

SUBCHAPTER 52K – ANIMAL EXHIBITIONS

SECTION .0100 – PURPOSE AND SCOPE

02 NCAC 52K .0101 PURPOSE

The purpose of this Subchapter is to establish standards for animal exhibitions at agricultural fairs to reduce the likelihood of the transmission of disease from animals to humans.

*History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.*

02 NCAC 52K .0102 SCOPE

The rules in this Subchapter apply to animal exhibitions at agricultural fairs where animals are displayed for the purpose of physical contact with humans.

*History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.*

SECTION .0200 - DEFINITIONS

02 NCAC 52K .0201 DEFINITIONS

As used in this Subchapter:

- (1) "Agricultural fair" or "fair" means a fair required to be licensed by the Commissioner of Agriculture pursuant to G.S. 106-520.3.
- (2) "Animal contact exhibit" means any exhibit at an agricultural fair where there are animals displayed for the purpose of petting, holding, feeding, or other physical contact by humans, including but not limited to, petting zoos, pony rides and poultry handling exhibits.
- (3) "Commissioner" means the Commissioner of Agriculture or the Commissioner's authorized representative.
- (4) "Department" means the North Carolina Department of Agriculture and Consumer Services.
- (5) "Transition area" means the area between an animal contact exhibit exit and the closest hand-washing station.

*History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.*

SECTION .0300 - SIGNAGE

02 NCAC 52K .0301 SIGNAGE

An animal contact exhibit shall provide visible signage at the entrance and exit of the exhibit to educate the public regarding:

- (1) the fact that animal contact may pose a health risk;
- (2) items that are prohibited in animal areas;
- (3) the identity of high risk populations, including:
 - (a) the elderly;
 - (b) children under the age of six;
 - (c) women who are pregnant;
 - (d) people with an existing health condition; and
- (4) the location of hand-washing stations.

History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006;
Amended Eff. September 1, 2014;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.

02 NCAC 52K .0302 MINIMUM SIZE OF LETTERING ON SIGNAGE

All lettering on signs shall be at least 3/8 inch high.

History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.

SECTION .0400 – OPERATIONS AND STAFFING

02 NCAC 52K .0401 FENCING

(a) Animals and bedding shall be separated from the public with fencing to minimize the public's contact with manure and bedding. This does not apply to:

- (1) animal rides (including pony, camel, and elephant rides);
- (2) milking booths; or
- (3) the petting of an animal held or restrained outside of its housing area by an exhibit operator or patron as part of an educational or photographic opportunity where there is limited possibility of contact with manure and bedding.

(b) Fencing shall be at least 29 inches high. On the side(s) of the exhibit intended for public contact, the fencing shall have a solid board or panel at the bottom at least eight inches high to contain manure and bedding.

(c) Fencing may allow children to reach through or over to pet and feed animals.

History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006;
Amended Eff. September 1, 2014;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.

02 NCAC 52K .0402 PROHIBITED ITEMS

In order to minimize hand to mouth contact, no pacifiers, baby bottles, drink cups, food, drink or smoking shall be allowed in animal contact exhibits.

History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.

02 NCAC 52K .0403 AGE REQUIREMENTS

Unsupervised children less than six years old shall not be permitted in animal contact areas.

History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.

02 NCAC 52K .0404 FEEDING OF ANIMALS

Only food provided by the animal contact exhibit may be fed to the animals. Animal food shall not be provided in containers that are human food items, such as ice cream cones.

History Note: Authority G.S. 106-520.3A;

Eff. September 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.

02 NCAC 52K .0405 STAFFING; COMPLIANCE

An animal contact exhibit shall be staffed at all times of operation by at least one person who has the authority to ensure that the exhibit complies with this Subchapter. The owner, operator or person in charge of an animal contact exhibit shall be responsible for compliance with this Subchapter, and shall not knowingly permit violations by its employees, agents or patrons.

History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.

02 NCAC 52K .0406 SURFACES; EXHIBIT AREAS

- (a) Surfaces in the animal contact exhibit that can be touched by both fair patrons and animals shall be made of impervious material, and shall be cleaned and disinfected daily and at any time visible contamination is present.
- (b) All animal fencing, feed troughs, and open watering systems shall be disinfected prior to and at the end of each fair.
- (c) Contact animal exhibits shall be held on impervious surfaces whenever feasible.
- (d) Impervious exhibit areas shall be cleaned and disinfected at the end of the fair.
- (e) Exhibit areas that are not impervious shall be cleaned of all manure at the end of the fair and shall not be used for human activities for at least six months after cleaning.
- (f) Paragraphs (c) and (e) of this Rule shall not apply to pony rides.

