

CHAPTER 1720
BOARD OF ANIMAL HEALTH
MISCELLANEOUS

**MAINTENANCE, OPERATION, AND
INSPECTION OF KENNELS AND DEALERS**

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**MAINTENANCE, OPERATION, AND INSPECTION OF KENNELS AND
DEALERS**

1720.1330 DEFINITIONS.

Subpart 1. **Scope.** The following words and terms are defined as follows where used in parts 1720.1330 to 1720.1578.

Subp. 2. **Board.** "Board" means the Minnesota Board of Animal Health.

Subp. 2a. **Dealer.** "Dealer" has the meaning given in Minnesota Statutes, section 347.31, subdivision 4.

Subp. 3. [Repealed, 13 SR 2859]

Subp. 4. **Duly authorized agent.** "Duly authorized agent" means an agent of the board, any sheriff or deputy sheriff, or police officer, or humane agent registered with the board and appointed pursuant to Minnesota Statutes, section 343.01.

Subp. 4a. **Humane agent.** "Humane agent" means a person appointed as an agent under Minnesota Statutes, section 343.01.

Subp. 5. **Institution.** "Institution" has the meaning given in Minnesota Statutes, section 347.31, subdivision 5.

Subp. 5a. **Kennel.** "Kennel" has the meaning given in Minnesota Statutes, section 347.31, subdivision 2.

Subp. 6. **Person.** "Person" means any individual, firm, partnership, or corporation.

Subp. 7. **Premises.** "Premises" has the meaning given in Minnesota Statutes, section 347.31, subdivision 3.

Statutory Authority: *MS s 35.03; 347.35*

History: 13 SR 2859

1720.1340 [Repealed, 13 SR 2859]

1720.1350 [Repealed, 13 SR 2859]

1720.1360 [Repealed, 13 SR 2859]

1720.1370 [Repealed, 13 SR 2859]

1720.1380 [Repealed, 13 SR 2859]

1720.1390 MAINTENANCE OF PREMISES.

Housing facilities must be structurally sound and maintained in good repair. Indoor housing facilities must be adequately ventilated and have ample light, either natural or artificial.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1400 DOGS AND CATS KEPT OUTSIDE.

Dogs and cats kept outside must be provided with access to shelter to protect them from the sun, wind, rain, and snow together with adequate bedding when the temperature falls below 50 degrees Fahrenheit.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1410 DOGS AND CATS CONFINED BY CHAINS.

If dogs or cats are confined by chains, the chains must be so attached that they cannot become entangled with the chains of other animals or any other objects. Chains must be of a size commonly used for the size of dog or cat involved and must be attached to the dog or cat by means of a well-fitted collar. Chains must be at least three times the length of the dog or cat as measured from the tip of its nose to the base of its tail.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1420 ENCLOSURES.

Enclosures must be of sufficient size to allow each dog or cat to turn about fully and to stand, sit, and lie in a comfortable normal position. The enclosure must be constructed so as to prevent injury to the dog or cat.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1430 TEMPERATURE FOR INDOOR HOUSING FACILITIES.

The temperature for indoor housing facilities must not be allowed to fall below 50 degrees Fahrenheit for dogs and cats not acclimated to lower temperatures.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1440 DISPOSAL FACILITIES.

Disposal facilities must be provided to minimize vermin infestation, odors, and disease hazards.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1450 ADEQUATE STORAGE AND REFRIGERATION.

Adequate storage and refrigeration must be provided to protect food supplies against contamination and deterioration.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1460 CLEAN AND SANITARY CONDITION.

The premises, cages, enclosures, and all housing facilities must be cleaned and disinfected as often as it is necessary to maintain a clean and sanitary condition.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1470 [Repealed, 13 SR 2859]**1720.1480 FEEDING OF DOGS AND CATS.**

Dogs and cats must be fed at least once a day with clean, wholesome food sufficient to meet the normal daily nutritive requirements for the dog's or cat's age, size, and condition.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1490 WATER.

Clean potable water must be made available to all dogs and cats at least twice daily for periods of not less than one hour.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1500 FEEDING AND WATERING RECEPTACLES.

All feeding and watering receptacles must be kept clean and sanitary.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1510 HOUSING IN SAME PRIMARY ENCLOSURE.

Dogs or cats housed in the same primary enclosure must be maintained in a compatible group. Puppies or kittens must not be housed in the same primary enclosure with adult dogs or cats other than their dam.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1520 DOGS OR CATS WITH VICIOUS DISPOSITIONS.

Any dog or cat exhibiting a vicious disposition must be housed separately.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1530 FEMALES IN ESTRUS.

