

## **Animal Contact Exhibit Hand Sanitation Station Legal Assessment Research Procedure**

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## Project Overview

The Public Health Law Program (PHLP), located in the Office for State, Tribal, Local and Territorial Support (OSTLTS), assisted the National Center for Emerging and Zoonotic Infectious Diseases Division of Foodborne, Waterborne, and Environmental Diseases (DFWED) with an assessment of state animal contact exhibit laws related to hand sanitation stations.

The project included the following tasks:

1. Conduct a preliminary scan of science, laws, and policies related to state animal contact exhibit laws
2. Collect state hand sanitation laws for the following categories of animal contact exhibits:
  - a. Petting zoos
  - b. Agricultural fairs
  - c. County or state fairs
  - d. Exotic animal exhibits
  - e. Circuses
  - f. Zoos
3. Draft a [summary](#) of state laws on the topic for publication on PHLP's website
4. Draft a summary of the legal assessment for publication in the *Morbidity and Mortality Weekly Report*

# Protocol

## Preliminary Research, Codebook, and Search Strings

1. Conducted general searches for animal contact exhibit laws using WestlawNext in all states and the District of Columbia to get cursory overview of the organization and content of legal provisions and to brainstorm search terms.
2. Created preliminary codebook with the topics of the assessment to guide research. The codebook was finalized after collection of laws was completed. See codebook section below.
3. Developed and finalized search terms after consultation with public health subject matter experts.

## Collection of Laws

1. **Search:** Conducted searches for state and DC statutes and regulations in WestlawNext. See research trail below for searches conducted.
2. **Check for relevance:** Selected laws that were within the scope of our project and excluded others as outside of the scope of topics. See scoping and coding notes section below.
3. **Check if good law:** Reviewed WestlawNext KeyCite status flags to determine the validity of law and included only laws that were good law. In statutes and regulations, a red flag indicates that the statute or regulation has been amended by a recent session law or rule, repealed, superseded, or held unconstitutional or preempted in whole or in part. A red flag indicated that additional research needs to be conducted on the provision to see if the relevant requirement has been affected.
4. **Document search process:** Created research trail to reflect research process, including notes about search terms and scoping issues.
5. **Preservation:** Preserved all statutes and regulations relevant to legal domain for each state from search results above. Laws were preserved in pdf format in PHLP's shared drive.

## Analysis and Coding Laws

1. **Coding:** After relevant laws were collected, they were reviewed, coded, and compiled into a summary table with legal citations. Reviewed and updated codebook when relevant laws addressed relevant topics that previously anticipated before research begun.
2. **Scope notes:** Documented scoping and coding issues and their resolutions. See scoping and coding notes section below.

## Data Validation

1. The findings of the legal assessment were distributed to the public health veterinarians in the 50 states and the District of Columbia for review before publication. The findings were distributed via email on June 8, 2016.

## Codebook

This codebook lists the attributes of interest within the legal assessment and the coding variables for each state's relevant laws.

<b>State and Citations</b>	<b>Applicable Facilities</b>	<b>Handwashing Station Required</b>	<b>Location of Station</b>	<b>Hand Sanitation Sign: Indicating Location</b>	<b>Hand Sanitation Sign: Recommending Sanitation or Indicating Health Risk</b>	<b>Express Mention of Penalties in Animal Exhibit Section</b>	<b>Specific Penalties Listed</b>
	Categorical – dependent on state	Yes or No	Categorical – dependent on state	Yes or No	Yes or No	Yes or No	Categorical – dependent on state

# Research Trail

## Search String Development

- **Discussion with client:** In early project meetings, DFWED suggested initial search terms.
- **Initial research:** PHLP staff attorney conducted initial searches in all jurisdictions of interest and began refining search terms.

## Searches Conducted

PHLP searched for state and DC statutes and regulations that establish animal exhibit hand sanitation requirements using WestlawNext, a legal research database. Searches were conducted in all states and the District of Columbia between March 17, 2016, and April 1, 2016.

Date of Search and/or Jurisdictions Searched	Database	Search String	Researcher
<p>March 17, 2016: Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, DC, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa</p> <p>March 18, 2016: Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina</p> <p>March 20, 2016: South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington,</p>	<p>WestlawNext – Individual States</p>	<p>adv: SD(“aedin’s law” or ((“petting zoo” or “county fair” or “state fair” or “animal contact exhibit” or “horse ride!” or “pony ride!” or “animals in public settings” or “animal venue operator!” or “handling exhibit!” or “open farm!” or ((animal or agricultur!) and (expo! or exhibit! or fair!))) and (handwashing or (hand and (wash! or cleans! or sanit! or hygiene))))))</p>	<p>Aila Hoss</p>

