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Vice President for Research and  
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Animal Resource Program  
The Pennsylvania State University  
101 Centralized Biological Laboratory  
University Park, PA 16802-4803

RECEIVED February 6, 2007

FEB 26 REC'D

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

INDEPENDENT REGULATORY  
REVIEW COMMISSION

Re: Dog Law Enforcement, Proposed Regulation #2-152 (#2559)

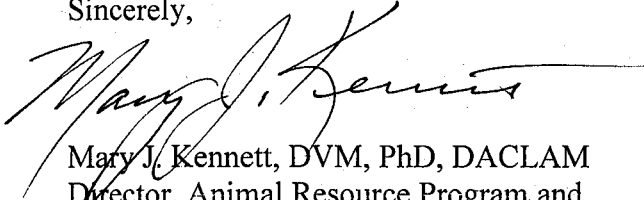
Dear Ms. Bender:

I am writing on behalf of the faculty and staff of the Pennsylvania State University (PSU) in order to provide comment on proposed regulations promulgated from the Pennsylvania Dog Law and published in *The Pennsylvania Bulletin* on December 16, 2006. The Pennsylvania State University is ranked 11<sup>th</sup> among all US universities in research expenditures (FY2005) with \$99 million in biomedical research funding from the Department of Health and Human Services (including the National Institutes of Health). In the case of biomedical research requiring the use of animals, including dogs, research institutions like PSU are subject to extensive federal regulations as outlined in the U.S. Animal Welfare Act.

Biomedical research facilities are registered with the United States Department of Agriculture (USDA) and required, by law, to follow strict guidelines on dog care and husbandry. In addition, research facilities are inspected, at least once annually, without notice, by USDA veterinarians. Federal regulations require research facilities to establish an Institutional Animal Care and Use Committee (IACUC) charged with overseeing all animal care and use at the institution. Institutions like PSU that receive funding from federal agencies such as the National Institutes of Health are also required to follow the animal care guidelines promulgated by the U.S. Public Health Service. Because of the multitude of existing regulatory requirements currently placed on our facilities, we recommend that, as is done in other states, research kennels that are registered with the USDA under the Federal Animal Welfare Act be exempt from Pennsylvania Dog Law regulations.

The adoption of the proposed regulations as published in the Pennsylvania Bulletin of December 16, 2006 would add regulatory requirements that would deviate from Federal Animal Welfare Act standards and put Pennsylvania research institutions, including The Pennsylvania State University, in a position of competitive disadvantage for federal research funding without significantly improving the welfare of dogs in Pennsylvania.

Sincerely,



Mary J. Kennett, DVM, PhD, DACLAM  
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Associate Professor, Department of Veterinary & Biomedical Sciences  
The Pennsylvania State University  
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cc: Arthur Coccodrilli, Chairman  
Independent Regulatory Review Commission  
333 Market Street, 14<sup>th</sup> Floor  
Harrisburg, PA 17101