

Hair, Krista

RECEIVED

From: Kristen York Gerling [kgerling@comcast.net]
Sent: Monday, January 08, 2007 2:39 PM
To: Pileggi, Senator Dominic
Subject: PA Dog LAW

2007 FEB 20 PM 3:31

Attachments: Bureau of Dog Law Enforcement.doc

INDEPENDENT REGULATORY
REVIEW COMMISSION

Bureau of
Law Enforcement

Senator Pileggi,

I am concerned that Governor Rendell has appointed a new Dog Law Advisory Board that has proposed changes to the dog law that will be restrictive to the small home show breeder like myself. I will breed one or two litters a year and can not comply with regulations that would require my dogs to be kept in kennel like conditions. Currently my five pets are kept in my home and sleep in the kitchen and run in the fenced yard and are licensed each year and have their vet visit and shots each year. My bitch whelps a special box in the family room and raises her pups there on newspaper and sheets, something that won't be acceptable in the new laws, but is sanitary and healthy according to the vet.

What can you do to help us, the small breeder? I have attached the letter I wrote to the Bureau of Dog Law Enforcement

Kristen and Joe Gerling
180 State Road
West Grove, Pa 19390

Bureau of Dog Law Enforcement
Attn: Ms. Mary Bender
Pennsylvania Department of Agriculture
2301 North Cameron Street
Harrisburg, PA 17110-9408

Dear Ms. Bender:

My husband and I are life-long dog owners who live in West Grove, Pa. We have dachshunds and became involved in showing dogs about eight years ago and have purchased several dogs to that end. Currently we have five dogs living in our home with us. Three are neutered pets and two are recent champion bitches that are or will be bred as we continue to try to raise our own show dogs and improve our breed.

I am very concerned with the proposed amendments to the Pennsylvania dog law regulations issued on December 16, 2006. I agree that kennel conditions which are bad, unsanitary and inhumane should be regulated and stopped, but I do not agree that most of the proposed regulatory changes are needed, or would necessarily have a beneficial outcome if adopted. Many of these proposed regulations will place extreme burdens on those of us who already raise our dogs in safe, sanitary and loving homes. This is so similar to prohibition. Those of us who are doing the right thing will continue to comply with whatever laws are in place and those who don't comply with the law now won't comply with new laws. Law biding citizens comply even when the laws are burdensome - that is just who we are.

I currently have a litter of six AKC dachshund puppies that were whelped on December 7, 2006. This is our first litter. They are being raised on paper in our family room where they are cleaned as they defecate and urinate. First the cleaning was done by the mother and now by my husband and I. They could not be cleaner. They are being handled by both of us as well as our children and grandchildren. There is an indoor exercise pen that is being used for them to run in at the present time but mostly they sleep. A 8x4 pen will be used after the puppies are eight weeks old. This will be sufficient for dachshunds during the cold winter months as smooth coated dachshund puppies would not do well outdoors in cold wet weather. An outdoor exercise pen will be used as soon as it is appropriate for them to be outside.

Our adult dogs have free run of 15x30 outdoor space with dog door access. This area is cleaned daily. There is an additional fenced area of about 50x50 space that they are given access to several times a day. Our dogs sleep on a pile of clean blankets in the kitchen and are fed twice a day. They have fresh water constantly.

When I read the definition of "temporary housing" I am not sure exactly how this would require show breeding households to comply and what kind of cost this would mean to us. It concerns me that we will have to destroy our three neutered pets so that we will be able to comply with the new regulations about kennels and breeders. We have placed or re-homed two male dogs

that just could not live together and this has worked out well. However one of our pets is impossible to re-home as she is too nervous and timid to accept new owners and re-homing has not worked out, one pet is very old and it would be unfair to place him and the third one is nine but perhaps we could place in a home.

