

TITLE 02 – DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Board of Agriculture intends to adopt the rules cited as 02 NCAC 52J .0401 - .0420, .0501 - .0502, .0601 - .0609, .0701 - .0705, .0801 - .0803.

Proposed Effective Date: *November 1, 2007*

Public Hearing:

Date: *July 18, 2007*

Time: *10:00 a.m.*

Location: *Martin Building, State Fairgrounds, 1025 Blue Ridge Blvd., Raleigh, NC*

Reason for Proposed Action: *S.L. 2005-267, s. 11.5, requires the Board of Agriculture to adopt rules on the euthanasia of animals in the possession of an animal shelter, including those operated by local governments. The rules are required to include standards for equipment, procedures, and training of persons who participate in euthanasia of shelter animals.*

Procedure by which a person can object to the agency on a proposed rule: *Any person may object to the proposed rules by submitting a written statement of objection(s) to David S. McLeod, Secretary, NC Board of Agriculture, 1001 Mail Service Center, Raleigh, NC 27699-1001.*

Comments may be submitted to: *David S. McLeod, 1001 Mail Service Center, Raleigh, NC 27699-1001, phone (919) 733-7125 extension 238, fax (919) 716-0090, email david.mcleod@ncmail.net*

Comment period ends: *August 31, 2007*

Procedure for Subjecting a Proposed Rule to Legislative Review: *If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-733-2721.*

Fiscal Impact: A copy of the fiscal note can be obtained from the agency.

- State
- Local
- Substantive (\geq \$3,000,000)
- None

CHAPTER 52 - VETERINARY DIVISION

SUBCHAPTER 52J - ANIMAL WELFARE SECTION

SECTION .0400 - EUTHANASIA STANDARDS

02 NCAC 52J .0401 ADOPTION BY REFERENCE

Except as provided in the rules of this Section, any method of euthanasia approved by the American Veterinary Medical Association, Humane Society of the United States or the American Humane Association is hereby incorporated by reference. In all circumstances, the euthanasia method should be selected and used with the highest ethical standards.

Authority G.S. 19A-24(5).

02 NCAC 52J .0402 AUTHORIZED PERSONS

Only a Certified Euthanasia Technician, Probationary Euthanasia Technician, a veterinarian licensed to practice veterinary medicine in North Carolina, or a registered veterinary technician licensed in North Carolina working under the supervision of a licensed veterinarian may euthanize an animal in a certified animal shelter. A Certified Euthanasia Technician shall not euthanize animals using a method for which they are not currently certified except as specified in 02 NCAC 52J .0700.

Authority G.S. 19A-24(5).

02 NCAC 52J .0403 DEFINITIONS

As used in this Subchapter:

- (1) "Certified Euthanasia Technician" means a person employed by a certified facility who has been instructed in the proper methods of humane euthanasia, security and record keeping and possesses other skills as deemed necessary by the Animal Welfare Section.
- (2) "Certified facility" means a certified animal shelter, kennel or pet shop that employs at least one Certified Euthanasia Technician, registered veterinary technician or licensed veterinarian to perform euthanasia on animals at that certified facility.
- (3) "Approved Certified Euthanasia Technician trainer" means a person or organization that received permission from the Animal Welfare Section to provide training to applicants or individuals seeking to be Certified Euthanasia Technicians.
- (4) "Chemical Agent" means any chemical approved by the American Veterinary Medical Association, the Humane Society of the United States or the American Humane Association which is used to induce death.
- (5) "Applicant" means a person seeking certification as a Euthanasia Technician.
- (6) "Commercially manufactured chamber" means a chamber built with the intention for sale with the purpose of euthanizing animals, and which meets the requirements of 02 NCAC 52J .0600.

Authority G.S. 19A-24(5).

02 NCAC 52J .0404 CERTIFICATION REQUIREMENTS FOR EUTHANASIA TECHNICIANS

- (a) Individuals who perform euthanasia must be trained and qualified as a Certified Euthanasia Technician as set forth in this Rule.
- (b) Individuals seeking certification as a Euthanasia Technician shall submit a written application documenting their qualifications to the Animal Welfare Section, North Carolina Department of Agriculture and Consumer Services, 1030 Mail Service Center, Raleigh, NC 27699-1030, on the form provided by the Animal Welfare Section.
- (c) The Animal Welfare Section shall receive and review all applications for Euthanasia Technician certification and determine whether or not to issue the individual applicant proof of certification in the form of a printed certificate.

