

Transmission of Animal Diseases and Legalities

Our topics for this week are:

- Disease transmission among animals by humans
- Ethics
- Legal concerns

Transmission of Disease Among Animals by Their Handlers

Handlers can easily carry diseases from one animal to another. Sanitation (reduction of possible disease agents) or disinfection (complete or nearly complete elimination of disease agents) techniques are needed to reduce the chance of inanimate objects (clothing, handling equipment, confinement structures) from becoming inanimate transmitters of disease (fomites). The degree of sanitation needed varies with the risk of transmission.

The risk of transmission of disease is low if all animals appear healthy and belong to the same household, farm, or ranch. When animals drink from the same water source, eat from the same ground or containers, touch noses, and have other frequent physical contacts and appear healthy, the risk of handling procedures spreading disease is mild to nonexistent. The risk is lowered further if animals of different age groups are segregated. Older animals are more likely to be disease carriers without signs and capable of transmitting disease to younger animals.

On the other hand, sick animals should always be segregated and handled separately after disinfection or change of handling tools, boots, and clothing. When handling animals from different sources (households, farms, ranches), disinfection of handling tools, boots, and clothing should take place between handling the different groups of animals.

In low disease transmission risk situations, simple washing of handling equipment and hands may be sufficient. Higher risk cases require disinfection of equipment as practically possible. Disinfection should be preceded by cleaning of all organic matter (feces, blood, saliva, dust, urine, and hair) before using the disinfectant. Disinfectants can be sanitizers which reduce the number of microorganisms, antiseptics which kill or stop the growth of a few specific microorganisms, or sterilants that kill all microorganisms. The manufacturer's directions for dilution and use of the disinfectant should be closely followed. More disinfectant is not necessarily better. A common, effective and inexpensive disinfectant (sterilant) is household bleach diluted to 1:32 (one cup bleach per gallon of water). Bleach (sodium hypochlorite) must never be mixed with an acid or ammonia which will result in the release of toxic gases.

To prevent the transmission of disease, handlers should always wash their hands after handling animals. Water impermeable boots should be worn if walking on surfaces that urine or feces may have been present, and boots disinfected before moving to another animal holding area. Clothes worn during handling of animals that may have been ill should be washed near handling areas with commercial equipment. Animal confinement areas should be properly cleaned before introducing new animals. New animals being introduced to an established group of animals should be held in quarantine until the effects of transport stress and the typical

incubation period for infectious diseases has passed (usually 10 days).

In rare cases, diseased handlers can transmit their infection, such as tuberculosis, to animals. This is referred to as reverse zoonoses or anthroponosis. Animal handlers should not handle animals while sick, due to the risk of reverse zoonosis, as well as the added risk of physical injury from impaired judgement and delayed reactions.

Ethical Considerations

Ethics are based in part on social mores and therefore not static. Methods of animal handling, restraint, and discipline once considered acceptable may not be tolerated by society today.

Acceptable techniques are changing.

The designation of what is proper handling, restraint, and discipline is often murky. There are no universally accepted guidelines. Agreement only exists for extremes. The reason is simple. There may be 100 ways to restrain an animal, but only 10 that are appropriate and humane and just one that will work well for a particular handler on a particular animal under the circumstances at that moment. Because of this, state statutes on animal abuse usually prohibit forms of handling in vague extremes, such as overworking, overloading, and inflicting unnecessary cruelty upon animals. Certain actions have been proposed as inappropriate in veterinary practice for handling, restraining, or disciplining companion animals, which include:

1. Use of force beyond that needed for self-defense or protection of others
2. Use of force as punishment
3. Punishment delivered in anger or to inflict pain
4. Striking an animal on the head or other sensitive or injured body parts
5. Choking an animal
6. Shaking an animal violently
7. Striking an animal with a rigid object, if not to avert a dangerous attack

Force is considered permissible if handlers are in full control of their emotions at the time and only the minimum amount of force needed is used to protect the safety of humans, the animal being handled, or other animals. Force must be used with consideration of the animal's nature and with empathy for the animal. An example of necessary force is when being charged by a bull or boar, using a stout stick and a strike on the nose may be required for a handler to escape the attack.

Handlers who are also supervisors of other animal handlers bear the responsibility to ensure that the other handlers are appropriately trained and supervised. Written guidelines, although they may only deal with extremes, should be provided along with no tolerance policy on cases of animal abuse. Immediate termination of employment should be written and understood by all employees handling animals as a consequence to unequivocal animal abuse. It is well established that there is a link between willful abuse to animals and domestic violence against humans.

Legal Concerns

Most states have laws that require animal handlers to exercise adequate control over animals to

prevent them from harming itself, other animals, people, or property. More serious charges may be filed against a handler who knowingly failed to exercise adequate control over an animal.

There is always a degree of risk in handling animals. A handler must assume the responsibility for the safety of the animal and that of the people who may become injured by the animal being handled. If all safety precautions are taken and cautions given to others, an injury to people or to the animal(s) may be attributed to inherent danger and an assumption of personal responsibility. For example, many states have passed horse activity liability waiver legislation with wording similar to: "Warning: Under State Law, an Equine Professional is not liable for an injury to or the death of a participant in equine activities resulting from the inherent risks of equine activities pursuant to the state statutes." Signs of this warning are required to be posted on the premises where horse handling will occur. Horse shows require participants to sign a statement similar to: "I enter the above horse at my own risk, and release the horse association, show sponsors, show management and grounds from any claim or right to loss and/or damages which may occur to me and/or my horse and/or my property. I agree that in case of loss or injury involving either horse or exhibitor, I will make no claim whatsoever against this show or individuals connected with it." Liability waivers may help win a case for a defendant, but they do not prevent lawsuits and the cost of defense.

