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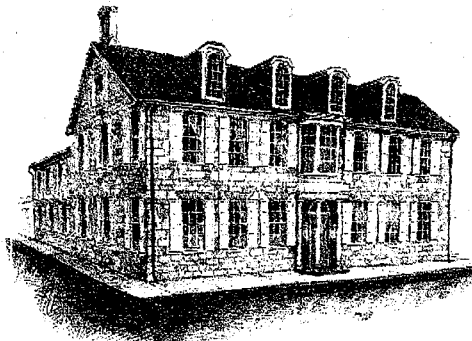
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February 14, 2007

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

Dear Ms. Bender:

The purpose of this correspondence is to make comments on the proposed amendments to the Pennsylvania Dog Law regulations that were issued on December 1, 2006.

Let me first say that I am a dog owner and also am a member of the Harrisburg Kennel Club. I am of the firm belief that the Commonwealth cannot tolerate inhumane and substandard kennel conditions under any circumstances. I also am of the firm opinion that it is necessary to enforce our present regulations to their fullest extent. I do not believe that it is necessary to formulate new regulations unless it can be shown that enforcement of the current regulations has been strict, thorough, but ineffective.

At the present time, no such evidence has been forthcoming that would any way show that a reasonable attempt to enforce present regulations has been adequately staffed and funded. I appreciate the work that has been done in the past by the Bureau of Dog Enforcement and I would like to see the Bureau given more staff and funding before new regulations are adopted.

After closely reviewing the proposed regulations, it is clear to me that these regulations would create more problems than they would solve. The regulations that have been proposed seem to be an attempt to micromanage kennels and penalize law-abiding kennel owners and operators with excessive paperwork, procedures and engineering of space. The proposed regulations would do little to correct the abuses we have all witnessed that are perpetrated by the owners and operators of so-called "puppy farms." The new regulations appear to be even more unenforceable than the current regulations.

Specifically, the definition of "temporary housing" would severely impact many of the small residential hobby and show-breeding folks. It would be difficult, if not impossible for these smaller operations to comply with the new regulations even if only considering the costs of such compliance. The impact such a regulation would have on such law-abiding hobbyists is incalculable and would result in honest breeders and kennels going out of business leaving the business to the morally bankrupt owners and

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operators of the "puppy mills," who would most likely ignore the new regulations as they ignore the current regulations.

The space and time regulations appear to be arbitrary and capricious in that the proposed regulations have no basis in science or reasonable breeding practices. I would question whether or not the individuals who wrote these proposed regulations consulted with or observed honest owners and breeders.

In addition, the regulations appear to require extensive renovation, if not rebuilding of the facilities of smaller breeders and dog owners. I know that many of these kennels are built to the specifications of the current federal and state regulations. In other words, these folks are complying with the current laws and regulations. These are not high volume commercial kennels.


The record keeping requirements are extremely burdensome to the hobbyists. There are regulations concerning medical care, including timely vaccinations against the various and sundry diseases that may afflict pets. As to exercising, cleaning, and other aspects of kennel management, the new regulations would be impossible to enforce in terms of verifying the accuracy of the records. These requirements do not appear to be based upon realities but rather appear based upon what might appear to be a "good idea."

Finally, the proposed regulations requiring separation by size in regard to socialization are contrary to good socialization and training policies and procedures. Like their human owners, dogs must be able to interact with dogs of all sizes, shapes, colors and dispositions in order to be balanced and controllable. The regulations seem to disregard tried and true training and socialization policies and procedures.

In conclusion, the proposed regulations will only cause unnecessary hardship for the small kennel owners, the hobbyists and the "Mom and Pop" breeders who are responsible dog lovers and citizens. I would ask that the Bureau rethink these regulations. I am sure the employees of the Bureau believe that they are doing the right thing but believing that doesn't make it the reality. The goals of healthy and well taken care of pets, careful breeding to insure the health of the breeds, and an economically viable, responsible hobby are the mark of the small kennel, hobbyist and breeder. Making their efforts more difficult in the hopes of changing the behavior of the owners and operators of "puppy farms" would seem a long shot at the very least. Rethink the regulations but, in the meantime, enforce vigorously the current regulations.

Thank you for taking the time and effort to read this letter. I know you are trying to do the right thing but implicit in the proposed regulation are unintended consequences in addition to the explicit consequences you hope to achieve.

Sincerely,



Michael R. Smith, Esquire

cc: Governor Edward Rendell  
Mr. Sean Pendrak