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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL  
No. 350

Session of  
1983

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INTRODUCED BY MURPHY, RYAN, COWELL, CALTAGIRONE, TRELLO,  
MICHLOVIC, VAN HORNE, GREENWOOD, DAWIDA AND DONATUCCI,  
MARCH 1, 1983

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AS AMENDED ON SECOND CONSIDERATION, IN SENATE,  
DECEMBER 13, 1983

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AN ACT

1 Relating to ~~euthanasia~~ DESTRUCTION of pet animals; prohibiting <—  
2 certain methods of ~~euthanasia~~ DESTRUCTION; and requiring <—  
3 ~~certain training in the administration of drugs;~~ PROVIDING <—  
4 FOR A LIMITED LICENSE TO DISPENSE CERTAIN DRUGS; PROVIDING  
5 FOR REGULATION AND ENFORCEMENT; PROVIDING FOR USE OF CERTAIN <—  
6 SURPLUS FUNDS; and providing penalties.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Prohibited means of ~~euthanasia~~ DESTRUCTION OF <—  
10 ANIMALS.

11 No animal shall be ~~euthanized~~ DESTROYED by means of a high <—  
12 altitude decompression chamber or decompression device.

13 Section 2. Methods of ~~euthanasia~~ DESTRUCTION OF ANIMALS. <—

14 (a) Required method.--The required method of ~~euthanasia~~ <—  
15 DESTRUCTION shall be by the administration of an overdose of a <—  
16 barbiturate, barbiturate combinations, drug or drug combinations  
17 approved for this purpose by the Federal Drug Administration and

1 in accordance with guidelines established by the Pennsylvania  
2 Department of Agriculture.

3 (b) Authorized method.--~~Nothing in this act shall prevent a~~ <—  
4 ~~person or Humane Society organization from euthanizing a pet~~  
5 ~~animal by means of firearms. CHLOROFORM, ETHER, HALOTHANE OR~~ <—  
6 ~~FLUOTHANE MAY BE USED TO PERFORM EUTHANASIA ON ANIMALS UNDER~~  
7 ~~SEVEN WEEKS OF AGE WHEN ADMINISTERED IN AN AIRTIGHT CHAMBER OR~~  
8 ~~TRANSPARENT PLASTIC BAG PROVIDING FOR SEGREGATION OF ANIMALS BY~~  
9 ~~SIZE AND AGE WHICH IS CAPABLE OF PERMITTING UNOBSTRUCTED VISUAL~~  
10 ~~OBSERVATION AND WHICH DOES NOT PERMIT DIRECT CONTACT WITH ANY~~  
11 ~~DEVICE CONTAINING CHLOROFORM. NOTHING IN THIS ACT SHALL PREVENT~~ <—  
12 A PERSON OR HUMANE SOCIETY ORGANIZATION FROM DESTROYING A PET  
13 ANIMAL BY MEANS OF FIREARMS.

14 Section 3. Administration of drugs.

15 The barbiturates, barbiturate combinations or other Federal  
16 Drug Administration approved drugs or drug combinations shall be  
17 administered by intravenous, intraperitoneal or intracardiac  
18 injections or orally by a licensed veterinarian or ~~by a person~~ <—  
19 ~~trained in the proper restraint, handling determination of death~~  
20 ~~and injection by the methods approved in this section by a~~  
21 ~~licensed veterinarian. The training shall be at least four hours~~  
22 ~~in duration and the person shall be certified as competent, in~~  
23 ~~writing, by that veterinarian AS SET FORTH IN SECTION 5 6.~~ <—

24 Section 4. Exclusions.

25 Sections 2 and 3 of this act shall not apply to a medical  
26 school or school of veterinary medicine or a research  
27 institution affiliated with a hospital or university.

28 ~~Section 5. Use of carbon monoxide euthanasia systems.~~ <—

29 ~~(1) Carbon monoxide gas may be used to perform~~ <—  
30 ~~euthanasia on animals seven weeks of age or older.~~

1           ~~(2) Chloroform, ether, halothane or fluothane may be~~  
2           ~~used to perform euthanasia on animals under seven weeks of~~  
3           ~~age when administered in an airtight chamber or transparent~~  
4           ~~plastic bag providing for segregation of animals by size and~~  
5           ~~age which is capable of permitting unobstructed visual~~  
6           ~~observation and which does not permit direct contact with any~~  
7           ~~device containing chloroform.~~

8           ~~(3) Carbon monoxide gas systems shall consist of and be~~  
9           ~~equipped with:~~

10           ~~(i) A tightly enclosed cabinet for the purpose of~~  
11           ~~containing the animals during the euthanasia process.~~