Waivers of responsibility also do not absolve handlers of liability in an injury or death that is due to their negligence or incompetence. Incompetence is simply not having the knowledge or ability to control an animal. Failing to properly contain or control an animal that causes injury to a human is negligence. Knowing that an animal is potentially dangerous and not taking extra efforts to protect others is also considered negligence.

Injury does not have to be directly inflicted by the animal's body. Injury received in an attempt to flee from an animal demonstrating threatening behavior can be owner or agent negligence. It is prudent to have adequate liability insurance that covers activities of an animal handler. In some cases of animal handling that may involve people other than the primary handler, releases or hold harmless agreements are advisable and legal counsel should be consulted. It is important to ascertain that any assistant animal handler is mature enough, strong enough, and trained sufficiently for each task to be performed. The assistant should also be adequately supervised during animal handling.

Some animals are considered inherently dangerous, including lions, tigers, cougars, bears, monkeys, venomous snakes, and large constricting snakes over 8 feet in length. Inherently dangerous animals should only be handled by specially trained and experienced personnel. Animals which are considered rabies reservoirs (bats, skunks, coyotes, foxes, and raccoons) should not be handled, except when absolutely necessary and only by professionals trained to handle wildlife. Currently five states in the U.S. (Alabama, Nevada, North Carolina, South Carolina, and Wisconsin) have laws prohibiting the keeping of dangerous wild animals as pets. Twenty-one ban all dangerous exotic pets. Other states restrict only selected exotics.

If physical restraint results in unnecessary pain and suffering to an animal, a handler can be in violation of state animal cruelty and humane laws. In more than 30 states, at least one form of animal cruelty constitutes a felony. If the handler is a veterinary medical professional, there is risk of malpractice charges that could lead to disciplinary action under the state veterinary practice act. Domestic animals have traditionally been viewed legally as property. Still, there are

laws to protect against the inhumane care of animals. This is not only to protect animal well-being, it also has benefits to human society. Willful abuse of animals is known to be associated with concurrent or eventual abuse of humans.

The most stringent restrictions on the handling of animals involve those used in federally funded research. The NIH Office of Laboratory Animal Welfare (OLAW) oversees all federally funded research institutions using laboratory animals. Primarily due to articles in *Sports Illustrated* and *Life* magazines about the abuse of dogs in research, the Laboratory Animal Welfare Act (1966) was passed by Congress in 1966 regulating the use of dogs, cats, hamsters, guinea pigs, rabbits, and nonhuman primates used in research. It was assigned to be enforced by the USDA. In 1970, it was amended to the Animal Welfare Act and broadened to include any warm-blooded animal used in research, exhibition, or wholesale animal trade. Horses, livestock, birds, mice, and rats not used in research were excluded in 1972. Reptiles were never covered by the AWA.

In 1985, the Improved Standards for Laboratory Animals Act, a part of the Food Security Act, and the Health Research Extension Act required the NIH to minimize the number of animals used in research and their pain and suffering. Institutions with federally funded research must have Animal Care and Use Committees (ACUC) who monitor the care and use of research animals. ACUCs must be composed of at least one veterinarian, non-scientist, and one person not affiliated with the institution. A veterinarian must be employed by the institution to oversee the care and use of the institution's research animals and be an advisor to the ACUC.

The Association for Assessment and Accreditation of Laboratory Animal Care International (AAALAC) requires a higher standard of care than the NIH, but membership is voluntary. AAALAC has standards that include provisions to provide social and other mental enrichments for animals. All social animals are expected to be housed in pairs or groups. Objects should be provided that create complexity in the animal's environment to create decision-making and other mental stimulation. Normal behaviors such as grooming, exploration, foraging, and burrowing are to be encouraged and monitored. Abnormal behaviors that include self-mutilation, stereotypic behaviors (pacing, bar biting), or aggression should be monitored and corrected, when possible.

The Federal Bureau of Investigation (FBI) reclassified crimes against animals in 2016 as a Group A offense and included cases in the FBI's National Incident Based Reporting System. The motivation for the reclassification was the findings of studies which revealed a link between animal abuse and domestic violence, child abuse, and other violent crimes toward people.

Now, let's recap the key points to remember from today's episode:

- Handlers must be careful to avoid transmission of disease among even healthy appearing animals
- Abusive methods of handling animals are never appropriate
- Handlers are liable for injuries resulting from uncontrolled animals
- U.S. federally funded research has the most stringent restrictions on the use of animals

More information on animal handling is available in my book, *Animal Handling and Physical*

Restraint published by CRC Press. It is also available on Amazon and from many other fine book supply sources.

Additional information is available at <https://www.betteranimalhandling.com/>

Don't forget serious injury or death can result from handling and restraining some animals. Safe and effective handling and restraint requires experience and continual practice. Acquisition of the needed skills should be under the supervision of an experienced animal handler.