

RECEIVED

MAR 20 REC'D

INDEPENDENT REGULATORY
REVIEW COMMISSION

231 Park Dr. West
Kintnersville, PA 18930
March 10, 2007

2559

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

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

I previously sent in one of the form letters but I realize now you need more of an understanding of what a hobby breeder is and does and why we should not be all lumped together in one category.

I breed English Springer Spaniels and have been breeding for well over 15 years. We show our springers in AKC breed competition as well as AKC obedience and our dogs visit nursing homes to give joy to the elderly. I am past president of our specialty club and current vice president of another specialty club and hold and have held many board positions in various clubs. I have done breed rescue for well over 25 years and in addition I have attended many seminars on dog behavior, dog structure and many other seminars to numerous to mention on dog related subjects.

When a hobby/show breeder makes a decision to breed a bitch or use a dog for stud there are many issues to be looked at. A reputable breeder such as myself doesn't breed a bitch until the dog is at least 3 years of age to ensure there are no health or temperament issues and we do all the health clearances which consist of having our dogs hips x-rayed and sent into OFA (Orthopedic Foundation for Animals) or we have our dogs Penn Hipped and sent to the University of Pennsylvania. In addition to this we have their eyes examined and we have them "cerfed". To cerf a dogs eyes we take our dogs to dog ophthalmologist and the doctor does an extensive eye examine to ensure the dog has no heritable eye disease at that time that we could pass onto the puppies. We then check the pedigrees of the dog we are going to be breeding to and chart the pedigree out to make sure everything meshes together nicely. After the decision is made to breed, we make sure the bitch and dog both have a brucellosis test to ensure the male and female are free of any diseases from previous breedings. We usually do progesterone testing on a female to ensure that the breeding will take place exactly at the point that the female ovulates. As we prepare for the litter, we ready our whelping box and set it up in our bedroom or our family room and we start taking our females temperature multiple times during the day. As the whelping day approaches we sit with our female and await the litter. After delivering the litter we stay right beside the whelping box for about 2 -3 weeks until the pups have opened their eyes and are up on their feet. Breeders who don't do this end up loosing pups when the mother unintentionally sits or steps on her pups and suffocates

them. After the pups open their eyes, about the 17th day, we start letting puppy people come and peak at the pups. At about the 4th week of age, we let the people who are going to be getting a puppy come and play with the pups to socialize them and just love them and kiss them and get on the floor and play with them. We start the process of training the pups to go on the grass outside to go potty at about 5 weeks of age. By the time our pups go home they are pretty much house trained. Our pups have their first set of vaccinations before they go home as well as a thorough veterinarian examine. The process of raising a litter by a reputable hobby/show breeder is really exhausting work and we put every ounce of strength and love we have into our litters. We don't send our pups home until they are about 10 weeks of age so they benefit from not only our training but that of their siblings and their mother. The pups learn about dog behavior from their mom and their littermates.

Proper care and treatment of all types of animals is of the utmost importance to me and I therefore would want all animals treated like our own are treated. I know we have all seen the photographs of the deplorable conditions in commercial kennels some of the dogs are kept in and this is unacceptable to me. I truly wonder, however; if the existing regulations were enforced would there be a need for a new set of regulations. Some of the new definitions create problems which I don't believe existed before, while other frequently misunderstood terms remain undefined. I feel the unanticipated consequences of enforcing these regulations may bring about many other challenges that could compromise the enforcement of the statues. I think the new rules and regulations are well-intended but they are unclear and undefined. I don't think they describe what end results are to be achieved and although I see a need to regulate the puppy mills of Pennsylvania I don't think we can apply the same standards to the hobby/show breeders who breed their dogs for the love of the breed and raise their dogs as part of their family. The proposed engineering standards would be impossible to adhere to for a hobby/show breeder and would be a financial burden if they were to be regulated as such. Also the cumulative total of 26 dogs needs to be redefined. It would not be unusual for a hobby/show breeder to have a litter of 10 - 12 puppies and that being said, if they had two litters a year they would be over that total and they only might have 6 - 8 dogs on their premises most of the year. I really think this issue needs to be addressed and clarified. I think we need to apply standards that should be applicable to commercial kennels who are not regulated by the USDA and to puppy mills who engage in wholesale and interstate commerce and note the difference of a hobby/show breeder who maintains their dogs in a residential environment as part of their family. It's been my experience that hobby/show breeders produce puppies that are sound and healthier than puppies that are mass produced by puppy mills. Maybe, we can identify a hobby/show breeder as a breeder who has three litters or less a year. We ourselves, only do one litter a year, but I do know of very reputable breeders who have had 3 litters in one year trying to find the perfect show dog. This aspect should be recognized in the regulations. Before I go on to the individual regulations I would like to say, I don't think we should regulate by intentions or assumptions but rather by clear cut definitions.