Authority G.S. 19A-24(5).

02 NCAC 52J .0405 CERTIFICATION STANDARDS

Applicants for certification as a Certified Euthanasia Technician shall be at least 18 years of age at the date they receive certification, shall not have been convicted of a felony offense or a crime or infraction involving animal abuse or neglect within 10 years of the date when the applicant applies for certification and shall demonstrate compliance with this Section.

Authority G.S. 19A-24(5).

02 NCAC 52J .0406 APPLICATION REQUIREMENTS

Application requirements:

- (1) a completed and signed application form;
- (2) a document from an approved Certified Euthanasia Technician trainer establishing that the applicant has completed an approved course, passed the course written examination and passed a practical examination in the specific euthanasia techniques for which the applicant is seeking certification;
- (3) the applicant can provide separate documentation of having taken an approved course and passed the written examination and having passed a practical examination given by a different approved Certified Euthanasia Technician trainer;
- (4) each applicant shall specify in the application form the specific euthanasia techniques the applicant is requesting certification.

Authority G.S. 19A-24(5).

02 NCAC 52J .0407 TRAINING AND EXAMINATIONS

(a) Training and examinations for euthanasia certification shall consist of:

- (1) Classroom lecture covering the entire list of subjects in Paragraph (b) of this Rule;
- (2) Earning a score of 80 percent correct on a written test provided by the Animal Welfare Section, demonstrating adequate knowledge of the subjects listed in Paragraph (b) of this Rule;
- (3) Successfully passing a practical examination in each of the euthanasia methods for which the applicant is seeking certification.

(b) The Animal Welfare Section shall develop Certified Euthanasia Technician training programs and materials or accredit training programs and materials to be offered by other individuals, schools, agencies or veterinary practices. Said programs and materials shall conform to the processes set forth by the American Veterinary Medical Association, the Humane Society of the United States or the American Humane Association and shall include, but not be limited to, the following topics:

- (1) The theory and history of euthanasia methods and practice;
- (2) Animal anatomy;
- (3) Proper animal restraint, handling and methods for controlling animal stress;
- (4) Proper chemical agent dosages, record keeping and usage documentation, chemical agent, instrument and equipment storage, handling and disposal in accordance with rules and the Code of Federal Regulations;
- (5) Proper injection techniques;
- (6) Proper euthanasia techniques not utilizing injected chemical agents;
- (7) Proper and accurate verification of animal death;

