

162.10A Commercial establishments — standard of care.

1. *a.* A commercial establishment shall provide for a standard of care that ensures that an animal in its possession or under its control is not lacking any of the following:

(1) Adequate feed, adequate water, housing facilities, sanitary control, or grooming practices, if such lack causes adverse health or suffering.

(2) Veterinary care.

b. A commercial establishment, other than a research facility or pet shop, shall provide for the standard of care for dogs and cats in its possession or under its control, and a research facility or pet shop shall provide for the standard of care for vertebrate animals in its possession or under its control.

2. *a.* Except as provided in paragraph “*b*”, a commercial establishment shall comply with rules that the department adopts to implement [subsection 1](#). A commercial establishment shall be regulated under this paragraph “*a*” unless the person is a permittee as provided in paragraph “*b*”.

b. A permittee is not required to comply with rules that the department adopts to implement a standard of care as provided in [subsection 1](#) for state licensees and registrants. The department may adopt rules regulating a standard of care for a permittee, so long as the rules are not more restrictive than required for a permittee under the Animal Welfare Act. However, the department may adopt prescriptive rules relating to the standard of care. Regardless of whether the department adopts such rules, a permittee meets the standard of care required in [subsection 1](#) if it voluntarily complies with rules applicable to state licensees or registrants. A finding by the United States department of agriculture that a permittee complies with the Animal Welfare Act is not conclusive when determining that the permittee provides a standard of care required in [subsection 1](#).

3. A commercial establishment fails to provide for a standard of care as provided in [subsection 1](#) if the commercial establishment commits abuse as described in [section 717B.2](#), neglect as described in [section 717B.3](#), or torture as provided in [section 717B.3A](#).

2010 Acts, ch 1030, §15, 29; 2024 Acts, ch 1177, §19

Referred to in §162.10C, 162.11, 162.12A, 162.13, 717B.2, 717B.3, 717B.3A

Subsection 2 amended