

February 2, 2007

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

Dear Ms. Bender:

Please clean up Pennsylvania's cruel puppy mills, which brutalize dogs and tarnish the state's image. I respectfully urge you to adopt the new, more humane regulations for commercial breeding operations in Pennsylvania. Further, I fully support the detailed comments submitted by The Humane Society of the United States regarding more humane regulations.

Sincerely,



Maria Wirths
1023 Fairhill Road
Sellersville, PA 18960

CC:
Independent Regulatory Review Commission
Arthur Coccodrilli, Chairman
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

2559

RECEIVED

February 19, 2007

2007 FEB 20 PM 3:38

Arthur Coccodrilli, Chairman
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101
Fax: 717-783-2664

INDEPENDENT REGULATORY
REVIEW COMMISSION

Dear Sir:

In connection with the new proposed regulations intended to improve the problems with puppy mills, I am writing to request an exemption for shelters from the kennel expansion and exercise requirements. Additionally, foster homes should be exempt from kennel housing requirements with separate performance standards appropriate for home care settings.

Thank you.

Sally Bazrod

sallybazrod@mac.com

Amanda Harber
3303 Parkview Ave.
Pittsburgh, PA 15213

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

February 4, 2007

Dear Ms. Bender:

I strongly support the proposed changes to Pennsylvania's kennel regulations, including doubling cage size, requiring exercise outside of the cage, humane heating and cooling, improved ventilation, and especially the denial of a kennel license to anyone convicted of animal cruelty. These are smart, necessary laws that will hopefully end Pennsylvania's unfortunate reputation of as the Puppy Mill Capital of the east.

However, I think it is necessary to consider the special case of animal shelters. These shelters have fiscal restraints in regards to providing larger cages for animals, although it may be worthwhile to state that shelters must include these improvements in their long range plans.

Changing Pennsylvania's kennel regulations will be a proud day for all Pennsylvanians. I eagerly await the day that the suffering of dogs in puppy mills ends.

Thank you for your attention,



Amanda Harber

CC: State Representative Jake Wheatley, Jr. State Senator Jim Ferlo

Pine Ridge Kennels
James L. Houppert (Owner)
24104 Watters Rd
Shade Gap, PA 17255

February 2, 2007

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

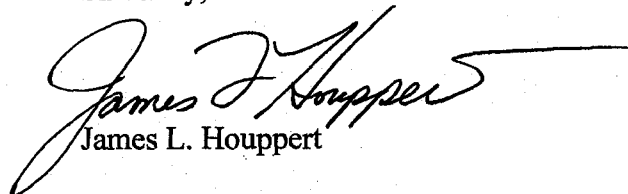
Dear Ms. Bender,

I am writing concerning the proposed regulation ID #2-152(#2559) revising the Dog Law Act 225 which was issued on December 16, 2006.

I fully understand that the bureau is trying to improve substandard kennel conditions. I would welcome measures that would control irresponsible "puppy mills", but the proposed revision contains several restrictions and requirements that would be an unnecessary burden to responsible kennel owners, trainers and breeders.

I sincerely urge that this proposal not be adopted.

Sincerely,


James L. Houppert

7 February 2007

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

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As residents of Pennsylvania and volunteer of the Adams County SPCA, I am writing to urge you to support the proposed amendments to the Dog Law regulations set forth by the Pennsylvania Department of Agriculture and the Bureau of Dog Law Enforcement.

Unfortunately, our Commonwealth has earned the reputation as the "Puppy Mill Capital of the East", a reputation that is not altogether undeserved. Recent reports of dog abuse and neglect in the news from Pennsylvania has been heartbreaking. This new regulation will help to decrease such occurrences in Pennsylvania and bring Pennsylvania's animal cruelty laws closer to the level of laws for other states in the Union.

The problems are rampant and the time is way past due that these are corrected. The changes to the Dog Law regulations proposed by the Department of Agriculture and Bureau of Dog Law Enforcement will greatly improve the conditions under which so many unfortunate dogs are bred and raised commercially in Pennsylvania.