- (8) Proper record keeping;
 - (9) Proper disposal of euthanized animals;
 - (10) Stress management for euthanasia personnel;
 - (11) Proper methods and techniques of euthanasia under extraordinary circumstances; and
 - (12) Proper methods, techniques and chemicals inducing anesthesia and sedation in animals prior to euthanasia;
 - (13) Proper methods, techniques and chemicals used in the practical examination section for Certified Euthanasia Technician.
- (c) The Animal Welfare Section shall prepare written examinations to be given to applicants. Following the classroom training detailed in 02 NCAC 52J .0407, the applicant shall take a written examination provided by the Animal Welfare Section that will be used by the approved trainer. Those passing the written examination in accordance with 02 NCAC 52J .0407 will be eligible for the practical examination of the methods of euthanasia for which the applicant seeks certification.
- (d) The applicant must pass a practical examination on each method of euthanasia for which they seek certification.
- (1) Prior to certification the applicant shall euthanize one or more animals in the presence of an approved trainer using the techniques the applicant has listed or intends to list in his or her application for certification. Any animals used shall be animals previously scheduled for euthanasia.
 - (2) In the alternative, upon prior written approval by the Animal Welfare Section the practical examination may consist of simulation of the euthanasia technique, using an appropriately anesthetized animal or an Animal Welfare Section-approved animal simulator. The Animal Welfare Section shall determine and render in writing beforehand whether equipment and/or harmless substances as shall be deemed adequate for use in determining the applicant's competency.
- (e) Applicants for certification in Euthanasia by Injection shall demonstrate the following knowledge and competencies:
- (1) Correctly calculate chemical agent dosage based upon the species, age, weight and condition of the animal;
 - (2) Correctly complete all required documentation;
 - (3) Correctly draw the properly calculated chemical dosage into a syringe and needle of a type and size appropriate for the animal;
 - (4) Correctly administer the chemical agent to the animal or administer a substance to an approved animal simulator as described in this Section;
 - (5) Applicants shall be able to properly perform intravenous and intraperitoneal injections on dogs and intravenous or intraperitoneal injections on cats;
 - (6) Knowledge of the medical procedures and drugs necessary for an animal to be euthanized by cardiac injection;
 - (7) Demonstrate ability to verify death by:
 - (A) lack of respiration;
 - (B) lack of ocular reflexes;
 - (C) lack of a heartbeat;
 - (8) Knowledge about the human health risks associated with the use of chemical agents used for euthanasia including signs and symptoms associated with accidental exposure of the Certified Euthanasia Technician;
 - (9) Proper first aid for a person accidentally exposed to chemical agents used for euthanasia.
- (f) Applicants for certification in Euthanasia by Gas Inhalation shall meet the standards set forth in this Paragraph:
- (1) Demonstrate proper knowledge of the dangers and human health effects of exposure to carbon monoxide gas;
 - (2) Demonstrate proper knowledge about which animals Euthanasia by Gas Inhalation is approved and which species, age, medical or physical conditions make it improper to use Euthanasia by Gas Inhalation;
 - (3) Demonstrate proper techniques in placing animals into the chamber;
 - (4) Demonstrate adequate knowledge about the maintenance, operation and cleaning of the chamber, fittings, gas cylinder, valves, and other parts of the equipment;
 - (5) Demonstrate proper operation of the chamber;
 - (6) Demonstrate ability to verify death by:
 - (A) lack of respiration;
 - (B) lack of ocular reflexes;
 - (C) lack of a heartbeat;
 - (7) Knowledge about the human health risks associated with the use of carbon monoxide when used for euthanasia. Such knowledge shall also include signs and symptoms associated with accidental exposure of the Certified Euthanasia Technician;
 - (8) Proper first aid for a person accidentally exposed to carbon monoxide used for euthanasia.

Authority G.S. 19A-24(5).

02 NCAC 52J .0408 TRAINERS

Training will be provided by the Animal Welfare Section or by companies or individuals meeting the following criteria:

- (1) Possess working knowledge of euthanasia conducted according to this Section;
- (2) Have demonstrated a proficiency in euthanasia of animals;
- (3) Have experience training staff in euthanasia;
- (4) Provide references from individuals or organizations previously trained;
- (5) Information taught shall conform to this Section and the guidelines set forth by the American Veterinary Medical Association, the Humane Society of the United States or the American Humane Association;
- (6) Shall disclose to their students and the Animal Welfare Section any potential conflicts of interest;
- (7) Shall agree to allow unannounced audit of their instruction and testing by the Animal Welfare Section;

(8) Prior to providing euthanasia training leading to certification as a Euthanasia Technician, the person or company shall obtain approval before each class for its training program from the Animal Welfare Section.

Authority G.S. 19A-24(5).

02 NCAC 52J .0409 PROBATIONARY EUTHANASIA TECHNICIANS

An individual who has passed the written exam, but has not taken and successfully passed the practical examination may serve as a Probationary Euthanasia Technician under the direct supervision of:

- (1) a licensed veterinarian;
- (2) a registered veterinary technician working under the direct supervision of a licensed veterinarian; or
- (3) Certified Euthanasia Technician

for up to three consecutive months or until such time as the next practical euthanasia exam is conducted, whichever is longer. Certified animal shelters employing probationary euthanasia technicians must notify the Animal Welfare Section no later than five days prior to the probationary euthanasia technician's first day serving in that capacity.

Authority G.S. 19A-24(5).

02 NCAC 52J .0410 EXAM REQUIRED

An individual who has not passed the written exam may not serve as a Certified Euthanasia Technician or Probationary Euthanasia Technician.

Authority G.S. 19A-24(5).

02 NCAC 52J .0411 NEW APPLICATION

If the individual or applicant fails to pass the practical exam a second time and wishes to apply for certification again, the individual shall submit a new application to the Animal Welfare Section, attend an accredited training program, pass the written exam and take and pass a practical examination on euthanasia. The Animal Welfare Section will cancel the application of any applicant who fails the written examination twice.

Authority G.S. 19A-24(5).

02 NCAC 52J .0412 ISSUANCE OF CERTIFICATION

Upon the receipt of materials specified in this Section the Animal Welfare Section shall issue a Certificate.

