

10-603. APPLICATION OF §§ 10-601 THROUGH 10-608.

SECTIONS 10-601 THROUGH 10-608 OF THIS SUBTITLE DO NOT APPLY TO:

(1) CUSTOMARY AND NORMAL VETERINARY AND AGRICULTURAL HUSBANDRY PRACTICES INCLUDING DEHORNING, CASTRATION, TAIL DOCKING, AND LIMIT FEEDING;

(2) RESEARCH CONDUCTED IN ACCORDANCE WITH PROTOCOLS APPROVED BY AN ANIMAL CARE AND USE COMMITTEE, AS REQUIRED UNDER THE FEDERAL ANIMAL WELFARE ACT OR THE FEDERAL HEALTH RESEARCH EXTENSION ACT;

(3) AN ACTIVITY THAT MAY CAUSE UNAVOIDABLE PHYSICAL PAIN TO AN ANIMAL, INCLUDING FOOD PROCESSING, PEST ELIMINATION, ANIMAL TRAINING, AND HUNTING, IF THE PERSON PERFORMING THE ACTIVITY USES THE MOST HUMANE METHOD REASONABLY AVAILABLE; OR

(4) NORMAL HUMAN ACTIVITIES IN WHICH THE INFLICTION OF PAIN TO AN ANIMAL IS PURELY INCIDENTAL AND UNAVOIDABLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 59(d).

In the introductory language of this section, the reference to "[s]ections 10-601 through 10-608 of this subtitle" is substituted for the former reference to "[t]his section" to reflect the reorganization of material derived from former Art. 27, § 59.

In item (1) of this section, the former phrase "but not limited to" is deleted in light of Art. 1, § 30, which provides that "[t]he words 'includes' or 'including' mean, unless the context requires otherwise, includes or including by way of illustration and not by way of limitation".

Item (3) of this section is revised as an exclusion from the application of animal cruelty provisions, rather than a definition of "cruelty", for clarity. Similarly, item (4) of this section is revised as an exclusion from the application of animal cruelty provisions, rather than an immunity from criminal prosecution provision, for clarity and consistency.

For provisions relating to humane methods of slaughtering livestock, see AG § 4-123.1.

Defined term: "Animal" § 1-101

10-604. ABUSE OR NEGLECT OF ANIMAL.

(A) PROHIBITED.

A PERSON MAY NOT:

- (1) OVERDRIVE OR OVERLOAD AN ANIMAL;
- (2) DEPRIVE AN ANIMAL OF NECESSARY SUSTENANCE;