These new regulations will double the required cage size for dogs, improve sanitation, drainage and ventilation standards, require that all dogs be provided with a minimum of 20 minutes of exercise everyday and require prompt and immediate veterinary care for sick and injured dogs, among others. All of these regulations would be immoral not to provide for the dogs.

It is in the state's best interest to provide humane care and conditions for dogs housed and bred in Pennsylvania's commercial kennels. The proposed regulations will better ensure that these dogs are disease-free, behaviorally sound and well cared for. As a constituent who volunteers with our county's SPCA I respectfully request that you support the regulations and help move them through the regulatory process in an expeditious manner.

Thank you for your time and attention to this serious matter.

Respectfully,



Miranda Speelman
34A Ditzler Avenue
Biglerville, Pennsylvania 17307

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 name is Sean Cully, I live in New Bloomfield, Pennsylvania. I have had a Pennsylvania Kennel License for 5 or 6 years now. With all the regular inspections that are made from our local dog warden, there has never been a time in which everything that is inspected is not 100% satisfactory. I keep about 20 dogs for the purpose of fox hunting. I do not sell or breed for any type of profit. I keep all of my dogs in the nicest newly built kennels I have ever seen. My dogs are all very well socialized and mentally satisfied with what I do with them. If the laws that are proposed would come into effect neither my kennels nor my training, exercise program would be satisfactory.

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.

Examples of problems with the proposal are the following:

(select as many of these examples as are appropriate for your situation, especially if you can give detailed examples. No more than one item is necessary, but more than one will certainly help)

- * 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.

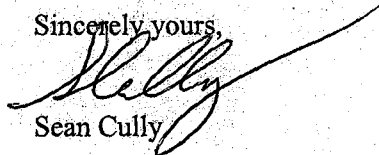
* The record keeping requirements with respect to exercise, cleaning, and other aspects of kennel management are excessively burdensome and serve no useful purpose, as it would be impossible to verify their accuracy in all but the most egregious circumstances. Such egregious circumstances already violate 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,

A handwritten signature in cursive script, appearing to read "Sean Cully", written in dark ink. The signature is fluid and somewhat stylized, with a long horizontal stroke extending to the right.

Sean Cully

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,

Gina Lasky
Gina Lasky

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer a cumulative total of 26 or more dogs in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,

Rebecca Myers

Rebecca Myers
2015 Luehm Ave
North Versailles PA 15137

412-600-3456

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

February 13, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.
4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition

of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs

more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Dawn Hacker

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

February 2, 2007

Dear Ms. Bender,

Regarding the proposed changes to the Dog Law regulations.

I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.
4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement

standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite, or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,

Betty Anne Fey

February 4, 2007

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

RE: ID #2-152 (#2559)

Dear Ms. Bender:

It has been brought to my attention that the Pennsylvania Dog Law regulations are undergoing revision and that you are soliciting public comment. I am writing to express strong opposition to the current revisions for a number of reasons. While it is admirable and desirable to address the issue of dog abuse and the deplorable conditions of puppy mills, the implementation of the proposed revised regulations (referenced above) would be likely to have nearly the opposite effect.

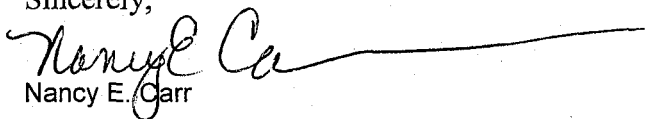
I sought out a reputable breeder when the time came for our family to add a puppy to our household. This breeder has a well-earned reputation for producing dogs that have achieved international awards, yet this same breeder would be forced to cease her contributions to the breed if these regulations go through. This can't be the intention of the writers of these regulations, yet that's the effect they would have.