Authority G.S. 19A-24(5).

02 NCAC 52J .0413 LENGTH OF CERTIFICATION

A Certificate issued by the Animal Welfare Section shall be valid for five years from the date of issuance unless it is revoked pursuant to this Section or upon termination of employment or volunteer status as described in this Section.

Authority G.S. 19A-24(5).

02 NCAC 52J .0414 TERMINATION OF EMPLOYMENT

Upon termination of employment or volunteer status from a certified facility, a Certified Euthanasia Technician shall not perform animal euthanasia in a certified facility until recertified by the Animal Welfare Section. The Certified Euthanasia Technician's certification shall be cancelled effectively upon termination of employment or volunteer status. No later than 10 days from the date of the termination of a Certified Euthanasia Technician's employment or volunteer status at that certified facility the Certified Euthanasia Technician shall complete a form notifying the Animal Welfare Section of the termination of employment or volunteer status and shall return the form and the Certificate to the animal Welfare Section.

Authority G.S. 19A-24(5).

02 NCAC 52J .0415 NOTICE OF TERMINATION

A certified facility shall notify the Animal Welfare Section in writing, no later than ten 10 days from the date of the termination of a Certified Euthanasia Technician's employment or volunteer status at that certified facility.

Authority G.S. 19A-24(5).

02 NCAC 52J .0416 RECERTIFICATION

(a) If a former Certified Euthanasia Technician is employed or is accepted as a volunteer at a certified facility before the expiration of his certification, the former Certified Euthanasia Technician and/or employer may request reinstatement of his/her certification from the Animal Welfare Section. The reinstated Certification shall be good for five years from the date of its initial issue.

(b) If a former Certified Euthanasia Technician is employed or is accepted as a volunteer at a certified facility after the expiration of his certification, the former Certified Euthanasia Technician may only euthanize animals under the direct supervision of a licensed veterinarian, registered veterinary technician working under the direct supervision of a licensed veterinarian or currently certified euthanasia technician

for three months or until he/she passes practical examination whichever is less. The former Certified Euthanasia Technician and the manager of the certified facility will each notify the Animal Welfare Section within ten 10 days of the date the former Certified Euthanasia Technician is employed or accepted as a volunteer.

Authority G.S. 19A-24(5).

02 NCAC 52J .0417 CERTIFICATION RENEWAL

Certifications may be renewed every five years provided that:

- (1) within the 12 months immediately preceding the application for certification renewal the Certified Euthanasia Technician has taken and passed a practical examination for each method of euthanasia for which they are seeking certification renewal;
- (2) the applicant receives up-to-date information about the method of euthanasia for which the applicant is seeking certification;
- (3) the applicant receives training in stress management for the employee.

The applicant shall submit an application for certification renewal to the Animal Welfare Section. The application shall be on a form created by the Animal Welfare Section and shall include a document from an approved Certified Euthanasia Technician trainer establishing that the applicant has passed a practical examination in the specific euthanasia techniques for which they are seeking certification.

Authority G.S. 19A-24(5).

02 NCAC 52J .0418 DUTIES

The scope of duties of a Certified Euthanasia Technician shall include, but are not limited to:

- (1) Preparing animals for euthanasia;
- (2) Accurately recording the identification number of the animal, its species, sex, breed description and date, dosages for drugs that are administered and amounts for drugs wasted;
- (3) Ordering euthanasia supplies;
- (4) Maintaining the security of all controlled substances and other approved drugs in accordance with applicable state and federal laws and regulations;
- (5) Directly supervising probationary Euthanasia Technicians;
- (6) Reporting to the appropriate government agencies violations or suspicions of a violation of these Rules or any abuse of drugs;
- (7) Humanely euthanizing animals; and
- (8) Proper and lawful disposal of euthanized animals and expired or unwanted chemical agent(s) or the containers, instruments and equipment used in the administration of approved drugs in accordance with all applicable federal, state and local laws and regulations;
- (9) Properly notify the Animal Welfare section as required in this Section upon leaving employment or volunteer status at a covered facility.

Authority G.S. 19A-24(5).