West Virginia, Wisconsin, Wyoming			
<p>March 17, 2016: Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, DC, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa</p> <p>March 18, 2016: Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina</p> <p>March 20, 2016: South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming</p>	WestlawNext – Individual States	adv: SD((camel or elephant or “exotic animal!” or circus! or “unaccredited zoo” or “traveling exhibit!” or “traveling zoo animals” or “traveling zoo” zoo or carnival) and ((hand and (wash! or cleans! or sanit! or hygiene)) or handwashing or sanit!))	Aila Hoss
March 20, 2016	WestlawNext – All States	adv: SD((menagerie or “public establishments featuring animals” or “horseback riding” or calemlidae or llama! or alpaca!) and ((hand and (wash! or cleans! or sanit! or hygiene)) or handwashing or sanit!))	Aila Hoss
March 21, 2016	WestlawNext – All States	adv: SD(((“petting zoo” or “county fair” or “state fair” or “animal contact exhibit” or “horse ride!” or “pony ride!” or “animals in public settings” or “animal venue operator!” or “handling exhibit!” or “open farm!” or ((animal or agricultur!) and (expo! or exhibit! or fair!))) and ((hand and clean!))) % handwashing or (hand and (wash! or cleans! or sanit! or hygiene))	Aila Hoss

March 31, 2016	WestlawNext – All States	adv: SD(((livestock or cattle or sheep or pig or swine) and (show or exhibit! or fair)) and ((hand and (wash! or clean! or sanit! or hygiene)) or handwashing or sanit!))	Aila Hoss
March 31, 2016	WestlawNext – All States	adv: SD(((poultry and animal) and (expo! or show or exhibit! or fair) or “district fair” or “breeder association” or “agricultur! organization” or “livestock show” or rodeo) and ((hand and (wash! or clean! or sanit! or hygiene)) or handwashing))	Aila Hoss
April 1, 2016	n/a specific penalty provisions pulled	n/a – collected penalty provisions in relevant chapters	Aila Hoss

## Scoping and Coding Notes

Laws requiring hand sanitation stations at animal contact exhibits were within the scope of the assessment. Animal contact exhibits include petting zoos and agricultural fairs, among other types of exhibits.<sup>1</sup> Laws related to the sanitation standards for agricultural operations or stockyards and food processing or manufacturing were not within the scope of this assessment.

The following table lists provisions that did not fit neatly within the scope of the assessment or the assessment coding categories. The table outlines the issue with the provision and how the coding or scoping was resolved.

Provision	Issue	Resolution
N.J. ADMIN. CODE § 2:76-2A.13	Coding Category: Handwashing Stations Required  Issue: Technically no but handwashing standards recommended and required for commercial farms seeking to receive the protections of the New Jersey Right to Farm Act, N.J. ADMIN. CODE § 4:1C-1 et seq.	Code “yes” with note
N.J. ADMIN. CODE § 2:76-2A.13	Coding Category: Hand Sanitation Sign: Recommending Sanitation or Indicating Health Risk  Issue: Does not specifically mention signs but requires that visitors be advised to sanitize their hands (advisement likely occurs via signs).	Code “yes” with note
N.Y. COMP. CODES R & REGS. tit. 10, § 7-5.1 - 5.15	Coding Category: Hand Sanitation Sign: Recommending Sanitation or Indicating Health Risk  Issue: Does not specifically address, but per N.Y. MCKINNEY’S GEN. BUS. LAW § 399-ff, which applies to petting zoos in the state, state law requires the recommendation of hand sanitation to patrons.	Code “yes” with note
UTAH ADMIN. CODE R58-6; R58-19-4	Coding Category: Applicable Facilities  Issue: Unclear whether the hand sanitation station requirement applies to the poultry shows. Erring on the side of inclusion.	Include
WIS. ADMIN. CODE DEP’T OF HEALTH SERVS. §§ 178.03, 178.18, 178.08, 178.07; WIS. STAT. ANN. § 254.47	Coding Category: Hand Sanitation Sign: Indicating Location  Issue: The sign must be placed at the station, but there is no specification about proximity.	Code “yes” with note

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<sup>1</sup> For definitions of various animal contact exhibits in state law, *see, e.g.*, N.Y. MCKINNEY’S GEN. BUS. LAW § 399-ff(a); N.Y. COMP. CODES R. & REGS. tit. 10, § 7-5.1(b); 2 N.C. ADMIN. CODE 52K.0501(1)-(2); 3 PA. CODE § 2501; WASH. ADMIN. CODE § 246-100-192(2); WIS. ADMIN. CODE DEP’T OF HEALTH SERVS. § 178.03(25).



## Considerations for Future Research

### 1. Potential areas for further research

- Licensing of animal contact exhibits
- Prohibition of food items at animal contact exhibits
- Prohibition of toys, pacifiers, etc. at animal contact exhibits