Reputable breeders spend vast amounts of time and money in procuring and caring for dogs that are the most exemplary individuals of their breed. While these are often show dogs, receiving training and conditioning and nutrition and health care of the highest order, at the same time these dogs are also companions who share the breeders' home. Under the proposed rules, these loved family members would be required to be housed in nearly industrial conditions. That is probably one of the most unacceptable aspects of these regulations...they essentially condemn dogs to be kept as commercial livestock, without ever feeling the grass beneath their feet or getting to curl up on a couch or play with other dogs. The net effect would be a life of misery for most dogs, regardless of how warm and dry and clean they may be. The breeders who care most for their dogs would be forced out of breeding and showing by the exorbitant costs of compliance with these regulations, leaving the dog-loving public little recourse but to shop for puppies at pet stores, which in turn procure their pups from puppy mills and commercial 'growers' who care nothing for the happiness or welfare of their dogs, regarding them only as commodities capable of generating a profit.

These regulations don't stop with breeders. Boarding kennel operators, groomers, rescue leagues, trainers, veterinarians, search & rescue teams...anyone who cares for more than a handful of dogs would come under the reach of this dangerous precedent. The impact on the economy can't be underestimated; we are a dog-loving culture and the collapse of the small businesses that support the care of our beloved pets would reverberate throughout the Commonwealth.

In an effort to better the conditions for the dogs of our state, much could be accomplished by funding more Dog Law inspectors, more frequent inspections, and expanded education of the public in order to help buyers to locate reputable breeders whose dogs aren't mass-produced with profit as the only incentive to breeding. I appeal to you to rescind these changes.

Sincerely,


Nancy E. Carr

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Jodie Neugebauer
235 Haven Drive
Sewickley PA 15143

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Stephanie Werner
3 Catherine St.
Pittsburgh PA 15209

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

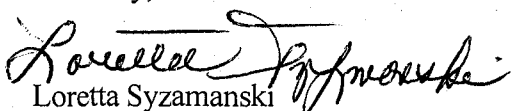
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,


Loretta Syzamanski
3728 Liberty Avenue
Pittsburgh PA 15201

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

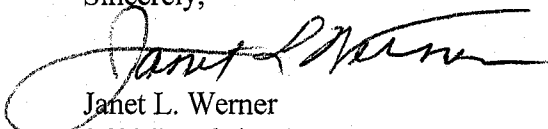
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Janet L. Werner
3602 Rosebriar Avenue
Glenshaw PA 15116

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

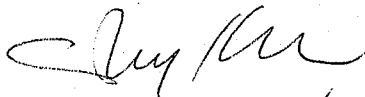
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Cathy Kassab
702 Windsor Ct
State College, PA
16801

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer a cumulative total of 26 or more dogs in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



BETH ANN SOBYAK
1606 LINDEN WAY
KING OF PRUSSIA, PA 19406

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

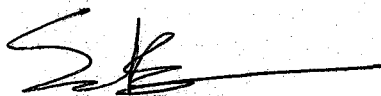
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer a cumulative total of 26 or more dogs in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your consideration.

Sincerely,



Seymour Khalilov
519 Locust Street
Columbia, PA 17512

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

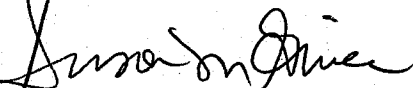
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer a cumulative total of 26 or more dogs in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Susan M. Giver

6 Creekview Drive, Middletown, PA 17057

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

February 5, 2007

RE: Comments on proposed Dog Law regulations
Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 per day of violation.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

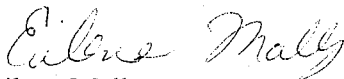
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Eilene Malloy
106 Church Rd.
Frazer, PA 19355

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is ~~unable to qualify for a license~~.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.
4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical

condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer a cumulative total of 26 or more dogs in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,

DAVID MADDEN



P.O. BOX 386

SHAMOKIN PA 17872

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

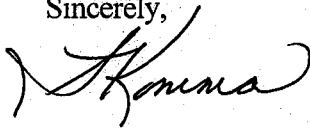
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer a cumulative total of 26 or more dogs in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



SAUNDRA KOMMA
107 Dennis Dr.