02 NCAC 52J .0419 GROUNDS FOR DISCIPLINE - CERTIFIED EUTHANASIA TECHNICIANS

The Department may refuse to issue, renew, or reinstate the certification of a Euthanasia Technician, or may deny, revoke, suspend, sanction, or place on probation, impose other forms of discipline, and enter into consent agreements and negotiated settlements with Certified Euthanasia Technician pursuant to the procedures set forth in G.S. 150B, Article 3, for any of the following reasons:

- (1) Failure to Carry Out Duties. Failure to carry out the duties of a Certified Euthanasia Technician;
- (2) Abuse of Chemical Substances. Abuse of any drug or chemical substance by:
 - (a) Selling, diverting or giving away drugs or chemical substances;
 - (b) Stealing drugs or chemical substances;
 - (c) Misusing chemical substances; or
 - (d) Abetting anyone in the foregoing activities;
- (3) Euthanizing animals without proper supervision;
- (4) Allowing uncertified individuals to euthanize animals;
- (5) Allowing probationary Euthanasia Technicians to euthanize animals outside of the Certified Euthanasia Technician's personal presence;
- (6) Fraud, misrepresentation, or deception in obtaining certification;
- (7) Unethical or Unprofessional Conduct. Unethical or unprofessional conduct means to knowingly engage in conduct of a character likely to deceive or defraud the public. Such conduct includes but is not limited to working in conjunction with any agency or person illegally practicing as a Certified Euthanasia Technician; failing to provide sanitary facilities or apply sanitary procedures for the euthanizing of any animal; euthanizing animals in a manner that endangers the health or welfare of the public; gross ignorance, incompetence or inefficiency in the euthanizing of animals as determined by, but not limited to, the practices generally and currently followed and accepted as approved by the American Veterinary Medical Association, the Humane Society of the United States or the American Humane Association; intentionally performing a duty, task or procedure involved in the euthanizing of animals for which the individual is not qualified; and swearing falsely in any testimony or affidavits relating to practicing as a Certified Euthanasia Technician;
- (8) Conviction of any criminal offense as described in this Section;

- (9) Improper Record Keeping. Failure to follow proper record keeping procedures as outlined in these Rules;
- (10) Improper Security and Storage for Approved Chemical Agents. Failure to provide and maintain proper security and storage for approved euthanasia and restraint drugs as established under applicable United States Drug Enforcement Administration and North Carolina Department of Health and Human Services statutes and rules;
- (11) Improper Disposal of Approved Chemical Agents and Equipment. Failure to properly dispose of approved drugs and the containers, instruments and equipment;
- (12) Improper Labeling of Approved Chemical Agents. Failure to properly label approved euthanasia and restraint chemical agents;
- (13) Revocation, Suspension or Limitation. The revocation, suspension, limitation, of a license, certificate or registration or any other disciplinary action by another state or United States jurisdiction or voluntary surrender of a license, certificate or registration by virtue of which one is licensed, certified or registered to practice as a Certified Euthanasia Technician in that state or jurisdiction on grounds other than nonpayment of the renewal fee;
- (14) Failure of any applicant or certificate holder to cooperate with the North Carolina Department of Agriculture and Consumer Services during any investigation or inspection;
- (15) Any action or omission by the Certified Euthanasia Technician that the Commissioner of the North Carolina Department of Agriculture and Consumer Services believes is contrary to the best interest of the public to continue having the person certified to euthanize animals.

Authority G.S. 19A-24(5).

02 NCAC 52J .0420 CRIMINAL CONVICTIONS

"Conviction of a charge or crime" in this Section means being found guilty, convicted, placed on probation or entering a guilty plea that is accepted by the court, forfeiture of bail, bond or collateral deposited to secure one's own appearance in a criminal proceeding or having received a withheld judgment, prayer for judgment continued or suspended sentence by a court of competent jurisdiction in this state, in a federal court or another state of one or more of the following:

- (1) any felony as defined by federal or state law;
- (2) any criminal act that in any way is related to practicing as a Certified Euthanasia Technician.

Authority G.S. 19A-24(5).

SECTION .0500 - EUTHANASIA BY INJECTION

02 NCAC 52J .0501 AUTHORIZED PERSONS

Only a Certified Euthanasia Technician or person listed as an exception to the Certified Euthanasia Technician requirement shall administer euthanasia by injection.

Authority G.S. 19A-24(5).

02 NCAC 52J .0502 INTRACARDIAC INJECTION

Intracardiac injection shall only be used on animals that have been properly anesthetized or heavily sedated.

Authority G.S. 19A-24(5).