21-14 Kennel Licensure Provisions - We need to clarify the 26 cumulative total of dogs.

We need to somehow write a clear cut definition of where the line is drawn and not assume anything. I would also like to see a clear cut definition of word establishment and temporary housing. The way this is written an establishment could include a dog show even though we are assuming this is not the case. It could also include a hotel or a nursing home who allows residents to bring their pets with them, an elder housing facility etc. We need to clearly define what is and what is not included in these definitions.

As for the 26 dog cumulative total, it is not uncommon for a breeder to co-own a dog she or he places to protect her/his own breeder program and to ensure that the person who that dogs lives with cannot be bred without their permission. Also as I have stated if a breeder has a litter of 10 - 12 pups, the breeder could be over their cumulative total and most of the year they only have 6 - 8 dogs on their premises. In addition to this, it was stated at the initial meeting, that if the breeder co-owns a dog they bred that the co-owner would be subject to house inspections by a dog warden. I think this situation needs to be addressed to exempt any co-owners from being subject to our rules and regulations. Also, we have many breeders who sell dogs into PA and I think this situation needs to be clearly defined also. Do these breeders who sell dogs into the Commonwealth need some sort of out-of-state kennel licenses and what are their responsibilities and restrictions. In this section I would like to see the definition of a hobby/show breeder who keeps their dogs in a residential situation and maybe recognize this breeder as a breeder who breeds 3 litters or less in a year. I would like it stated that this hobby/show breeder is exempt from the strict commercial engineering requirements set forth. I would also like to see the age a puppy can go home be raised to 8 weeks of age. In my opinion I think a 7 week pup is too young to go home yet. A week older means a lot to a puppy at this age. Also a rabies shot should not be given until the pup is 3 months of age. I think we need to get the veterinarians involved as the whole shot protocol has changed for puppies.

21.23 Space - I take issue with not being able to exercise small dogs with medium dogs, medium dogs with large dogs, males with females. As a breeder and having taught former puppy kindergartens and helping out in obedience classes it is of vital importance to socialize dogs with all sizes and sexes. This is why dog owners send their dogs to doggie day care, which by the way needs to be addressed here too. Many of our puppy people send their dogs to doggie day care because they work and the dogs thrive in situations such as this. Also in this section, it is very relative to house train your puppy or an older dog who is a rescue dog on grass. It is impossible to train a dog to go potty on concrete or stones.

21.24 Shelter - I feel there is a real financial burden on the engineering standards set forth in this section and I don't think it is fair to expect any person who has a kennel license to adhere to these requirements instantly but rather give them a certain amount of time to come up to standard. I would like to see the hobby/show breeder exempt from this. I think the record keeping in this section would place a burden on kennel operators and I would rather see a level of standard instead of recording keeping.

21.30 Condition of Dog - I would like to see along with the state dog warden, a lot more

mention of a qualified veterinarian to determine the state and condition of the dog. I would like to see more references to veterinarian involvement in this area.

In closing, I would like to say, there is no doubt in my mind that the Commonwealth must be able to regulate, evaluate and inspect dogs in kennel situations. I would like to see, before we institute these new dog rules and regulations, the present regulations be strictly enforced. The Commonwealth now has the man power to do that where they haven't had the power in the past. In the event these new rules and regulations go forward, I would like to see exemptions in place to protect the small private hobby breeders, who are doing the right thing. So many times in situations like this it's the little people who get caught up in these circumstances. Although these regulations are well intentioned they will impose an undue hardship on most responsible reputable hobby breeders. It is already a proven fact that small private hobby breeders produce puppies that are sound in health and temperament unlike the puppies that are mass produced in puppy mills. I think the new standards should be applicable to commercial kennels not governed by the USDA and small hobby breeders should be exempt from them by definition of having 3 litters or less a year. I don't think we can say the same shoe size fits all and I think by using this assumption we will only create more problems than already exist.

Sincerely yours,

A handwritten signature in cursive script that reads "Robin Piorun". The signature is written in dark ink and is positioned above the printed name.

Robin Piorun