Gleneshaw, PA 15116

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer a cumulative total of 26 or more dogs in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,

James Ricke

James Ricke

100 Heckman Rd

N. Versailles PA 1537

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

February 13, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.
4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition

of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs

more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Mary Ferkingstad

**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 name is Budd Yesner, 38 Center Road, Erwinna, PA, 18920. I am a dog owner and breeder.

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.

Examples of problems with the proposal are the following:

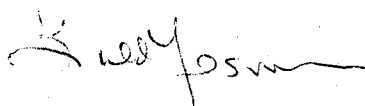
- * The definition of "temporary housing" would require thousands of small residential hobby and show breeding households to become licensed which could not possibly comply with the regulations, and which there is no reason to regulate.
- * The obligations of owners of "temporary housing" which are made 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,

Budd Yesner

A handwritten signature in black ink, appearing to read "Budd Yesner", with a stylized flourish at the end.

2/7/07

February 6, 2007

Ellen Scarisbrick
2399 Hemlock Farms
Lords Valley, PA 18428
dstnydgs@aol.com

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

Dear Ms. Bender:

I am writing to you as a responsible pet owner, and someone new to the dog show world. I have been interested in showing dogs for some time, and am presently trying to learn as much as I can about showing and breeding dogs. I have become aware of proposed legislation that would make it prohibitive for me to fulfill this dream.

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.

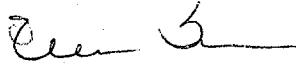
Examples of problems with the proposal are the following:

- * 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
- * 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 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,

A handwritten signature in cursive script, appearing to read "Ellen Scarisbrick".

Ellen Scarisbrick

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.
4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to

state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely

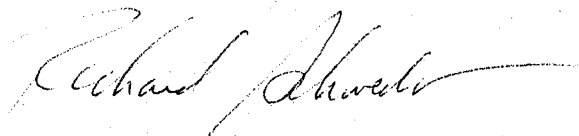
that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Richard Schweikart
300 Ash St.
St. Marys, PA 15857

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Marguerite R. Rick
2171 Wexford Rd
Palmyra, Pa. 17078

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

Although this letter is a form given by the ASPCA,
As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

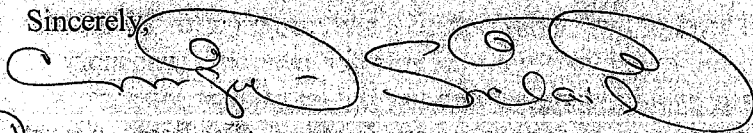
~~8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.~~

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. ~~Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.~~

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer a cumulative total of 26 or more dogs in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,


Cynthia Morgan-Sinclair
10 Penny Lane
Lebanon, Pa 17046

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

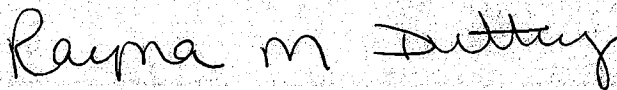
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer a cumulative total of 26 or more dogs in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Rayna M. Duttry

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Beth Gehman
340 S. 11th St.
Quakertown, PA 18951

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.

2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.

3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical

condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire-mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,

Florence E. Miller
131 South Donerville Road

Lancaster, PA. 17603-9715
luckycat313@msn.com

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

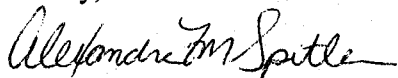
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Alexandra Spittle
4 Chelsea Ct
Palmyra, PA 17078

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

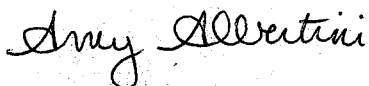
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Amy Albertini
Coal Township, PA

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

February 5, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

My Name is Dr. William Denning and I am writing to you regarding a subject that is very important to me and my family and should be to you as well. As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