SECTION .0600 - EUTHANASIA BY CARBON MONOXIDE

02 NCAC 52J .0601 CARBON MONOXIDE EQUIPMENT

If carbon monoxide is used for euthanasia, the following requirements shall be met:

- (1) Only commercially compressed, bottled gas shall be used;
- (2) The gas shall be delivered in a commercially manufactured chamber that allows for the individual separation of animals;
- (3) Animals placed inside of the chamber shall be of the same species;
- (4) The chamber shall rapidly achieve a minimum six percent uniform concentration of carbon monoxide;
- (5) Death shall occur within five minutes of beginning the administration of the gas;
- (6) Animals shall remain in the chamber with carbon monoxide for a minimum of 20 minutes.

Authority G.S. 19A-24(5).

02 NCAC 52J .0602 PROHIBITED USES

Carbon monoxide shall not be used to euthanize the following animals:

- (1) Animals that appear to be less than 16 weeks of age;
- (2) Animals that are pregnant;
- (3) Animals that are moderately to significantly clinically ill;
- (4) Animals that are significantly injured;
- (5) Animals that are near death;
- (6) Animals that are geriatric.

Authority G.S. 19A-24(5).

02 NCAC 52J .0603 DEAD ANIMALS

Live animals shall not be placed into a chamber with dead animals.

Authority G.S. 19A-24(5).

02 NCAC 52J .0604 INDIVIDUAL SEPARATION

Animals shall be individually separated within the euthanasia chamber.

Authority G.S. 19A-24(5).

02 NCAC 52J .0605 CHAMBER REQUIREMENTS

(a) The chamber shall be located in a well-ventilated place, preferably outdoors.

(b) The chamber shall be of good working order.

(c) The chamber shall have strong airtight seals around the doors and viewports.

(d) The chamber shall have at least one port for viewing of the animals during euthanasia.

(e) The chamber shall be well lit.

(f) Any chamber electrical wiring or components exposed to carbon monoxide must be warranted by the manufacturer to be explosion proof.

(g) Any light inside of the chamber shall be shatterproof.

(h) The chamber shall use exhaust ventilation to evacuate the gas from the chamber before the doors are opened upon completion of the process.

(i) If the chamber is located outdoors:

(1) The exhaust shall be vented well above the operator;

(2) The minimum stack velocity shall be at least 3,000 feet per minute;

(3) If there is a roof above the chamber, the exhaust shall be vented at least three feet above the highest point of the roof;

(4) The exhaust shall not be located near any building air intakes.

(j) If the chamber is located indoors:

(1) The exhaust shall be vented to the outdoors at least three feet above the highest point of the roof;

(2) The exhaust shall not be located near any building air intakes;

(3) The minimum stack velocity shall be at least 3,000 feet per minute;

(4) At least two carbon monoxide detectors shall be placed in the room.

Authority G.S. 19A-24(5).

02 NCAC 52J .0606 INSPECTIONS AND RECORDS

(a) Chamber seals, exhaust flow, carbon monoxide monitors and other equipment used in the euthanasia process shall be inspected at least monthly and repaired or replaced as necessary.

(b) Chamber must be inspected at least annually by the manufacturer, an authorized representative or an industrial hygienist knowledgeable about the manufacture and operation of the chamber.

(c) A record shall be made of each inspection recording the results, the date of the inspection, and the name of the person performing the inspection. The record shall be maintained in the policy and procedure manual for at least two years.

Authority G.S. 19A-24(5).

02 NCAC 52J .0607 CLEANING CHAMBER

The chamber shall be well cleaned between uses.

Authority G.S. 19A-24(5).

02 NCAC 52J .0608 OPERATIONAL GUIDES AND INSTRUCTION MANUALS

Current operational guides and maintenance instruction manuals shall be kept in the room with the chamber at all times.

Authority G.S. 19A-24(5).

02 NCAC 52J .0609 PERSONS REQUIRED TO BE PRESENT

The chamber shall not be operated unless a Certified Euthanasia Technician, veterinarian licensed in North Carolina or a registered veterinary technician and one other adult are present at the time of its use.

Authority G.S. 19A-24(5).

02 NCAC 52J .0701 METHODS OF EUTHANASIA PERMITTED UNDER EXTRAORDINARY CIRCUMSTANCES AND SITUATIONS

An extraordinary circumstance or situation includes but is not limited to a situation which is offsite from the shelter, in which an animal poses a significant or immediate risk to life, limb or public health and in which no alternative, less extreme measure of euthanasia is feasible. It also includes circumstances or situations in which it would be inhumane to transport an animal to another location to perform euthanasia.