12           ~~(ii) Internal lighting and a window for direct~~  
13           ~~visual observation in the cabinet at all times.~~

14           ~~(iii) A gas generation capable of achieving a~~  
15           ~~concentration of carbon monoxide gas of at least 5%~~  
16           ~~throughout the cabinet.~~

17           ~~(iv) A gauge or gas concentration indicator or~~  
18           ~~recording device.~~

19           ~~(v) A means of separating animals from each other~~  
20           ~~within the cabinet, if the cabinet is of sufficient size~~  
21           ~~to facilitate more than one animal.~~

22           ~~(vi) A means of fully removing the carbon monoxide~~  
23           ~~gas from the cabinet upon completion of the euthanasia~~  
24           ~~process.~~

25           ~~(vii) If an internal combustion engine is used, a~~  
26           ~~means of cooling the gas to a temperature not to exceed~~  
27           ~~115 degrees Fahrenheit at the point of entry into the~~  
28           ~~cabinet and not to exceed 90 degrees Fahrenheit at any~~  
29           ~~point in the cabinet as determined by temperature gauges~~  
30           ~~permanently installed at point of entry and inside the~~

cabinet.

~~(viii) If the gas is generated by an internal combustion engine, a means of removing or filtering out all noxious fumes, irritating acids and carbon particles from the gas before it enters the cabinet.~~

~~(ix) If an internal combustion engine is used, a means of substantially deadening the sound and vibration transmission from the engine to the cabinet, by placing them in separate rooms or soundproof compartments connecting them with flexible tubing or pipe at least 24 inches in length, so that the noise level within the cabinet shall not exceed 70 decibels.~~

~~(x) If an internal combustion engine is used, a means for exhausting the internal combustion engine gas during the period of engine warmup.~~

~~(4) Upon completion of the euthanasia process, animals shall not be removed from the cabinet until the carbon monoxide gas has been fully removed from the cabinet.~~

#### SECTION 5. USE OF CARBON MONOXIDE SYSTEMS.

(1) CARBON MONOXIDE GAS MAY BE USED TO DESTROY ANIMALS SEVEN WEEKS OF AGE OR OLDER.

(2) CHLOROFORM, ETHER, HALOTHANE OR FLUOTHANE MAY BE USED TO DESTROY ANIMALS UNDER SEVEN WEEKS OF AGE WHEN ADMINISTERED IN AN AIRTIGHT CHAMBER OR TRANSPARENT PLASTIC BAG PROVIDING FOR SEGREGATION OF ANIMALS BY SIZE AND AGE WHICH IS CAPABLE OF PERMITTING UNOBSTRUCTED VISUAL OBSERVATION AND WHICH DOES NOT PERMIT DIRECT CONTACT WITH ANY DEVICE CONTAINING CHLOROFORM.

(3) CARBON MONOXIDE GAS SYSTEMS SHALL CONSIST OF AND BE EQUIPPED WITH:

(I) A TIGHTLY ENCLOSED CABINET FOR THE PURPOSE OF CONTAINING THE ANIMALS DURING THE DESTRUCTION PROCESS.

(II) INTERNAL LIGHTING AND A WINDOW FOR DIRECT VISUAL OBSERVATION IN THE CABINET AT ALL TIMES.

(III) A GAS GENERATION CAPABLE OF ACHIEVING A CONCENTRATION OF CARBON MONOXIDE GAS OF AT LEAST 5% THROUGHOUT THE CABINET.

(IV) A GAUGE OR GAS CONCENTRATION INDICATOR OR RECORDING DEVICE.

(V) A MEANS OF SEPARATING ANIMALS FROM EACH OTHER WITHIN THE CABINET, IF THE CABINET IS OF SUFFICIENT SIZE TO FACILITATE MORE THAN ONE ANIMAL.

(VI) A MEANS OF FULLY REMOVING THE CARBON MONOXIDE GAS FROM THE CABINET UPON COMPLETION OF THE DESTRUCTION PROCESS.

(VII) IF AN INTERNAL COMBUSTION ENGINE IS USED, A MEANS OF COOLING THE GAS TO A TEMPERATURE NOT TO EXCEED 115 DEGREES FAHRENHEIT AT THE POINT OF ENTRY INTO THE CABINET AND NOT TO EXCEED 90 DEGREES FAHRENHEIT AT ANY POINT IN THE CABINET AS DETERMINED BY TEMPERATURE GAUGES PERMANENTLY INSTALLED AT POINT OF ENTRY AND INSIDE THE CABINET.