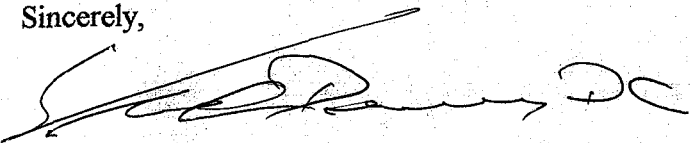
1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 per day of violation supervised by an individual who has the knowledge, ground, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.
4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of current and proper veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for

can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Dr. William Denning
555 Alter St.
Hazleton, PA. 18201
570-450-6824

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

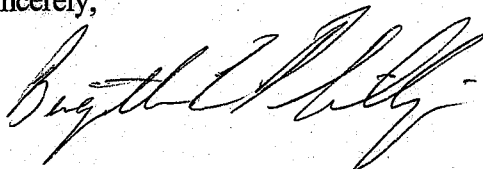
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Brigetta R. Phillips

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

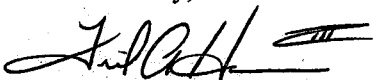
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,


FREDERICK A. HANSEN ^{III}

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.


8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer a cumulative total of 26 or more dogs in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Amber M. Kulaga

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer a cumulative total of 26 or more dogs in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



David M. Chwastyk

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,

Julie E. Mann
JULIE E. MANN

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

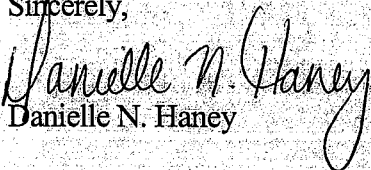
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer a cumulative total of 26 or more dogs in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,


Danielle N. Haney

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer a cumulative total of 26 or more dogs in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Carole A. Miller

In Memory Of Pets, Org

278 Cedar Road

Hershey, PA 17033

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

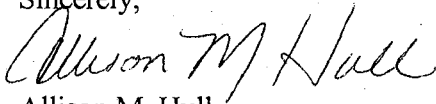
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Allison M. Hull

86 West Cortland Drive
McKees Rocks, PA 15136

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.


8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Nicole Wilden

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely, *Richard S. Porris*

Richard S. Porris

Frances K. Pomeroy

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

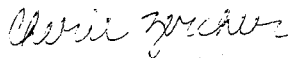
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Cherie Zercher
119 Ornida Drive
Beaver, PA 15009

Anne M. Sudzina
1801 Butler Pike, Apt. 185
Conshohocken, PA 19428

February 13, 2007

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

Re: Comments on proposed Dog Law regulations

Dear Ms. Bender:

As a concerned citizen of the Commonwealth of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.

2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.

3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where

more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

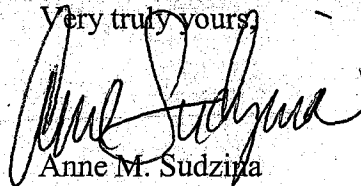
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "Anne M. Sudzina". The signature is fluid and cursive, with a large initial "A" and "S".

Anne M. Sudzina

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,


Mary Armour

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

February 13, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.
4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition

of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs

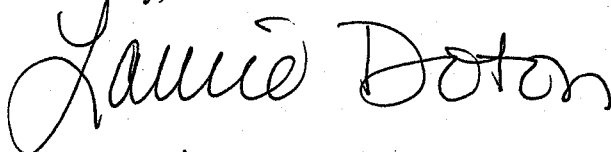
more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Laurie Doton

ldoton@wilson.edu

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide “proof of *current and proper* veterinary care for the dog.” This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

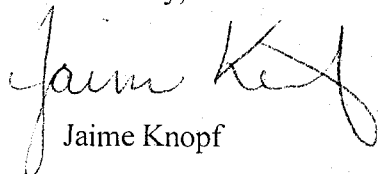
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Jaime Knopf

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely, TOM DAVIDO



238 WALNUT ST

Ridgway, PA. 15853

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.


