
CONSENT

Bill No: AB 2505
Author: Quirk (D)
Introduced: 2/19/16
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 7-0, 6/14/16
AYES: Hancock, Anderson, Glazer, Leno, Liu, Monning, Stone

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 79-0, 4/21/16 (Consent) - See last page for vote

SUBJECT: Animals: euthanasia

SOURCE: Author

DIGEST: This bill prohibits the use of carbon dioxide to euthanize an animal.

ANALYSIS:

Existing law:

- 1) Prohibits the killing of any animal by using a) carbon monoxide gas (Pen. Code, § 597u, subd. (a)(1)) or b) intracardiac injection of a euthanasia agent on a conscious animal, unless the animal is heavily sedated or anesthetized in a humane manner, or comatose, or unless, in light of all the relevant circumstances, the procedure is justifiable. (Pen. Code, § 597u, subd. (a)(2).)
- 2) States that with respect to the killing of any dog or cat, no person, peace officer, officer of a humane society, or officer of a pound or animal regulation department of a public agency shall use any of the methods specified in subdivision (a) or any of the following methods:
 - a) High-altitude decompression chamber. (Pen. Code, § 597u, subd. (b)(1).)
 - b) Nitrogen gas. (Pen. Code, § 597u, subd. (b)(2).)

- 3) States that no person, peace officer, officer of a humane society or officer of a pound or animal regulation department of a public agency shall kill any dog or cat by the use of any high-altitude decompression chamber or nitrogen gas. (Pen. Code, § 597w.)
- 4) Provides that it is unlawful for any person to sell, attempt to sell, load or cause to be loaded, transport or attempt to transport any live horse, mule, burro, or pony that is disabled if the animal is intended to be sold, loaded, or transported for commercial slaughter out of California. (Pen. Code, § 597x(a).)
- 5) Defines a "disabled animal" as including, but not limited to, any animal that has broken limbs, is unable to stand and balance itself without assistance, cannot walk, or is severely injured. (Pen. Code, § 597x(b).)
- 6) States that a violation of the prohibitions on methods of killing is a misdemeanor. (Pen. Code, § 597y.)

This bill prohibits the use of carbon dioxide (CO₂) to euthanize an animal.

Background

CO₂ euthanasia occurs by administration of the gas in a sealed container. The gas produces unconsciousness and then death. A pressurized cylinder of CO₂ is now viewed by a number of international animal research oversight authorities as the only acceptable method. CO₂ may be administered in a home cage or in a specialized compartment and may be used to kill individuals or small groups of animals.

Discussions of CO₂ euthanasia with various people working in laboratory animal medicine and care (e.g. veterinarians, vivarium directors, technicians) reveal that there are conflicting CO₂ practices and recommendations within the animal research community. For example, some institutions require that the euthanasia chamber be prefilled with CO₂, while others prohibit the use of prefilled chambers because they appear to cause animal distress. Similar discrepancies in practice have also been noted in regards to concentration, flow rate and presence of oxygen. (Laboratory Animals, Conlee et al. (2005), p. 139.)

The American Veterinary Medical Association (AVMA) published their most recent guidelines regarding animal euthanasia in 2013. The AVMA laid out strict guidelines for the use of CO₂, but did not prohibit its use for euthanasia altogether. According to the AVMA, "Unfortunately, there are still shelters and animal control operations that do not have access to controlled substances and/or the personnel authorized by the Drug Enforcement Administration to administer them. This

limits these facilities' options for euthanizing animals.”
(<http://atwork.avma.org/2013/02/26/euthanasia-guidelines-the-gas-chamber-debate/>)

The AVMA Guidelines and Restrictions with respect to use of CO₂ for animal euthanasia are as follows and use of CO₂ is only considered acceptable if all the following guidelines are met:

- 1) Personnel must be instructed thoroughly in the gas's use and must understand its hazards and limitations;
- 2) The gas source and chamber must be located in a well-ventilated environment, preferably outdoors;
- 3) The gas must be supplied in a precisely regulated and purified form without contaminants or adulterants, typically from a commercially supplied cylinder or tank;
- 4) The gas flow rate must allow operators to achieve known and appropriate gas concentrations within the recommended time;
- 5) The chamber must be of the highest-quality construction and should allow for separation of individual animals. If animals need to be combined, they should be of the same species, and, if needed, restrained or separated so that they will not hurt themselves or others. Chambers should not be overloaded and need to be kept clean to minimize odors that might distress animals that are subsequently euthanized;
- 6) The chamber must be well lighted and must allow personnel to directly observe the animals;
- 7) If the chamber is inside a room, monitors must be placed in the room to warn personnel of hazardous concentrations of gas; and
- 8) It is essential that the gas and the chamber be used in compliance with state and federal occupational health and safety regulations.

In the 2013 Guidelines, euthanasia by intravenous injection of an approved euthanasia agent remains the preferred method for euthanasia of dogs, cats, and other small companion animals. Gas chambers are not recommended for routine euthanasia of cats and dogs in shelters and animal control operations.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT: (Verified 6/27/16)

American Society for the Prevention of Cruelty to Animals
Best Friends Animal Society
California Animal Control Directors Association
California Veterinary Medical Association
Humane Society Veterinary Medical Association
LIUNA Locals 777 & 79
Los Angeles County District Attorney's Office
San Diego Humane Society
State Humane Association of California
Stockton Animal Shelter

OPPOSITION: (Verified 6/27/16)

None received

ARGUMENTS IN SUPPORT: The American Society for the Prevention to Cruelty to Animals (ASPCA) states:

California law already prohibits the use of carbon monoxide gas chambers for euthanasia – AB 2505 simply closes a loophole by including carbon dioxide chambers in that ban. Gas chambers are inhumane and unnecessary. The ASPCA believes it is critically important that any euthanasia is administered with compassion and care, which gas chambers do not provide. Shelter animals deserve the same level of care that our pets receive when the difficult decision is made to euthanize.

ASSEMBLY FLOOR: 79-0, 4/21/16

AYES: Achadjian, Alejo, Travis Allen, Arambula, Atkins, Baker, Bigelow, Bloom, Bonilla, Bonta, Brough, Brown, Burke, Calderon, Campos, Chang, Chau, Chávez, Chiu, Chu, Cooley, Cooper, Dababneh, Dahle, Daly, Dodd, Eggman, Frazier, Beth Gaines, Gallagher, Cristina Garcia, Eduardo Garcia, Gatto, Gipson, Gomez, Gonzalez, Gordon, Gray, Grove, Hadley, Harper, Roger Hernández, Holden, Irwin, Jones, Jones-Sawyer, Kim, Lackey, Levine, Linder, Lopez, Low, Maienschein, Mathis, Mayes, McCarty, Medina, Melendez, Mullin, Nazarian, Obernolte, O'Donnell, Olsen, Patterson, Quirk, Rodriguez, Salas, Santiago, Steinorth, Mark Stone, Thurmond, Ting, Wagner, Waldron, Weber, Wilk, Williams, Wood, Rendon
NO VOTE RECORDED: Ridley-Thomas

Prepared by: Molly Lao / PUB. S. /
6/29/16 15:50:47

*** **END** ***