It seems to me that the current regulations have not been adequately enforced. If, after implementing the recently announced enhanced enforcement program, the Bureau finds it is still unable to prevent inhumane treatment of dogs because of specific deficiencies in the existing regulations, you should cite these specific deficiencies and propose changes based on them. The current proposal appears to be merely a laundry list of ideas for improving the environment for dogs that has no connection to specific instances in which the welfare of dogs could not be secured and no basis in science or accepted canine husbandry practices. I urge that this proposal be withdrawn.

Sincerely,

Kristen and Joseph Gerling

180 State Road, West Grove, PA 19390

Hair, Krista

From: Benjamin Amy M (DSCYF) [Amy.Benjamin@state.de.us]
Sent: Friday, December 29, 2006 9:38 AM
To: Pileggi, Senator Dominic
Subject: Pa Dog Laws

Dear Mr. Pileggi:

My name is Amy Benjamin and my husband and I live in Landenberg. We have had Irish Wolfhounds for over 30 years and consider ourselves ambassadors and dog breeding programs. We are active at the regional and National level in canine organizations. I am the President of our regional Irish Wolfhound Club, President of the all breed Devon Dog Show Association and Vice President of the all breed Chester Valley Kennel Club. My husband is on the Board of both and we are both active members of our National Irish Wolfhound Club, having both served on the Board. To that end you will find few people with less experience and compassion for protecting the purebred dog. I answer no less than 30 inquiries a month of prospective puppy buyers and it is indeed frightening how many rather have "instant gratification" and will go to a substandard kennel to purchase a dog. To that end I see the need to have regulations but enforcing the on existence would be a better start than putting new regulations in place that put small knowledgeable breeders out of existence. We don't do this for the money.

Specifically I am writing to comment on the proposed amendments to the Pennsylvania dog law regulations issued on December 16, 2006. I believe that in and substandard kennel conditions should not be tolerated, but I do not agree that most of the proposed regulatory changes are needed, or would necessarily be a beneficial outcome if adopted. Many are impractical, excessively burdensome and costly, unenforceable, and/or will not improve the quality of life for the owners of these kennels.

Examples of problems with the proposal are the following:

- * The definition of "temporary housing" would require thousands of small residential hobby and show breeding households to become licensed which is not possible to possibly comply with the regulations, and which there is no reason to regulate.
- * The obligations of owners of "temporary housing" which are made subject to inspection by the proposal are not enumerated or limited.
- * There is no scientific or accepted husbandry basis for the amended space and exercise requirements.
- * The regulations will require wholesale renovation, if not rebuilding, of many kennels already built in compliance with current federal and/or state standards. There is no scientific foundation for the arbitrary, rigid engineering standards specified.
- * Smaller breeders and dog owners who maintain their dogs in their own residential premises but are covered by the Pennsylvania dog law, who provide conditions far superior to those required by the proposed new standards, would be unable to comply with the rigid commercial kennel standards.
- * The record keeping requirements with respect to exercise, cleaning, and other aspects of kennel management are excessively burdensome and serve no purpose, as it would be impossible to verify their accuracy in all but the most egregious circumstances. Such egregious circumstances already violate existing regulations.
- * The proposals pertaining to housing and social interaction of dogs of different sizes are contrary to good husbandry, socialization and training practices.

The above is far from a complete list of the deficiencies with the proposed regulations. I also associate myself with the more detailed comments on this proposal from the Pennsylvania Federation of Dog Clubs.

The Bureau has tacitly conceded that its current regulations have not been adequately enforced. If, after implementing its recently announced enhanced enforcement program, the Bureau finds it is still unable to prevent inhumane treatment of dogs because of specific deficiencies in the existing regulations, it should cite those specific deficiencies and propose changes based on them. The current proposal appears to be merely a laundry list of ideas for improving the environment for dogs that has no connection to specific instances in which the welfare of dogs could not be secured and no basis in science or accepted canine husbandry practices that this proposal be withdrawn.

Sincerely,

Amy Benjamin and Doug Marx
POB 126 Lewisville
(101 Fairview Lane Landenberg)
Pennsylvania 19351

Amy M. Benjamin
Deputy Principal Assistant
Office of the Secretary
Delaware Children's Department

1/2/2007