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INDEPENDENT REGULATORY
REVIEW COMMISSION

January 31, 2007

Mary Bender, Director
Bureau of Dog Law Enforcement
Department of Agriculture
2301 North Cameron Street
Harrisburg, PA 17110-9408

Dear Mrs. Bender,

As a full-time shelter veterinarian, I appreciate the opportunity to comment on the proposed dog law regulations and offer the following:

Section 21.1- Definitions

Rest Board- A waterproof or water resistant platform that dogs may use to recline on, positioned off the floor of the kennel.

- **This board should be waterproof only for disease purposes. Also, shelters may have trouble obliging to this given the huge numbers of kennels they have.**

Sanitize- To make physically clean and to remove, neutralize and destroy, to a practical minimum, agents, vectors of disease, bacteria, and all infective and deleterious elements injurious to the health of a dog.

- **Should add viruses and parasites in this statement just for clarity purposes**

Section 21.4- Penalties

- (1) (iii) – Failure to obtain a kennel license prior to operating any kennel establishment that keeps, harbors, boards, shelters sells, gives away or in any way transfers cumulative total of 26 or more dogs of any age in one calendar year....

-This number is too high in my opinion. Should be 10 or more. In addition, any shelter or humane organization (Such as a rescue that operates out of a home environment) would thereby be required to be inspected and licensed under these rules. Is there the possibility for exemption for these groups??

- (iv) (E) - Been convicted of any law related to cruelty to animals.....

-This section should also have anyone convicted of child abuse or even abuse period that fills the criteria set forth, since there is a huge undeniable connection between child and animal abuse.

(v) (A) - ...The person from whom the dog was seized and impounded shall pay for reasonable costs of transportation, care, and feeding of the dog.

- **This section should have medical costs of care included for clarity.**

((B) C) - Entire section

-**Does this mean that any person with an unlicensed kennel can keep as many dogs as they want provided they are kept in satisfactory conditions?? What must eventually happen to these animals??**

(vi) (B) - ...Abandonment shall be found if an owner fails to make timely payment of reasonable costs of transportation, feeding, care and veterinary expenses of the seized and impounded dog after two written requests to do so...

- **This should be one request. Two gives too much time to an already negligent owner. In the shelter world animal ownership is forfeited after just one letter sent certified mail, return receipt.**

(2) (iii)- *failure to register and restrain a dangerous dog*- ... maintain the dog in the proper enclosure or fails to have the dog under proper physical restraint when the dog is outside the enclosure or dwelling of the owner shall be guilty of a misdemeanor of the third degree...

- **This needs to be a felony charge. It is no different than walking around with a gun or knife. These dangerous dogs can and have killed children and even people!!!**

- ...Abandonment shall be presumed if the owner of the dangerous dog fails to make timely payment of reasonable costs of transportation, feeding, care and veterinary expenses of the seized and impounded dog after two written requests to do so...the owner of the dangerous dog shall be guilty of a misdemeanor of the third degree...

- **This once again needs to be one written request only. Two written requests means it could be up to 20 days before that dog is legally turned over and that is time this dog can cause damage or serious injury to his kennel environment or kennel staff. The charge gain should be raised to a felony.**

(iv)-*Attacks by a dangerous dog*- ...placed in quarantine for the proper length of time and thereafter humanely killed.

- **Why are we quarantining the dog if it is only going to be euthanized In the end anyway?? It wastes time, money, staff, and space that humane organizations and shelters do not have. It would be far more cost efficient to euthanize said animal and send the head for rabies testing.**

- ...that a dangerous dog, through the intentional, reckless or negligent Conduct of the dogs owner, aggressively attacked or caused severe injury Or death of a human...the dogs owner shall be guilty of a misdemeanor of The first degree.

o **This needs to be a felony charge. If you plead guilty to killing Someone with a gun or knife, you don't get a fine and then allowed to walk free!!!**

(3) Article VI penalty provisions

(i) and (ii) – poisoning and intentional poisoning of a dog

-**The accidental poisoning should be at least a misdemeanor, and**

The intentional poisoning should be a felony. This is attempted Murder of an animal with malicious intent. Poisons do not Work to cause a peaceful death. They are usually slow, very Torturous processes in the body.

- (iv) Taunting of working dogs- ...a person convicted of violating any of the Provisions of this subsection shall be guilty of a felony in the third degree
- **Why is this a felony and not other charges? Just because a This is a working dog makes it no less special than any other Dog. All crimes in this way should be felony charges.**

21.22 Housing

(c) Adult dogs shall be segregated by sex...

- **This requirement should be for intact dogs only, not spayed and Neutered dogs.**

(d) ...and sick infirm, aged, or young dogs may not be kept in outdoor facilities [unless that practice is specifically approved by the attending veterinarian]

- **Does this mean indoor/outdoor runs as well??**

...each group of puppies arriving from another kennel facility...shall be Kept separate from the current kennel population...

- **What exactly does separate mean?? Different cages, rooms, Buildings???**

21.23 Space

[subsections (b) and (c) do not apply if all of the following conditions are met]...

- **PET SHOPS are some of the worst offenders and should not be exempt At all. I have personally seen some puppies grow to adult hood (larger breeds) in pet shop cages. Pet shops are some of the worst offenders and must be held accountable like the rest.**

(e) (ii)(C)- Protection from weather...

- **Most kennels and shelters cannot provide this and it is too strict Especially if a dog can be cleaned or bathed after running outside.**

(iii) (A)-(D) Dog segregation in an exercise area

- **Needs to be amended because is too strict and inhibits dogs natural Social interaction and play. Medium sized dogs can get along with Slightly larger and smaller dogs. In addition, puppies need proper Socialization with other adult dogs to learn proper manners.**

(E)- Aggressive or anti-social dogs shall be exercised alone.

- **Not all aggressive dogs should be exercised for risk of serious Injury or even death to a kennel worker. Discretion should be At the hands of the worker.**

21.24 Shelter(s) housing facilities and primary enclosures

(b.11.) Outdoor facilities, including runs and exercise areas shall be kept free Of grass and weeds....

- **This is inhumane to a dog not to be allowed access to grass Covered areas. It is far more effective to mandate flea and tick Prevention in these animals and to have a good deworming**

Protocol than to deny them access to grass.

(d) A dog may be sheltered in a primary enclosure having metal strand flooring
Provided the following conditions are met...

- **There should be no metal strand flooring allowed as it is an unnatural surface for dogs pads no matter what the size. It leads to joint and foot issues that can become chronic problems.**

(8.) Records shall be kept in accordance with the act and sections....

-This is a time consuming and tedious requirement that is unnecessary. No kennel is going to be able to adequately reach this standard. Inspection and discretion of inspectors can be used here

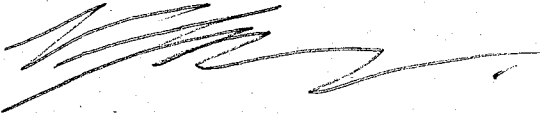
21.25 Temperature Control

(e) (1)- Heating. The ambient temperature...shall not fall below 50 degrees Fahrenheit.

- This number needs to be raised to 65 degrees. 50 is too low.

Again, thank you for the opportunity to assist in the development of these regulations.

Sincerely,



Dr. Bryan Langlois