

[LAWS OF PUERTO RICO ANNOTATED](#)  
[TITLE FIVE. Agriculture](#)  
[CHAPTER 57. Protection of Animals](#)

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Current with amendments received through December 2004

[§ 1651 Definitions](#)

In this chapter, unless otherwise specified in the text:

- (a) Animal.-- Means any equine, bovine animal, sheep, goat, swine, dog, cat or any other domestic animal or bird or any animal in captivity under the control of any person.
- (b) Secretary.-- Means Secretary of Justice.
- (c) Owner.-- In relation to an animal, includes any person having possession, charge, custody or control of that animal.
- (d) Police officer.-- Includes a member of any Force established under any act to carry out police functions, duties or powers.
- (e) Veterinarian.-- Means any person duly authorized to practice veterinary medicine.

-- May 31, 1973, No. 67, p. 304, § 1.

NOTES, REFERENCES, AND ANNOTATIONS

History

Title.

Section 9 of Act May 31, 1973, No. 67, renumbered as § 10 by Act June 27, 1974, No. 100, § 5, provides in part: "This Act [this chapter] shall be known as the 'Animal Protection Act'."

Repealing clause.

Section 9 of Act May 31, 1973, No. 67, renumbered as § 10 by Act June 27, 1974, No. 100, § 5, provides in part: "This Act [this chapter] shall be known as the 'Animal Protection Act'." §§ 1 to 14 of Act No. 10 of May 1904, as amended, known as 'Chapter 165, Cruelty Against Animals' of the Penal [Code of Puerto Rico \[§§ 2111-2125 of Title 33\]](#), are hereby repealed."

PR ST T. 5 § 1651

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[§ 1652 Acts of cruelty generally](#)

It shall be illegal that any person:

- (1)(a) Overloads, overworks, beats, kicks, abuses, tortures or cruelly harms any animal; or
- (b) confines, ties, chains any animal unnecessarily or under such conditions or in such manner or position that causes unnecessary suffering to that animal or in any place that is not properly ventilated, lighted, protected or having not enough space or protection from heat or coldness or weather inclemencies; or
- (c) unnecessarily deprives that animal of food or water or provides it with too little; or
- (d) exposes any poison or any poisoned liquid or combustible matter or infectious agent or without taking the necessary precautions to prevent the latter from causing damage; or
- (e) being the owner of any animal, keeps the same, deliberately or negligently in dirty or parasitic conditions or allows it to become infected with external parasites or does not provide medical or veterinary treatment if needed by the animal; or
- (f) uses any equipment on an animal or any vehicle causing or that may cause harm to the animal or any equipment or vehicle loaded in such manner that it may cause harm or unnecessary suffering to such animal; or
- (g) employs to drive, conduct, draw, or ride an animal that is sick or hurt or in such a physical condition that it is unfit to do such work; or
- (h) sets any trap or any device with the purpose of catching or destroying any animal that need not be caught or destroyed to protect the property or to prevent sickness; or
- (i) having set such traps or devices, does not check them personally daily, and does not clean them of animals; or
- (j) except under the authority of a permit issued by the Department of Transportation and Public Works, sells any trap or device employed for catching an animal (other than a rodent) to a person who is not a bona fide farmer; or
- (k) transports or carries such animal:

(1) under such conditions or in such manner or position that causes the animal unnecessary suffering; or

(2) in conditions that do not provide adequate ventilation, light or shelter or in which the animal is excessively exposed to heat, cold, weather inclemencies, sun, rain, or dust; or without taking proper precautions so that such animal has enough food, water or rest; or

(l) without reasonable cause, administers any poison or poisonous substance to any animal or causes injury to the latter; or

(m) being the owner of such animal, deliberately or without reasonable cause abandons it, whether permanently or not, in circumstances that may cause unnecessary suffering to the animal; or

(n) causes, provides or assists in the commission or omission of any of the aforementioned acts; or being the owner of such animal, allows the commission or omission of any of the acts hereinbefore mentioned; or

(o) voluntarily or without reason or negligently, does or forbears to do any act or gives rise to or attempts that there is done or forborne any act, causing any unnecessary suffering to any animal; or

(p) slaughters or allows the slaughter of any animal without being previously unconscious; or

(q) provokes ferocity in a dog by using living animals; or

(r) tears away or mutilates parts from any living animal; or

(s) performs any painful operation on an animal in a nonprofessional way; or

(t) limits the liberty to move of an animal or keeps animals in very small or narrow cages; or

(u) employs an animal for training in pictures, exhibitions or similar purposes, even though it may cause harm or pain to the health of the animal; or

(v) catches birds with nets or poisonous substances, or

(x) catches or kills songbirds or any other useful or decorative bird.

