencing care that is violative of the cruelty to animals laws.
4. proper care and handling of agricultural animals pursuant to enforcement of the cruelty to animals laws.24

This law is enforceable by police officers and is the only law that trained and certified Humane Society Cruelty officers can enforce. As well as handling individual complaints, humane society officers inspect circuses, petting zoos, slaughterhouses, and riding stables for humane violations. It should be noted, however, that according to 3 P.S. § 456.3, properly certified Humane Society Officers have jurisdiction only within the county that they are certified to act within unless they record their appointment in the second county25.

24 3 P.S. § 456.4 (c) (3)
F. Conclusion

Animal welfare law has been an area gaining increased support and concern in recent years. For example, while most people agree that farm animals need “sufficient space” in order to be productive animals, there is no single universally agreed upon set of standards regulating the realm of animal health and husbandry standards. Organizations such as the National Pork Board provide tables of recommended requirements for farm animals, though such guidelines are often highly disputed by many groups concerned with animal welfare. In fact, countries such as Sweden have enacted animal protection acts which set forth broad provisions for the humane treatment of animals. In Sweden, it is illegal for breeding boars and fattening pigs to be kept in crates at all.\textsuperscript{26}

New technologies and methods are continually being studied and proposed. In the end, however, it is up to the livestock handler and producer to evaluate the proposed standards and make the best decision based on each farm’s individual specific needs.

\textsuperscript{26} Swiss Law on Breeding Sows, Animal Protection Ordinance 11, §3, Article 22 (Nov. 1, 1998).