

§ 20.7. Circumstances under which a game is conducted by a program sanctioned by the Department.

A game may be conducted by a program sanctioned by the Department if one of the following applies:

(1) The game is conducted by the agricultural, educational program sanctioned by the Department and the program receives the proceeds of the game.

(2) The game is conducted by some other entity, such as a vendor or subcontractor, and the agricultural, educational or vocational program sanctioned by the Department receives at least 90% of the proceeds of the game.

§ 20.8. Conditions and requirements of domestic animal offerings.

(a) *General.* A person who offers or gives away a domestic animal as a prize in a game conducted in connection with an agricultural, educational or vocational program sponsored or sanctioned by the Department shall adhere to the following conditions and requirements:

(1) *Unweaned animals.* A domestic animal may not be offered or given away unless it is weaned. An animal is weaned if it accepts sufficient food and water to meet its nutritional needs from a source other than a parent.

(2) *Veterinarian's certification.* A domestic animal may not be offered or given away unless it is accompanied by written certification from a licensed veterinarian that it has been examined and found free of evidence of disease or physical defect no more than 10 days prior to the offering or giving away. The person offering or giving away the domestic animal shall retain a copy of this veterinarian certification for 2 years from the date the domestic animal was offered or given away.

(3) *Instructions for handling and care.* A domestic animal may not be offered or given away unless it is accompanied by a written statement setting forth its origin, age, sex and instructions for its proper care. The person offering or giving away the domestic animal shall retain a copy of this statement for 2 years from the date the domestic animal was offered or given away.

(4) *Persons under 18 years of age.* A domestic animal may not be given away to a person under 18 years of age unless the person giving away the animal first obtains the written consent of a parent or guardian of the prospective recipient of the animal. The person offering or giving away the domestic animal shall retain a copy of this written consent for 2 years from the date the domestic animal was given away.

(b) *Violation of conditions and requirements.* If the Department has sponsored or sanctioned an agricultural, educational or vocational program, that sponsorship or sanction will be considered void if the person offering or giving away a domestic animal as a prize in a game held in connection with the program violates a condition in subsection (a). If a person violates a condition in subsection (a), the statutory exception in 18 Pa.C.S. § 5511.1(b) (relating to live animals as prizes prohibited) does not apply, and the person offering or giving away the domestic animal shall be subject to prosecution under the act. The violation will be prosecuted as a summary criminal offense punishable by a fine of not more than \$250.