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Ms. Mary Bender, Director
Bureau of Dog Law Enforcement
The Department of Agriculture
2301 North Cameron Street, Room 102
Harrisburg, PA 17110-9408

FEB 26 REC'D

INDEPENDENT REGULATORY
REVIEW COMMISSION

February 2, 2007

Dear Ms. Bender:

I am writing to provide comment on the proposed Dog Law Act 225, published in *The Pennsylvania Bulletin* on December 16, 2006. I am the owner of Summit Ridge Farms in Susquehanna, Pennsylvania. Our kennel is involved with nutritional research for the pet food industry. We are a United States Department of Agriculture (USDA) registered research facility and a USDA Class A breeder. Along with our USDA license, we also hold a Class V license from the Pennsylvania Department of Agriculture – Bureau of Dog Law Enforcement.

The welfare of our animals is our main concern and I appreciate the fact that the Governor and the Department of Agriculture share those concerns. I also believe that our facility and other "Research Kennels", as defined in the Pennsylvania Dog Law P.L. 284 No. 225, are unique in that the standards required by the Animal Welfare Act and enforced by the Animal and Plant Health Inspection Service (APHIS) are written with the goal of sound research in an environment that is conducive to animal well being and humane treatment.

Federal regulations require our facilities be inspected a minimum of once annually, by a specially trained veterinarian. Programs at our facilities, such as veterinary care, facility construction and maintenance, exercise and socialization, along with research protocols are under the strict supervision of veterinary professionals. Under the Federal Animal Welfare Act, these programs must be overseen by our Institutional Animal Care and Use Committee (IACUC). An IACUC is not required by PA licensed breeders and includes a veterinarian and a person not affiliated with the institution. The IACUC must inspect and review the programs of animal care at least every six months and also approve all research protocols. Records of all IACUC activities must be maintained and provided to APHIS veterinarians upon USDA inspections.

I recommend that research kennels that are registered with the USDA under the Federal Animal Welfare Act be exempt from the Pennsylvania Dog Law regulations. Other states, such as Ohio and Missouri, have added language that specifically exempts kennels involved in research and I would suggest that the Department add similar language.

In the proposed revisions, there are numerous references to making the "Department's regulations more consistent with Federal regulations set forth under the Animal Welfare Act". I believe that the Pennsylvania Department of Agriculture should align their regulations with those established by the USDA. The Federal regulations are proven

successful and enforceable. By adopting a consistent set of definitions, the Department would avoid redundancy and ambiguity in the regulatory process.

It is clear from Governor Rendell's press releases and from some of the language of the proposed revisions, that facilities under Federal regulation were not the intended target of the Department's regulatory changes. Many of the proposed standards will not work for research facilities. Furthermore, due to specific requirements of scientific protocols, housing standards, exercise, socialization and environmental concerns, may have to be customized in order to insure sound science and humane treatment of the animals.

Implementation of the proposed regulations would cost Summit Ridge Farms much more than the Department's estimated \$5,000 to \$20,000. The estimated cost for facility construction, equipment costs, and renovations to comply with the proposed regulations would be \$200,000 to \$300,000. Additional yearly operating costs would be close to \$100,000 per year. It is also estimated that the proposed regulation would result in a huge loss of revenue due to changes in environmental considerations, construction restraints, and the volume of testing lost as a result of personnel constraints.

Sincerely



Michael R. Panasevich
President, Summit Ridge Farms

Cc: Arthur Coccodrilli, Chairman
Independent Regulatory Review Commission
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