The ambient temperature in the mobile or traveling housing facility must not fall below 50 °F (10 °C) for dogs and cats not acclimated to lower temperatures, for those breeds that cannot tolerate lower temperatures without stress or discomfort (such as short-haired breeds), and for sick, aged, young, or infirm dogs and cats. Dry bedding, solid resting boards, or other methods of conserving body heat must be provided when temperatures are below 50 °F (10 °C). The ambient temperature must not fall below 45 °F (7.2 °C) for more than 4 consecutive hours when dogs or cats are present, and must not exceed 85 °F (29.5 °C) for more than 4 consecutive hours when dogs or cats are present. The preceding requirements are in addition to, not in place of, all other requirements pertaining to climatic conditions in parts 2 and 3 of this chapter.

(b) **Ventilation.** Mobile or traveling housing facilities for dogs and cats must be sufficiently ventilated at all times when dogs or cats are present to provide for the health and well-being of the animals, and to minimize odors, drafts, ammonia levels, moisture condensation, and exhaust fumes. Ventilation must be provided by means of windows, doors, vents, fans, or air conditioning. Auxiliary ventilation, such as fans, blowers, or air conditioning, must be provided when the ambient temperature within the animal housing area is 85 °F (29.5 °C) or higher.

(c) **Lighting.** Mobile or traveling housing facilities for dogs and cats must be lighted well enough to permit proper cleaning and inspection of the facility, and observation of the dogs and cats. Animal areas must be provided a regular diurnal lighting cycle of either natural or artificial light. Lighting must be uniformly diffused throughout animal facilities and provide sufficient illumination to aid in maintaining good housekeeping practices, adequate cleaning, adequate inspection of animals, and for the well-being of the animals.

### § 3.6 Primary enclosures.

Primary enclosures for dogs and cats must meet the following minimum requirements:

(a) **General requirements.** (1) Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary enclosures must be kept in good repair.

(2) Primary enclosures must be constructed and maintained so that they:

(i) Have no sharp points or edges that could injure the dogs and cats;

(ii) Protect the dogs and cats from injury;

(iii) Contain the dogs and cats securely;

(iv) Keep other animals from entering the enclosure;

(v) Enable the dogs and cats to remain dry and clean;

(vi) Provide shelter and protection from extreme temperatures and weather conditions that may be uncomfortable or hazardous to all the dogs and cats;

(vii) Provide sufficient shade to shelter all the dogs and cats housed in the primary enclosure at one time;

(viii) Provide all the dogs and cats with easy and convenient access to clean food and water;

(ix) Enable all surfaces in contact with the dogs and cats to be readily cleaned and sanitized in accordance with § 3.11(b) of this subpart, or be replaceable when worn or soiled;

(x) Have floors that are constructed in a manner that protects the dogs’ and cats’ feet and legs from injury, and that, if of mesh or slatted construction, do not allow the dogs’ and cats’ feet to pass through any openings in the floor;

(xi) Provide sufficient space to allow each dog and cat to turn about freely, to stand, sit, and lie in a comfortable, normal position, and to walk in a normal manner; and

(xii) Primary enclosures constructed on or after February 20, 1998 and floors replaced on or after that date, must comply with the requirements in this paragraph (a)(2). On or after January 21, 2000, all primary enclosures must be in compliance with the requirements in this paragraph (a)(2). If the suspended
floor of a primary enclosure is constructed of metal strands, the strands must either be greater than 1/8 of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. The suspended floor of any primary enclosure must be strong enough so that the floor does not sag or bend between the structural supports.

(b) Additional requirements for cats—
(1) 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) Prior to February 15, 1994 each cat housed in any primary enclosure shall be provided a minimum of 2½ square feet of floor space;
   (ii) On and after February 15, 1994:
      (A) Each primary enclosure housing cats must be at least 24 in. high (60.96 cm);
      (B) Cats up to and including 8.8 lbs (4 kg) must be provided with at least 3.0 ft² (0.28 m²);
      (C) Cats over 8.8 lbs (4 kg) must be provided with at least 4.0 ft² (0.37 m²);
   (iii) 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. If the additional amount of floor space for each nursing kitten is equivalent to less than 5 percent of the minimum requirement for the queen, such housing must be approved by the attending veterinarian in the case of a research facility, and, in the case of dealers and exhibitors, such housing must be approved by the Administrator;
   (iv) 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.