Authority G.S. 19A-24(5).

02 NCAC 52J .0702 GUNSHOT OR OTHER METHODS

Under the most extraordinary circumstances and situations which occurs offsite from the shelter a shelter employee may use gunshot or other extreme method of euthanasia.

Authority G.S. 19A-24(5).

02 NCAC 52J .0703 METHODS AND STANDARDS

Methods of euthanasia used under this Section must be approved by the American Veterinary Medical Association, the Humane Society of the United States or the American Humane Association for use on that species of animal and must conform to standards set forth by that organization.

Authority G.S. 19A-24(5).

02 NCAC 52J .0704 TECHNICIAN NOT REQUIRED

If such an extraordinary circumstance or situation occurs and euthanasia is necessary, the person performing the euthanasia is not required to be a Certified Euthanasia Technician.

Authority G.S. 19A-24(5).

02 NCAC 52J .0705 REPORTS

If euthanasia is performed under extraordinary circumstances or situations, a report shall be made of the circumstances and kept on file for at least two years. The report shall include the date, time, identification of the animal, the name of the person performing the final euthanasia, the method of euthanasia and the reason for euthanasia of the animal as permitted by this Section.

Authority G.S. 19A-24(5).

SECTION .0800 - POLICY AND PROCEDURE MANUAL

02 NCAC 52J .0801 MANUAL REQUIRED

Any animal shelter performing euthanasia shall have a current policy and procedure manual about euthanasia.

Authority G.S. 19A-24(5).

02 NCAC 52J .0802 CONTENTS

The manual shall set forth the shelter's equipment, process, and the individual separation of animals.

Authority G.S. 19A-24(5).

02 NCAC 52J .0803 ADDITIONAL CONTENTS

The manual shall be kept consistent with the publications listed below and reflect the current information for each. The manual shall include but not be limited to:

- (1) A copy of the most current North Carolina Animal Welfare Act including statutes and rules;
- (2) A copy of the 2000 Report of the American Veterinary Medical Association Panel on Euthanasia and any future revisions, replacements, supplements or changes thereto issued by said organization;
- (3) A current copy of the Euthanasia Training Manual of the Humane Society of the United States;
- (4) If printed, a copy of a publication on euthanasia by the American Humane Association;
- (5) A list of methods of euthanasia allowed at the shelter and the policy and procedures for each method;
- (6) A list of Certified Euthanasia Technicians, the methods of euthanasia in which they have received training, the date of training and the date of expiration of their Certification;
- (7) The name, address and contact information for the veterinarian responsible for the Annual Program of Veterinary Care;
- (8) The name, address and contact information for veterinarians responsible for the veterinary medical care of the animals. The contact information will include telephone numbers for working hours, weekends, nights and holidays;
- (9) Euthanasia procedure to use in emergencies, after hours, holidays and weekends;
- (10) Procedures to follow if no Certified Euthanasia Technician is present and euthanasia of an animal is necessary;
- (11) Methods of verifying death of an animal after a euthanasia process is performed;

- (12) The name and contact information of the supplier of euthanasia materials shall be listed. It shall include but not be limited to:
 - (a) Bottled gas (if applicable);
 - (b) Manufacturer of the chamber used to euthanize animals by inhalant gas (if applicable);
 - (c) Injectable euthanasia solution;
 - (d) Tranquilizer or anesthetic solution;
- (13) Original of DEA certification permitting the use of controlled substances;
- (14) A material safety data sheet for any chemical or gas used for euthanasia in that shelter;
- (15) A material safety data sheet for any anesthetic or tranquilizer used in that facility;
- (16) Notice of the signs and symptoms associated with human exposure to the agents used for euthanasia at the facility;
- (17) Proper first aid for people accidentally exposed to the agents used for euthanasia at the facility;
- (18) Contact information of the physician or medical facility providing medical treatment to employees of the facility. The information shall include but not be limited to the name of the medical facility, the telephone number for both working and after-hours contact and directions to the medical facility from the certified facility including a map. If the medical facility does not provide service after-hours, on weekends or on holidays, there must be contact information as described above for the nearest medical facility, urgent care clinic or emergency room that does provide care during that time.

Authority G.S. 19A-24(5).