Sincerely, Grant Waldman, 8 W. Mechanic Street, New Hope, PA 18938

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



EMILY BRABONIER

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,


Sharon D Farr

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

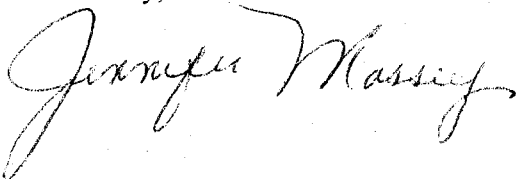
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,



Jenniter Massey
1105 E. 11th St.
Eddystone PA 19022

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

February 5, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

INDEPENDENT REGULATORY
REVIEW COMMISSION

2007 FEB 15 AM 10:59

RECEIVED

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

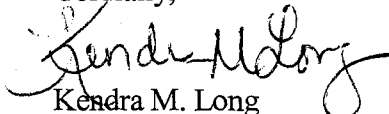
8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Cordially,


Kendra M. Long

26 Wilderness Drive
Mountaintop, PA 18707
February 6, 2007

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

February 2, 2007

RE: Comments on proposed Dog Law regulations

Dear Ms. Bender,

As a concerned citizen of the state of Pennsylvania, I respectfully submit this comment on the proposed changes to the Dog Law regulations.

First, I would like to commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in commercial breeding operations in Pennsylvania. **It should also be noted that the proposed changes to the regulations do not bring hobby breeders under the Act. The same people who were exempt from the former regulations (i.e. hobby breeders who raise, breed, move, sell, etc. fewer than 26 dogs per year), will continue to be exempt under the revised regulations.**

Furthermore, I fully support the comments submitted by the American Society for the Prevention of Cruelty to Animals (ASPCA) on behalf of its members, and incorporate them herein by reference. Specifically, I strongly support the following:

1. The penalties in § 21.4(1)(iii) for "failure of an individual to comply with licensure provisions" should be increased from \$25 to \$300 per violation to \$25 to \$300 *per day of violation*.
2. The Secretary should be mandating to file suit to enjoin operation of unlicensed kennels where the kennel is not in compliance with the standards in the regulations and is unable to qualify for a license.
3. I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for doubling the required cage size. This is perhaps the most important change that can be made to improve the quality of life for dogs in commercial breeding facilities in Pennsylvania. This provision should remain in the regulations regardless of opposition from breeders. This section should be further strengthened by adding a provision stating that where more than one dog is housed in a primary enclosure, the primary enclosure must provide adequate space for all dogs. For instance, if the enclosure houses two dogs, it must provide double the cage space that would be required for a single dog. If it houses three dogs, it must provide three times the cage space, etc.

INDEPENDENT REGULATORY
REVIEW COMMISSION

2007 FEB 15 AM 10:55

RECEIVED

4. I also commend the Department of Agriculture and Bureau of Dog Law Enforcement for including a provision that requires the dog wardens to visually observe the physical condition of each dog. However, the provisions regarding orders of veterinary care should be strengthened to state that the owner must provide "proof of *current and proper* veterinary care for the dog." This provision should also be amended to include excessive matting and excessively long toenails as indications of lack of proper veterinary care. Inadequate grooming can lead to painful medical issues for dogs, including skin lesions from excessive matting and leg and joint injuries from failure to keep toenails appropriately trimmed. Moreover, the section should be amended to *require* dog wardens to order a veterinary check on dogs that exhibit signs of infection, contagious disease or parasite; or that appear to be in poor health where proof of current and proper veterinary care is not provided.

