

1933 Law on Animal Protection (Germany)

(Signed into law, 11/24/1933)

The government has resolved on the following law, which is hereby made known:

Section I - Cruelty to Animals

#1

1. It is forbidden to unnecessarily torment or roughly mishandle an animal.
 2. One torments an animal when one repeatedly or continuously causes appreciable pain or suffering; the torment is unnecessary in so far as it does not serve any rational, justifiable purpose. One mishandles an animal when one causes it appreciable pain; mishandling is rough when it corresponds to an unfeeling state of mind.
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Section II - Measures for the Protection of Animals

#2

It is forbidden:

1. to so neglect an animal in one's ownership, care or accommodation that it thereby experiences appreciable pain or appreciable damage;
2. to use an animal unnecessarily for what clearly exceeds its powers or causes it appreciable pain, or which it-in consequence of its condition-is obviously not capable of;
3. to use an animal for demonstrations, film-making, spectacles, or other public events to the extent that these events cause the animal appreciable pain or appreciable damage to health;
4. to use a fragile, ill, overworked or old animal for which further life is a torment for any other purpose than to cause or procure a rapid, painless death;
5. to put out one's domestic animal for the purpose of getting rid of it;
6. to set or test the power of dogs on cats, foxes, and other animals;
7. to shorten the ears or the tail of a dog over two weeks old. This is allowed if it is done with anesthesia;
8. to shorten the tail of a horse. This is allowed if it is to remedy a defect or illness of the tail and is done by a veterinarian and under anesthesia;
9. to perform a painful operation on an animal in an unprofessional manner or without anesthesia, or if anesthesia in a particular case is impossible according to veterinary standards;
10. to kill an animal on a farm for fur otherwise than with anesthesia or in a way that is, in any case, painless;
11. to force-feed fowl;
12. to tear out or separate the thighs of living frogs.

#3

The importation of horses with shortened tails is forbidden. The minister of the Interior can make exceptions if special circumstances warrant it.

#4

The temporary use of hooved animals as carriers in the mines is only permitted with the permission of the responsible authorities.

Section III - Experiments on Living Animals

#5

It is forbidden to operate on or handle living animals in ways that may cause appreciable pain or damage for the purpose of experiments, to the extent the provisions of #6 through #8 do not mandate otherwise.

#6

1. The minister of the Interior can at the proposal of the responsible government or local authorities confer permission on certain scientifically led institutes or laboratories to undertake scientific experiments on living animals, when the director of the experiment has sufficient professional education and reliability, sufficient facilities for the undertaking of animal experiments are available, and guarantee for the care and maintenance of the animals for experiment has been made.
2. The minister of the Interior can delegate the granting of permission to others among the highest officials of the government.
3. Permission may be withdrawn without compensation at any time.

#7

In carrying out experiments on animals (#5), the following provisions are to be observed:

1. The experiments may only be carried out under the complete authority of the scientific director or of a representative that has been specifically appointed by the scientific director.
2. The experiments may only be carried out by someone who has previously received scientific education or under the direction of such a person, and when every pain is avoided in so far as that is compatible with the goal of the experiment.
3. Experiments for research may only be undertaken when a specific result is expected that has not been previously confirmed by science or if the experiments help to answer previously unsolved problems.
4. The experiments are only to be undertaken under anesthesia, provided the judgment of the scientific director does not categorically exclude this or if the pain connected with the operation is outweighed by the damage to the condition of the experimental animals as a result of anesthesia.
Nothing more severe than a difficult operation or painful but unbloody experiment may be carried out on such an unanesthetized animal.
Animals that suffer appreciable pain after the completion of such a difficult experiment, especially involving an operation, are, in so far as this is, in the judgment of the scientific director, compatible with the goal of the experiment, immediately to be put to death.
5. Experiments on horses, dogs, cats, and apes can only be carried out when the intended goal may not be achieved through experiments on other animals.
6. No more animals may be used than are necessary to resolve the associated question.
7. Animal experiments for pedagogical purposes are only permitted when other educational tools such as pictures, models, taxonomy, and film are not sufficient.
8. Records are to be kept of the sort of animal used, the purpose, the procedure, and the result of the experiment.

#8

Experiments on animals for judicial purposes as well as inoculations and taking of blood from living animals for the purpose of diagnosing illness of people or animals, or for obtainment of serums or inoculations according to procedures that have already been tried or are recognized by the state, are not subject to provisions #5 through #7. These animals, however, are also to be killed painlessly if they suffer appreciable pain and if it is compatible with the goals of the experiment.

Section IV - Provisions for Punishment

#9

1. Whoever unnecessarily torments or roughly mishandles an animal will be punished by up to two years in prison, with a fine, or with both these penalties.
2. Whoever, apart from the case in (1), undertakes an experiment on living animals (# 5) without the required permission will be punished by imprisonment of up to six months, with a fine, or with both of these penalties.
3. A fine of up to five hundred thousand marks or imprisonment will, apart from the punishment mandated in (1) and (2), be the punishment for whomever intentionally or through negligence.
 1. violates prohibition #2 through #4;
 2. acts against regulation #7;
 3. violates guidelines enacted by the Ministry of the Interior or by a provincial government according to #14;
 4. neglects to prevent children or other persons that are under his/her supervision or belong to his/her household from

violating the provisions of this law.

#10

1. In addition to the punishments in #9 for an intentional violation of the law, an animal belonging to the condemned may be confiscated or killed. Instead of confiscation it may be ordered that the animal be sheltered and fed for up to nine months at the cost of the guilty party.
2. If no specific person can be identified or condemned, the confiscation or killing of an animal may be undertaken in any case when the other prerequisites are present.

#11

1. If someone is repeatedly guilty of intentionally violating the provisions that are punishable according to #9 the local authorities that are responsible can prohibit that person from keeping certain animals or from business involving them either for a specified period or permanently.
2. After a year has passed since the imposition of the punishment the responsible local authorities may rescind their decision.
3. An animal subject to appreciable negligence in provision, care, or shelter may be taken away from the owner by the responsible local authority and accommodated elsewhere until there is a guarantee that the animal will be cared for in a manner above reproach. The cost of this accommodation shall be paid by the guilty party.

#12

If in a judicial process it appears doubtful whether an act violates a prohibition of #1, (1) or (2), a veterinarian shall be summoned as early in the process as possible and, in so far as it concerns a farm, an agricultural official of the government shall be heard.

Section V - Conclusion

#13

Anesthesia as it is understood in this law means all procedures that lead to general painlessness or eliminate localized pain.

#14

The Minister of the Interior can issue judicial and administrative decrees for the completion and enforcement of this law. In so far as the Minister of the Interior does not make use of this power, local governments can make the necessary decree for implementation.

#15

This law becomes binding on February 1, 1934 with the exception of #2, (8) and #3, (11), for which the Minister of the Interior must see the time of implementation in consultation with the Minister of Food and Agriculture.

The laws #1456 and #360, (13) of the law of May 30, 1908 remain unchanged.

Berlin, November 24, 1933

Signed:

Adolf Hitler
Chancellor

In 1934 Berlin hosted an international conference on animal protection. The motto draped over the speaker's podium stated:

Entire epochs of love will be needed to repay the animals for their value and service.

In 1936 the German Society for Animal Psychology was established, and in 1938 "Animal Protection" was introduced as a subject for German public schools and universities.