(2) For the purpose of this chapter, the owner of any animal shall be considered as if he has permitted or attempted the commission or omission of any act related to that animal, if by exercising reasonable care and supervision regarding said animal, the commission or omission of said act could have been prevented.

-- May 31, 1973, No. 67, p. 304, § 2; June 27, 1974, No. 100, Part 1, p. 334, § 1.

## NOTES, REFERENCES, AND ANNOTATIONS

History

Codification.

As approved, subsection (1) did not contain a clause (w).

"Department of Public Works" was changed to "Department of Transportation and Public Works", pursuant to Reorg. Plan No. 6 of 1971, App. III of Title 3.

Amendments-- 1974.

Subsection (1): Act 1974 changed "Any person who" to "It shall be illegal that any person" in opening phrase; inserted (1) before clause (a); and deleted the paragraph regarding penalties for any violation of that provided for in this chapter which appeared after (x) (see § 1659 of this title).

PR ST T. 5 § 1652

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[§ 1653 Persons convicted, penalties](#)

When a person is convicted of an offense related to any animal under the terms of this chapter, the court in addition to finding him guilty and imposing any penalty may:

- (a) Order that the animal be slaughtered if in the judgment of the court it is cruel to keep said animal alive.
- (b) Order that the convicted person be deprived of possessing such animal.
- (c) Prescribe any order related to such animal, which issuance is deemed pertinent to comply with any of the preceding paragraphs.

-- May 31, 1973, No. 67, p. 304, § 3.

PR ST T. 5 § 1653

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§ 1654 Destruction of animals, expenses

(1) At any time in which a police officer is of the opinion that any animal is so sick or severely beaten or in such a physical condition that it should be slaughtered, if the owner is not present or refuses to give his consent to it, he should immediately call a veterinarian, who shall examine said animal and certify that if the animal were kept alive it would be suffering continuously, and having certified said condition he shall proceed with its slaughtering.

(2) Any expense there incurred by any police officer or veterinarian to carry out what is stated in the above subsection may be recovered from the owner of the animal through court and a civil action.

(3) Proving that the animal was severely hurt or sick or in such physical condition that it would have been cruel to keep it alive shall constitute a defense for any action brought against any person for the slaughtering of an animal.

-- May 31, 1973, No. 67, p. 304, § 4.

PR ST T. 5 § 1654

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[§ 1655 Experiments with live animals](#)

The following provisions shall be applicable to experiments with living animals:

- (1) Experiments shall be limited to cases that are considered essential for scientific research purposes by the director of the laboratory where the experiment is to be performed.
- (2) Experiments for educational purposes shall be permitted in cases where the use of animals is necessary for didactical purposes even when there are other educational means such as photographs, illustrations, motion pictures, models, etc.
- (3) Such experiments shall be carried out in research institutions, duly approved and under the direction and supervision of scientifically trained persons.
- (4) Prior to any experiment, the animal should be fully anesthetized, whether with general or local anesthesia.
- (5)(a) If the experiment bears serious corporal or permanent damage to the animal, it should then be humanely slaughtered as soon as the purpose of the research permits it.
- (b) If the animal does not die or remains in the aforementioned conditions that it has to be slaughtered as a result of the experiment, it should be humanely treated until it is returned to the place it came from or to the animal shelter.

-- May 31, 1973, No. 67, p. 304, § 5; June 27, 1974, No. 100, Part 1, p. 334, § 2.

NOTES, REFERENCES, AND ANNOTATIONS

History

Amendments-- 1974.