5. A new subsection should be added to § 21.30 clarifying the required training for dog wardens. Training in the following areas should be added into the regulations to expand upon the requirements set forth in 3 P.S. § 459-901:

1. State laws relating to dog licensing, control and owner responsibilities;
2. State and federal laws relating to animal care, cruelty and neglect;
3. State laws relating to dangerous dogs;
4. State and federal law relating to lack of arrest powers, proper use of search, seizure and warrants;
5. State and federal laws relating to pounds and shelters;
6. Basics of cruelty and neglect investigations for referral to appropriate authorities;
7. Report-writing and record-keeping;
8. Overview of the legal system, court structure and terminology;
9. Basics of interpreting animal behavior;
10. Identification of injury, disease, abuse and neglect in dogs;
11. Animal hoarders; and
12. Civil liability issues.

6. A new section should be added to the regulations mandating that the Department and dog wardens coordinate and work with law enforcement when applicable. It is imperative that the department work with law enforcement, and specifically Humane Society police officers, to ensure that both the cruelty laws and the Dog Law are adequately enforced.

7. A new section should be added to the regulations requiring that a licensee must have enough employees to carry out the level of husbandry practices and care required by the Act and its regulations. Additionally, the employees who provide for care and husbandry or handle animals should be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs to supervise others. The licensee must be certain that the supervisor and other employees can perform to such standards.

8. Stacking primary enclosures on top of one another should be prohibited. Stacking cages creates an unnatural environment for the dogs. Additionally, it makes observation of the dogs more difficult and

creates sanitation problems. Even with a tray or partition between cages, it is likely that the partitions may overflow, causing feces, urine, food, water, and hair to fall onto the dogs located in the cages below.

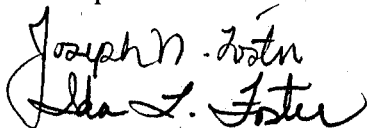
9. The section on wire mesh flooring should be amended to make it at least as strict as the federal Animal Welfare Act, which requires that metal strand flooring be greater than one-eighth of an inch in diameter (9 gauge) or coated with a material such as plastic or fiberglass. Language should also be added requiring that all primary enclosures that have wire mesh flooring also have a resting board of sufficient size to allow each dog in the enclosure to lie in a full lateral recumbent position and be able to make normal postural adjustments. Resting boards are necessary to provide for the comfort of the dog and to allow the animal to have some time away from living on grated fencing. Providing resting boards will result in fewer foot lesions and other foot and leg injuries to the dogs. A solid resting surface that is impervious to moisture is also a more natural environment for the animal, provides a draft-free surface and enables the dog to retain its body heat. A dog feels most vulnerable when lying down, and forcing a dog to lie over an exposed area can contribute to anxiety. Humane standards and survival standards are separate, and creating an environment that merely allows for survival does not necessarily make such an environment humane.

10. Contrary to what the breeding industry states, the engineering standards specified in the proposed regulations do have a scientific foundation. The standards in the proposed regulations are more akin to acceptable husbandry practices. They will bring the engineering standards up to par with, if not above, those set forth in the Animal Welfare Act. Contrary to the hobby breeders' contention, the new regulations will not bring hobby breeders under the purview of the Dog Law. Only kennels that keep, harbor, board, shelter, sell, give away, or transfer *a cumulative total of 26 or more dogs* in one calendar year will be required to comply with the new regulations. As a result, true hobby breeders are still exempt from the law. Good husbandry practices dictate that anyone harboring a larger number of dogs (26 or more) should comply with certain engineering standards to ensure the health, safety, and well-being of the dogs. The Dog Law and its regulations are aimed at regulating larger and commercial breeding facilities. Therefore, the new regulations will not affect hobby breeders, contrary to what the breeding community suggests.

Once again, I commend the Department of Agriculture and the Bureau of Dog Law Enforcement for proposing regulations that will improve the conditions for dogs housed and bred in Pennsylvania's commercial kennels. The changes I have noted above will further ensure that such dogs are protected. Thank you for your time and consideration.

Sincerely,

Mr. Joseph N. Foster & Mrs. Ida L. Foster

Handwritten signatures of Joseph N. Foster and Ida L. Foster. The signatures are written in cursive and are positioned below the typed names.