

Estimated number of Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: 2,500 hours.

Customer Report Card

Abstract: The CUSTOMER Report Card is an on-site survey made available to visitors at the recreational site. The purpose of the CUSTOMER Report Card is to gather data about the experiences visitors have on National Forest System land recreational sites, such as how satisfying the visit was and whether the recreational site met the visitor's needs. When completed, the surveys are placed in a box located at the recreational site for this purpose.

Estimate of Burden: 5 minutes per response.

Type of Respondents: 10,000.

Estimated Number of Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: 834 hours.

The agency invites comments on the following: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Use of Comments

All comments received in response to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Dated: May 13, 1996.

Jack Ward Thomas,
Chief.

[FR Doc. 96-12452 Filed 5-16-96; 8:45 am]

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Grain Inspection, Packers and Stockyards Administration

Livestock Care and Handling Guidelines; Comment Request

ACTION: Notice.

SUMMARY: The Agency is proposing to issue livestock care and handling

guidelines to assist the industry in complying with the provisions of the Packers and Stockyards Act.

DATES: Comments are invited and should be submitted by July 16, 1996.

ADDRESSES: Comments may be mailed to the Deputy Administrator, Packers and Stockyards Programs, Room 3039, South Building, U.S. Department of Agriculture, Washington, D.C. 20250-2800. Comments received may be inspected during normal business hours in the Office of the Deputy Administrator, Packers and Stockyards Programs.

FOR FURTHER INFORMATION CONTACT: Dan Van Ackeren, Director, Livestock Marketing Division, (202) 720-6951.

SUPPLEMENTARY INFORMATION: Because of public concerns, the Agency initiated a program to review the services, facilities, and procedures for receiving and handling livestock at all stockyards. Since May 1991, the Agency has investigated over 1,400 stockyards to determine whether the livestock handling practices, services, and facilities at these stockyards were adequate to assure livestock are handled and cared for properly. While most stockyards have adequate facilities and exercise good animal care and handling practices, problems were found to exist at some stockyards. Some of the problems encountered at stockyards included: inadequate facilities; handling livestock in a manner that could cause bruising, injury, or unnecessary suffering, including excessive use of electric prods or other driving devices; overcrowding in pens; and not handling nonambulatory or injured livestock promptly. In addition, the Agency has received over 8,000 letters from animal welfare groups or from individuals not identified as producers or as members of any organization concerning the care and handling of "downed" animals at stockyards.

While the Agency already has a regulation (9 CFR 201.82) issued under the provisions of the Packers and Stockyards (P&S) Act that requires stockyard owners to exercise reasonable care and promptness in providing stockyard services to prevent shrinkage, injury, death, or other avoidable loss, that regulation does not adequately address the specific problems found in the Agency's review of the livestock handling practices, services, and facilities of stockyards. The Agency believes issuing specific livestock care and handling guidelines to the stockyard industry would be helpful in dealing with this issue.

After considering the results of over 1,400 stockyard reviews, and the letters

from concerned citizens, the Agency is proposing to publish guidelines for the care and handling of livestock at stockyards to assist the industry in complying with the provisions of the Packers and Stockyards Act. The guidelines would advise stockyard owners that they should maintain their facilities in a manner that avoids risk of injury, bruising, unnecessary suffering and stress. The stockyards would be advised to move, pen, and care for livestock in a manner that protects the quality and value of the animal while also providing for the animal's welfare. The guidelines would also advise stockyard owners of the minimum standards the Agency considers necessary for handling nonambulatory animals.

Section 301(b) of the Packers and Stockyards Act (7 U.S.C. 201(b)) defines "stockyard services" as any "services or facilities furnished at a stockyard in connection with the receiving, buying or selling on a commission basis or otherwise, marketing, feeding, watering, holding, delivery, shipment, weighing, or handling, in commerce, of livestock." Section 304 (7 U.S.C. 205) provides that: "All stockyard services furnished pursuant to reasonable request made to a stockyard owner or market agency at such stockyard shall be reasonable and nondiscriminatory and stockyard services, which are furnished, shall not be refused on any basis that is unreasonable or unjustly discriminatory * * *."

Section 307(a) (7 U.S.C. 208(a)) provides that: "It shall be the duty of every stockyard owner and market agency to establish, observe, and enforce just, reasonable, and nondiscriminatory regulations and practices in respect to the furnishing of stockyard services * * *." Section 312(a) (7 U.S.C. 213(a)) provides that: "It shall be unlawful for any stockyard owner, market agency, or dealer to engage in or use any unfair, unjustly discriminatory, or deceptive practice or device in connection with determining whether persons should be authorized to operate at the stockyards, or with the receiving, marketing, buying, or selling on a commission basis or otherwise, feeding, watering, holding, delivery, shipment, weighing, or handling of livestock."

The Guidelines

Livestock in marketing channels should be handled and cared for in a manner that is consistent with the animals' well-being and that protects their quality and value. The Agency does not condone handling livestock in any manner that is inconsistent with good animal husbandry practices and

believes that the failure to provide proper care and handling increases the risk of unnecessary loss to the seller and unnecessary suffering for the animal. It is the Agency's view that stockyards should provide appropriate facilities and follow animal care and handling practices and procedures that minimize the risk of injury, death, or other avoidable loss and avoid unnecessary suffering. Failure to provide appropriate services as detailed in these guidelines could result in the Agency's initiating an enforcement action brought pursuant to Sections 304, 307, and 312 of the Packers and Stockyards Act.