(VIII) IF THE GAS IS GENERATED BY AN INTERNAL COMBUSTION ENGINE, A MEANS OF REMOVING OR FILTERING OUT ALL NOXIOUS FUMES, IRRITATING ACIDS AND CARBON PARTICLES FROM THE GAS BEFORE IT ENTERS THE CABINET.

(IX) IF AN INTERNAL COMBUSTION ENGINE IS USED, A MEANS OF SUBSTANTIALLY DEADENING THE SOUND AND VIBRATION TRANSMISSION FROM THE ENGINE TO THE CABINET, BY PLACING THEM IN SEPARATE ROOMS OR SOUNDPROOF COMPARTMENTS

1 CONNECTING THEM WITH FLEXIBLE TUBING OR PIPE AT LEAST 24  
2 INCHES IN LENGTH, SO THAT THE NOISE LEVEL WITHIN THE  
3 CABINET SHALL NOT EXCEED 70 DECIBELS.

4 (X) IF AN INTERNAL COMBUSTION ENGINE IS USED, A  
5 MEANS FOR EXHAUSTING THE INTERNAL COMBUSTION ENGINE GAS  
6 DURING THE PERIOD OF ENGINE WARMUP.

7 (4) UPON COMPLETION OF THE DESTRUCTION PROCESS, ANIMALS  
8 SHALL NOT BE REMOVED FROM THE CABINET UNTIL THE CARBON  
9 MONOXIDE GAS HAS BEEN FULLY REMOVED FROM THE CABINET.

10 SECTION 5 6. HUMANE SOCIETIES' AND ANIMAL SHELTERS' USE OF DRUGS. <—

11 (A) LIMITED LICENSE.--ON AND AFTER THE EFFECTIVE DATE OF  
12 THIS ACT, A HUMANE SOCIETY ORGANIZATION OR AN ANIMAL CONTROL  
13 ORGANIZATION MAY APPLY TO THE PENNSYLVANIA STATE BOARD OF  
14 PHARMACY FOR REGISTRATION PURSUANT TO THE APPLICABLE LAW FOR THE  
15 SOLE PURPOSE OF BEING AUTHORIZED TO PURCHASE, POSSESS AND  
16 ADMINISTER SODIUM PENTOBARBITAL TO ~~EUTHANIZE~~ DESTROY INJURED, <—  
17 SICK, HOMELESS OR UNWANTED DOMESTIC PET ANIMALS. A LIMITED  
18 LICENSE MAY BE ISSUED BY THE BOARD TO ELIGIBLE APPLICANTS. ANY  
19 AGENCY SO REGISTERED SHALL NOT PERMIT A PERSON TO ADMINISTER  
20 SODIUM PENTOBARBITAL UNLESS SUCH PERSON HAS DEMONSTRATED  
21 ADEQUATE KNOWLEDGE OF THE POTENTIAL HAZARDS AND PROPER  
22 TECHNIQUES TO BE USED IN ADMINISTERING THIS DRUG.

23 (B) REGULATION AND ENFORCEMENT.--THE PENNSYLVANIA DEPARTMENT  
24 OF AGRICULTURE SHALL REGULATE AND ENFORCE THE PROVISIONS OF THIS  
25 SECTION.

26 Section 6 7. Existing devices. <—

27 Any humane society organization or any other similar  
28 organization which, on the effective date of this act, has in  
29 its possession a chamber or device, the use of which is  
30 prohibited by this act, shall, within 30 days of the effective

1 date of this act, dismantle and render inoperative the chamber  
2 or device.

3 SECTION 8. SURPLUS FUNDS. <—

4 WHENEVER THE SECRETARY OF AGRICULTURE DECLARES THAT THERE IS  
5 A SURPLUS OF MONEY IN THE DOG LAW RESTRICTED ACCOUNT, HE MAY  
6 PROVIDE PAYMENT TO THOSE PERSONS WHO QUALIFY UNDER RULES AND  
7 REGULATIONS OF THE DEPARTMENT OF AGRICULTURE FOR REIMBURSEMENT  
8 OF LOSSES SUSTAINED AS A RESULT OF COMPLIANCE WITH THE  
9 PROVISIONS OF THIS ACT.

10 Section 7 9. Penalty. <—

11 Any person or organization found guilty of violating the  
12 provisions of this act shall be fined not to exceed \$250 per  
13 violation day.

14 SECTION 10. METHODS OF DESTRUCTION UNAFFECTED. <—

15 NOTHING IN THIS ACT SHALL BE CONSTRUED TO PERMIT THE  
16 PERFORMANCE OF ANY METHODS OF DESTRUCTION PROVIDED FOR HEREIN ON  
17 ANY HUMAN PERSON.

18 Section 8 11. Effective date. <—

19 This act shall take effect in six months.