(2) Compatibility. All cats housed in the same primary enclosure must be compatible, as determined by observation. Not more than 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 other adult cats, and kittens under 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.

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

(4) Resting surfaces. Each primary enclosure housing cats must contain a resting surface or surfaces that, in the aggregate, are 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. 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.

(c) Additional requirements for dogs—
(1) 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 6 inches; then divide the product by 144. The calculation is: (length of dog in inches + 6) \times (length of dog in inches + 6) \div 144 = required floor space in square inches. Required floor space in inches/144 = 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,
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and in accordance with generally ac-
ccepted husbandry practices as deter-
mained by the attending veterinarian. If
the additional amount of floor space
for each nursing puppy is less than 5
percent of the minimum requirement
for the bitch, such housing must be ap-
proved by the attending veterinarian in
the case of a research facility, and, in
the case of dealers and exhibitors, such
housing must be approved by the Ad-
ministrator.

(iii) The interior height of a primary
enclosure must be at least 6 inches
higher than the head of the tallest dog
in the enclosure when it is in a normal
standing position: Provided That, prior
to February 15, 1994, each dog must be
able to stand in a comfortable normal
position.

(2) Compatibility. All dogs housed in
the same primary enclosure must be
compatible, as determined by observa-
tion. Not more than 12 adult noncondi-
tioned dogs may be housed in the same
primary enclosure. Bitches in heat may
not be housed in the same primary en-
closure with sexually mature males,
except for breeding. Except when main-
tained in breeding colonies, bitches
with litters may not be housed in the
same primary enclosure with other
adult dogs, and puppies under 4 months
of age may not be housed in the same
primary enclosure with adult dogs,
other than the dam or foster dam. Dogs
with a vicious or aggressive disposition
must be housed separately.

(3) Dogs in mobile or traveling shows or
acts. Dogs that are part of a mobile or
traveling show or act may be kept,
while the show or act is traveling from
one temporary location to another, in
transport containers that comply with
all requirements of §3.14 of this subpart
other than the marking requirements
in §3.14(a)(6) of this subpart. When the
show or act is not traveling, the dogs
must be placed in primary enclosures
that meet the minimum requirements
of this section.

(4) Prohibited means of primary enclo-
sure. Permanent tethering of dogs is
prohibited for use as primary enclo-
sure. Temporary tethering of dogs is
prohibited for use as primary enclosure
unless approval is obtained from
APHIS.

(d) Innovative primary enclosures
not precisely meeting the floor area
and height requirements provided in
paragraphs (b)(1) and (c)(1) of this sec-
tion, but that provide the dogs or cats
with a sufficient volume of space and
the opportunity to express species-typ-
cial behavior, may be used at research
facilities when approved by the Com-
mittee, and, by dealers and exhibitors
when approved by the Administrator.

(Approved by the Office of Management and
Budget under control number 0579–0093)

[56 FR 6486, Feb. 15, 1991, as amended at 62
FR 43775, Aug. 13, 1997; 63 FR 3023, Jan. 21,
1998; 63 FR 37482, July 13, 1998]

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§ 3.7 Compatible grouping.

Dogs and cats that are housed in the
same primary enclosure must be com-
patible, with the following restrictions:

(a) Females in heat (estrus) may not
be housed in the same primary enclo-
sure with males, except for breeding
purposes;

(b) Any dog or cat exhibiting a vi-
cious or overly aggressive disposition
must be housed separately;

(c) Puppies or kittens 4 months of
age or less may not be housed in the
same primary enclosure with adult
dogs or other dogs other than their dams or
foster dams, except when permanently
maintained in breeding colonies;

(d) Dogs or cats may not be housed in
the same primary enclosure with any
other species of animals, unless they
are compatible; and

(e) Dogs and cats that have or are
suspected of having a contagious dis-
ease must be isolated from healthy ani-
mals in the colony, as directed by the
attending veterinarian. When an entire
group or room of dogs and cats is
known to have or believed to be ex-
posed to an infectious agent, the group
may be kept intact during the process
of diagnosis, treatment, and control.

§ 3.8 Exercise for dogs.

Dealers, exhibitors, and research fa-
cilities must develop, document, and
follow an appropriate plan to provide
dogs with the opportunity for exercise.
In addition, the plan must be approved
by the attending veterinarian. The