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January 11, 2007

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

INDEPENDENT REGULATORY
PANEL COMMISSION

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Dear Ms. Bender:

My name is Joyce Walker-Duley. I reside in Oxford, PA. I have been showing and breeding Japanese Chin for over 14 years. I have served on many committees/offices in breed clubs over the years, including the Board of Directors for the Japanese Chin Club of American and Northeastern Maryland Kennel Club. My breeding program has left an impact on this breed, which I would more than happy to discuss in detail. In addition to breeding and showing, I am involved in JCCA Rescue program.

I am writing to comment on the proposed amendments to the Pennsylvania dog law regulations issued on December 16, 2006. I believe that inhumane 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 have a beneficial outcome if adopted. Many are impractical, excessively burdensome and costly, unenforceable, and/or will not improve the quality of life for the dogs in these kennels.

There are many levels in which I am strongly opposed to these regulations. I only breed maybe once or twice a year, and I am a very responsible and conscientious breeder. I perform health testing; my dogs/puppies are only sold on spay/neuter contracts; I require references from potential owners; I keep in touch with them at least once a year; my dogs/puppies are always current on vaccinations as they are exposed more than the average pet owner to germs; and if they are unable to keep their dog/puppy, I will take them back, regardless of age. My dogs live with me, in my home, 24/7, 365 days a year and are my children since I have none. I got involved in breeding and showing because I love this breed and wanted to have a hobby that I love which involves dogs, and I love the competition. When I breed, my puppies are kept next to me, in a puppy pen, next to my bed and monitored constantly. When they are of age, they are vaccinated and my socialization process then begins. Many of my puppy owners are repeat buyers because of the fabulous temperaments that my dogs have, which is because of the love and care they are given from birth in a home environment. My dogs run and play in the yard many times during the day, on grass, like normal dogs would. Japanese Chin are not good kennel dogs and do not do well in a kennel environment. They were bred as companion dogs to royalty and to sit on the thrown with their owners. This is not a profitable business for me and spend way more on the health and care of my animals then I would ever profit from puppy sales. I strictly do this as a hobby and love. If your regulations impact the show and hobby breeders, like myself, who have spent many years striving to produce the healthiest (both physically and mentally) breeds, you will be cheating people that want to purchase a pure bred dog from a reputable breeder, with great health and temperament. I, personally, will not be able to afford to keep up with your regulations and may be forced to move back to Maryland, where I originally resided.

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 could not 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 care and 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 useful 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 by 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 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 yours,

Joyce Walker-Duley