Females in estrus must not be confined in the same enclosure with males except for breeding purposes. Dogs or cats used for breeding must be of compatible size and only one male and one female may be confined in a primary enclosure for breeding.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1535 HUMANE TREATMENT.

All dogs and cats must be treated humanely while in the premises.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1537 TRANSPORTATION OF DOGS AND CATS.

Dogs and cats must be transported in vehicles equipped with ample cargo space and enclosures. The number of dogs or cats transported at one time must not exceed the number that can ride comfortably. Vehicles must be adequately equipped to provide sufficient ventilation and still protect the dogs or cats from the elements, injurious drafts, and exhaust fumes.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1538 CARGO SPACE FOR DOGS AND CATS.

The dog and cat cargo space must be constructed and arranged to prevent injuries from fighting and allow for compatible grouping in terms of age, breed, size, and disposition. Separate enclosures must be provided for females in estrus. Dogs or cats must not be placed in enclosures over other animals unless the upper enclosure is constructed to prevent excreta from entering the lower enclosures. All crates, compartments, transport cages, and cargo space must be cleaned and disinfected between uses.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1540 MINIMIZING DISSEMINATION OF DISEASE.

Dogs or cats affected with any clinical evidence of infectious, contagious, or communicable disease must be separated from other dogs or cats.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1542 VETERINARY CARE.

Kennels and dealers shall establish and maintain a program of disease control and prevention, euthanasia, and adequate veterinary care under the supervision of a doctor of veterinary medicine.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1545 HEALTH OF DOGS AND CATS AT TIME OF RELEASE.

The following conditions make a dog or cat unfit for sale or release, other than to the previous owner:

- A. obvious signs of infectious disease;
- B. obvious signs of nutritional deficiencies;
- C. obvious signs of severe parasitism;
- D. fractures;
- E. blindness; and
- F. serious congenital abnormalities.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1546 DOGS AND CATS UNFIT FOR SALE OR RELEASE.

Dogs or cats determined to be unfit for sale or release as described in part 1720.1545 must be isolated and treated by a licensed veterinarian or euthanized in a humane manner. If treatment for the conditions in part 1720.1545 brings about a satisfactory recovery to a normal state of health, the animals are fit for release or sale.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1550 CONTROL OF PESTS.

The kennel or dealer shall establish and maintain an effective program for the control of insects, ectoparasites, rodents, and other pests.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1555 IDENTIFICATION OF DOGS AND CATS IN KENNELS.

Each dog and cat must be identified with a numbered tag affixed to the neck by the means of a collar.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1560 RECORDS.

A licensed kennel or dealer shall maintain the following records:

A. the name and address of the person from whom a dog or cat three months of age or over was received and, in the case of a dealer, the person's driver's license number or social security number;

B. the identification of each dog or cat confined to the premises as described in part 1720.1555;

C. description of the dog or cat by approximate age, breed, and sex;

D. the name and address of the person to whom a dog or cat three months of age or over was transferred, and

E. the history of disease conditions diagnosed by a veterinarian or diagnostic laboratory on animals housed on the premises.

Records required by this part must be preserved for a minimum of two years and available to duly authorized agents upon demand at any reasonable time.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1570 INSPECTIONS.

Periodic inspections must be made in cooperation with the United States Department of Agriculture, pursuant to Minnesota Statutes, section 347.35.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1575 INVESTIGATION OF COMPLAINTS.

Complaints must be referred to local enforcement authorities. If the complainant is not satisfied with the results obtained and the complainant wants an investigation by the board, the complainant must send to the board a written and signed complaint and a deposit of \$100. Upon investigation, if the complaint is warranted, the deposit must be returned and the board shall take action as provided in Minnesota Statutes, section 347.38. If the complaint is deemed unfounded by the board investigator, the deposit must go into the general fund. Duly authorized agents are exempt from the \$100 deposit for investigation of a complaint.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1576 EXPENSES OF INVESTIGATION.

A person who violates Minnesota Statutes, section 346.55 or sections 347.31 to 347.40, is liable for at least the amount of the expenses of the investigation. Expenses of investigation may be recovered by a court action in the county where the violation occurred.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1578 COST RECOVERY.

Money from license fees, fines, penalties, or deposits under Minnesota Statutes, section 346.55 or sections 347.31 to 347.40, goes into the general fund and must be accounted for by the state treasurer to the board to enable a showing that costs of inspection and enforcement of Minnesota Statutes, sections 346.55 and 347.31 to 347.40, have been recovered.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1580 [Repealed, 13 SR 2859]

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