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Peacock Bridge Kennels Inc.

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INDEPENDENT REGULATORY
REVIEW COMMISSION

February 12, 2007

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

Dear Director Bender,

My name is Andy Bensing and I own and operate Peacock Bridge Kennels in Reading, PA. At Peacock Bridge Kennels we have 65 boarding runs and employ 4 full time and 6 part time employees. We do vacation boarding and inboard obedience training. In the past I have done some dog breeding, averaging 1 or 2 litters per year. We have been a licensed Private Class I and Boarding Class III Kennel for over 20 years. During that time we have been inspected regularly and have never had one single violation of the Dog law, nor had any complaints filed against us from the general public.

We are open to the general public and have a thriving and successful boarding and training business. We consistently charge and receive the highest boarding rates in our area. I mention this as evidence that the general public fully approves of the physical structure of my facility, the care their dogs receive here and the conditions in which they are housed.

I am writing to you in regards to the proposed amendments to the Bureau of Dog Law Regulations. I understand that the purported purpose of these new regulations is to better control the Puppy Mill industry in PA and bring conditions in that industry to a more humane level. I commend those goals but many of the proposed amendments as written will do much harm to other parts of the pet industry at the same time.

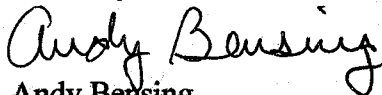
Let me speak specifically as to how these regulations would impact my business. The fiscal impact of \$5,000 to \$20,000 per kennel to the Private Sector as published in the PA Bulletin is a ridiculous underestimate. The physical changes necessary to bring my facility up to the proposed regulations in regards to primary enclosure size and drain size and locations is in the range of \$75,000. In addition to that sum, the indoor portions of our indoor/outdoor runs would now be too small under the proposed regulations and we would have to cut our boarding capacity in half. Realistically, what this would do is put Peacock Bridge Kennel out of the dog boarding business and would force me to permanently lay off 75% of my full and part time employees and just remain in the dog training business with very limited boarding. To remain in the boarding business at the same capacity I have now and retain all my current employees, Peacock Bridge Kennels would have to spend in the neighborhood of \$250,000 to construct another building to house the 30 runs lost in our present facility due to the proposed regulation changes.

That brings me to another point. The PA Bulletin says that fiscal impact to the general public will be zero. This is far from the truth in the dog boarding industry. Very few boarding kennels in PA will escape costs like I have mentioned above. Many will be forced completely out of business. This lack of available boarding space for the general public to board their dogs and the increased costs to supply the remaining space by the dog boarding industry will greatly increase the average cost to the general public to board their dog. I would estimate the cost would go up by at least 50%.

In addition to costs being driven up by new and re-furnished facilities, the proposed requirements on a boarding kennel to keep track of exact times for each dog that his food and water are delivered to him and the exact time that water, food bowls, and runs are washed and the exact time each dog is walked, will drive costs up also. These ridiculous record keeping requirements are not necessary. We have regulations now that require clean food, water, and facilities. Just enforce what we already have.

In closing I believe the spirit behind the proposed regulations was very positive but the way the proposed amendments seek to implement that spirit will do more harm than good to the pet industry in PA as a whole. Yes, there is a puppy mill problem in PA, but please do not punish the pet industry as a whole in trying to fix it.

Sincerely,



Andy Bensing
Peacock Bridge Kennels Inc.

PS - One last closing thought. If the space regulations currently followed by both boarding kennels and Humane Societies and Animal Rescue Leagues are so in-humane that they must be doubled, then why under the new regulations are Humane Societies and Animal Rescue Leagues exempt from providing this more humane space? Dogs are housed in boarding kennels rarely more than a week or two but dogs sometimes remain at Humane Societies for months before they are adopted. That seems like quite a contradiction to me. Doesn't it sound ridiculous to you that a dog might be seized from a licensed kennel because the licensed kennel did not double it's space requirements and then be housed by a Humane Society in the exact space requirements that the animal was seized from? Or is the reality that there is nothing wrong with the current space requirements for boarding kennels and that the Department of Agriculture is being duped into enacting these new regulations by organizations with a hidden agenda to shut down the dog industry as a whole? There is an old phrase that I think applies here, "Don't throw out the baby with the bath water." Please don't destroy all the good parts of the dog industry in PA just to get at a problem segment of it, the puppy mill industry.

cc: Senator Michael Brubaker
Representative Jim Cox
Representative Michael Hanna
Representative Art Hershey
Senator Michael O'Pake