

1D# 2-152 (#2559)

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INDEPENDENT REGULATORY
REVIEW COMMISSION

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 Robert Yarnall, Sr. I was born and raised in Pennsylvania. I have been involved with showing, breeding and raising puppies at my kennel since 1963. I would say that I am one of the oldest producers of dobermans in the country.

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. We offer our breeding females out on a one litter back contract and this would eliminate our having all our pups home raised and socialized. Something we find very important to our pups.

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. Many older or working show enthusiasts would be hard pressed to exercise even 10 dogs by themselves let alone 26.

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. Couches, carpeting and other home features that dogs love to enjoy would be banned.

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. Any inspector can tell from looking if a kennel is following existing regulations. Non commercial kennel operators often have full time jobs to support their hobby and do all their cleaning hands on.

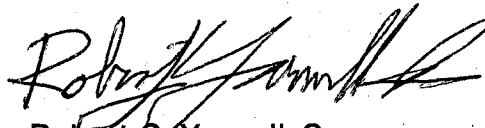
The proposals pertaining to housing and social interaction of dogs of different sizes are contrary to good husbandry, socialization and training practices. We have solid panels between litters so germs can not be spread.

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.

Finally I think that taking away any Pennsylvania business' due process of law by allowing any inspectors the right to seize their produce, sell it and decide guilt themselves after the fact is not only wrong but possibly unconstitutional even under the PA. constitution. I can not believe that this will be allowed to happen in this state.

Sincerely,



Robert G. Yarnall, Sr.

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