History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006.
Amended Eff. November 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.

02 NCAC 52K .0407 WASTE DISPOSAL

The fair shall designate a manure disposal area and shall control wastewater runoff. The animal contact exhibit shall have a designated area for temporary storage of animal waste and shall not transport such waste through areas occupied by fair patrons. Manure disposal and storage areas shall be inaccessible to the public, unless waste is bagged and placed in a closeable dumpster.

History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.

SECTION .0500 – FOOD, DRINK AND HAND-WASHING

02 NCAC 52K .0501 HAND-WASHING STATIONS

- (a) Hand-washing stations with soap, running water, paper towels and disposal containers shall be located within 10 feet of the exit of an animal contact exhibit, wherever feasible.
- (b) Hand-washing stations suitable for small children shall be available in the same area as the stations in Paragraph (a) of this Rule.
- (c) Signage shall be provided to direct patrons to hand-washing stations.
- (d) In order to promote hand-washing with soap and water, dispensers for waterless hand sanitizing lotions, gels or hand wipes shall not be provided in the transition or exhibit area. Such dispensers may be placed at the entrance of milking booths to reduce the potential for introduction of disease to the exhibit animals.

History Note: Authority G.S. 106-520.3A;

Eff. September 1, 2006;
Amended Eff. September 1, 2014; November 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.

02 NCAC 52K .0502 FOOD AND DRINK

Food and beverages for human consumption shall not be sold, prepared, served, or consumed in transition areas.

History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.

SECTION .0600 - ANIMAL KEEPING, CERTIFICATIONS AND EXHIBITION

02 NCAC 52K .0601 HEALTH CERTIFICATE; VACCINATIONS

- (a) An official health certificate as defined in 02 NCAC 52B .0202, a rabies vaccination certificate (when applicable), and any other documentation required by 02 NCAC 52B for species or state of origin, shall accompany all animals contained in a public contact setting.
- (b) An animal for which there is an approved rabies vaccine, but which is too young to receive rabies vaccination, is prohibited from animal contact exhibits unless proof of rabies vaccination, within the preceding 12 months, of the mother is provided.
- (c) Initial rabies vaccination shall be administered at least 30 days prior to the event. Subsequent vaccinations for livestock shall be no more than one year prior to the event and may be within 30 days of the event if proof of previous vaccination is provided. Dogs and cats shall be in compliance with the North Carolina rabies law, G.S. 130A, Article 6, Part 6.
- (d) If no licensed rabies vaccine exists for a particular species (such as rabbits, goats, llamas, and camels), no vaccination is required.

History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006;
Amended Eff. November 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.

02 NCAC 52K .0602 DAILY MONITORING

Animals shall be monitored daily by exhibit personnel for signs of illness. Animals that exhibit signs of illness shall be removed from public contact immediately.

History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.

02 NCAC 52K .0603 HIGH RISK ANIMALS

Animals that pose a high disease risk to humans, as determined by the State Veterinarian or his representative, shall not be allowed in animal contact exhibits.

History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.

02 NCAC 52K .0604 BIRTHING ANIMALS

No near-birth or birthing sheep, cattle or goats and no sheep, cattle or goats that have given birth within the previous two weeks shall be allowed in animal contact exhibits.

*History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.*

SECTION .0700 - PERMITTING AND RECORD-KEEPING

02 NCAC 52K .0701 PERMITTING

- (a) Each animal contact exhibit shall be inspected and permitted by the Department prior to opening at a sanctioned agricultural fair.
- (b) Permitting applications for animal contact exhibits will be included in the annual County Fair Handbook distributed by the Department. Applications and other information shall be forwarded by the fair manager to all contracted animal contact exhibits or completed by fair staff for exhibits operated by the fair.
- (c) In order to be permitted when the fair opens, an animal contact exhibit shall be set up and ready for inspection at least two hours before the fair opens.
- (d) Permits shall be valid for exhibition at other fairs listed on the permit application, unless the permit has been suspended or revoked.
- (e) A permit may be suspended or revoked by the Commissioner or his authorized representative for any violation of this Subchapter or G.S. 106-520.3A, in accordance with the Administrative Procedure Act.

*History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.*

02 NCAC 52K .0702 RECORDS

Each contact animal exhibit shall keep a record of daily disinfection and animal monitoring during each fair. Records shall be maintained for a period of one year and shall be made available for inspection by the Commissioner of Agriculture or his designee.

*History Note: Authority G.S. 106-520.3A;
Eff. September 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.*