1. Care and Handling of Livestock

(a) Livestock at stockyards should be handled in a manner that protects the quality and value of the animal while also providing for the animal's welfare. Stockyard owners should establish and enforce practices and procedures that ensure the proper treatment of animals. Adequate instruction should be given to employees and proper notice given to truckers, market patrons, and other livestock handlers on the livestock care and handling practices to be followed at the facility. Abuse or mistreatment of animals should not be tolerated.

(b) Livestock facilities, including loading and unloading ramps, gates, fences, scales, and equipment used to provide stockyard services should be reasonably clean and well-maintained. Any object in the facility or on equipment used around livestock that is likely to cause bruising or injury to livestock, such as protruding nails, sharp edges, extended bolts, gate hooks, latches and hinges, should be eliminated or modified. All floors should be constructed or maintained in such a manner that livestock can walk without slipping to prevent injuries caused by falling down.

(c) Livestock of all species should be unloaded, yarded, moved through the facility, and reloaded in a manner to avoid bruising, injury, and unnecessary stress or suffering. When livestock are driven, sorted, or otherwise moved about a facility, such movement should be reasonably paced in a manner consistent with the type, temperament, and condition of the livestock being handled and stockyard conditions.

(d) Livestock driving devices, such as electric prods, canes, whips, paddles or canvas straps, should be used prudently and only to the extent necessary to handle or move livestock. Generally, paddles and canvas straps are equally effective and less likely than other types of driving devices to cause bruising or unnecessary excitement and stress. Electric prods should be of a

commercial type designed for use in moving livestock. All electric prodding devices should be used sparingly in order to avoid unnecessary stress and risk of injury to animals. Electric prods should never be applied to the rectum, vagina, eyes, ears or mouth areas.

(e) Stockyards should provide adequate pen space for the number and type of animals handled. Uncastrated mature males should be penned individually if necessary to prevent fighting. Bulls should be penned separately from cows and heifers to prevent mounting which can cripple small or weak animals.

(f) The Agency recognizes that transportation factors, types of livestock and animal nutrition requirements may make periods of withdrawal from feed and water desirable. These periods do not pose a threat to the quality and value of the animals if the animals are moved promptly to their destination. However, livestock held overnight at a stockyard, either before or after sale, should have access to feed and water within 24 hours of receipt at the stockyard.

2. Care and Handling of Nonambulatory Livestock.

(a) Nonambulatory animals, also referred to as "downed animals," are defined as those animals that are unable to stand or walk without assistance. The Agency believes prompt action is the key to preventing unnecessary suffering and protecting the economic value of nonambulatory animals, whether the action is providing veterinary care, transporting it to slaughter, euthanizing the animal, or taking some other effective action.

(b) Stockyards should provide adequate facilities and equipment necessary to handle any livestock they accept on consignment. If a stockyard chooses to accept nonambulatory livestock or if an animal becomes nonambulatory while at the stockyard, the stockyard should provide the necessary equipment to handle the livestock humanely, efficiently, and promptly to avoid unnecessary suffering and preserve the quality and value of the animal.

(c) Stockyard owners should establish pre-planned procedures that provide for assessing the condition of a nonambulatory animal and the options available for its care so prompt decisions can be made on its disposition and removal from the facility.

(d) Nonambulatory animals require special equipment for their handling and movement within the stockyard facility to avoid the risk of further injury and unnecessary suffering. Such

equipment may include a front-end loader, sled, belt or mat slide, specialized hoists or slings, or a combination of these devices. Special care should be taken when moving or loading nonambulatory animals onto a suitable conveyance. Nonambulatory animals should be gently rolled onto the conveyance, and an animal should not be shoved against a wall or fence to get it into a loader bucket.

(e) Stockyards that cannot provide proper care in handling nonambulatory livestock or do not have the required special equipment should adopt a policy of refusing to accept such livestock. Further, if an animal becomes nonambulatory while at such facility, the stockyard should promptly euthanize the animal before moving it or secure the prompt services of a veterinarian or other third party with the necessary equipment to provide proper care and handling for the animal.

(f) Dragging of a nonambulatory animal by its limbs is undesirable and should be avoided. In situations where an animal must be moved to accommodate a suitable conveyance, then padded belts should be attached to two noninjured limbs and the rope, cable, or chain attached to the belts. Animals should never be pulled by the neck. If these techniques for movement of the animal are not practical, then the animal should be promptly euthanized.

(g) Separate pens should be provided for weak, injured, and nonambulatory livestock. Such pens should be located for ease of access by specialized equipment. Feed and water should also be provided for the nonambulatory livestock.

(h) When an animal becomes nonambulatory, its condition should be promptly assessed, a decision made as to the proper care or disposition of the animal, and appropriate actions should be taken to protect its quality and value and to avoid unnecessary suffering. When it is determined that an animal should be euthanized, then the action should be taken promptly and humanely without awaiting the arrival of a rendering service.

(Authority: 7 U.S.C. 228(a); 7 CFR 2.22, 2.81)

Done at Washington, D.C. this 13th day of May 1996.

James R. Baker,

Administrator Grain Inspection, Packers and Stockyards Administration.

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