Act 1974 added "by the director of the laboratory where the experiment is to be performed" in subsection (1); amended subsection (2) generally; in subsection (3), the act eliminated the phrase "and any authorized veterinary shall be permitted to be present to supervise said experiment" after "trained persons".

PR ST T. 5 § 1655

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§ 1656 Records of experiments; animal depositories, expenses

A record should be kept of each experiment, except those carried out for didactical purposes.

(a) Any person in charge of an animal depository shall be authorized to recover from the owner of any animal so deposited, any reasonable expense incurred to provide veterinary attention to such animal.

-- May 31, 1973, No. 67, p. 304, § 6; June 27, 1974, No. 100, Part 1, p. 334, § 3.

NOTES, REFERENCES, AND ANNOTATIONS

History

Codification.

As approved, this section contained one subsection.

Amendments-- 1974.

Act 1974 added the exception in the opening paragraph.

PR ST T. 5 § 1656

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§ 1657 Subpoenas

Any court trying any person for an alleged violation of this chapter may issue a subpoena to the owner of the animal so that he produces the animal at a specific site and place specified in the summons for inspection by the court.

(1) Any person who without a reasonable excuse does not comply with the summons issued, according to the terms of this subsection, shall be guilty of a misdemeanor subject to the punishments established in this chapter.

-- May 31, 1973, No. 67, p. 304, § 7.

NOTES, REFERENCES, AND ANNOTATIONS

History

Codification.

As approved, this section contained one subsection.

PR ST T. 5 § 1657

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§ 1658 Regulations

The Secretary of Health and/or the Secretary of Agriculture may establish regulations related to:

- (a) The method and manner to transfer and accommodate animals, either for transportation or in a stationary way.
- (b) Any other reasonable requirement necessary to prevent cruelty or suffering of an animal.
- (c) The depositing, obtaining of custody or confining of any animal because of its condition, and the recovery of any expense there incurred from the owner of each animal, and any necessary matter to put in effect and carry out the ends and purposes of this chapter.

-- May 31, 1973, No. 67, p. 304, § 8.

PR ST T. 5 § 1658

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[§ 1659 Penalties](#)

Any person who violates the provisions of this chapter, through negligence, shall be guilty of a misdemeanor and upon conviction shall be punished with the penalty of a fine that shall not exceed five thousand dollars (\$5,000). In addition, should the violator be a juridical person the court may also impose any of the following penalties:

- (1) The penalty of suspension which shall consist of paralyzing all activities of the entity, except those of strict conservation, during the time deemed prudent, which may not exceed six (6) months;
- (2) the penalty of canceling the certificate of incorporation or the dissolution of any juridical person who incurs a pattern of conduct consisting of cruelty against the animals it owns, and
- (3) the penalty of suspending or revoking the license, permit or authorization of any juridical person who violates the requirements or procedures established by virtue of this chapter.

When the circumstances under which the violation is committed indicate serious disregard for the life and the safety of the animal and the intention of causing serious bodily harm; or when the home of the owner of the animal is entered and the abuse is committed therein; or when it is committed with a deadly weapon whether causing the death or mutilation of the animal, the person shall incur a fourth degree felony.

-- May 31, 1973, No. 67, p. 304, added as § 9 on June 27, 1974, No. 100, Part 1, p. 334, § 4; Dec. 13, 1994, No. 132, § 1; Sept. 2, 2000, No. 304, § 1; Sept. 22, 2004, No. 439, § 1.

NOTES, REFERENCES, AND ANNOTATIONS

History

Editor's notes.

This section was amended by Act Sept. 2, 2000, No. 304, but official translation was not available at time of publication. Please consult Spanish version.

Amendments-- 2004.

Act 2004 amended this section generally.

-- 2000.

Act 2000 amended the first sentence generally and added the second sentence with subsections (1)-(3).

-- 1994.

Act 1994 established a fine not to exceed \$500 nor less than \$300.

Statement of motives.

See Laws of Puerto Rico:

Dec. 13, 1994, No. 132.

Sept. 2, 2000, No. 304.

Sept. 22, 2004, No. 439.

PR ST T. 5 § 1659

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