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From: M & C McCracken [micyn@pa.net]
Sent: Thursday, March 15, 2007 4:14 PM
To: IRRC
Subject: Request Your Support - AGAINST Proposed Changes to Kennel Regulations

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Dear Sir/Madam,

I ask for your support opposing the proposed changes to Pennsylvania Kennel Regulations. New restrictive regulations for dog breeders and kennels have been proposed by an ad hoc committee appointed by the Governor. These proposed regulations are of great concern to the many breeders in Pennsylvania who raise dogs in their homes, including the members of nearly 100 dog clubs represented by the Pennsylvania Federation of Dog Clubs.

I have included below some concerns and comments, and have attached a document with the same points.

I have sent a similar message to my Senator and Representative seeking their involvement and support.

Ultimately, my issue is - **the American right to choose.**

Thanks in advance for your support.

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Overview

- > I have some serious concerns about the proposed regulations.
- > Please see that these **proposed regulations are re-visited** with the purpose of **amending the unreasonable requirements and thereby improve the health and welfare of dogs** in Pennsylvania.
- > Members of the newly appointed board do not generally represent the statewide interest groups that have previously been involved in dog law and regulation since 1982.
- > Many of these new members can be described as
 - > **representing the animal rights perspective**
 - > promoting extreme restrictions on dog owners, prohibitions against dog breeding, and a focus on obtaining dogs from shelters and rescues
 - > **rather than allowing consumers the freedom to choose the type of dogs they want in their homes**
- > The previous Dog Law Advisory Board included **stakeholders from dog clubs and related organizations**. Actual dog breeders, those with actual experience, were unable

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- to contribute valuable information and give input into these proposed regulations.
- > But animal rights oriented individuals were invited to provide input.
- > In addition to their service on previous Dog Law Advisory boards, the clubs of these stakeholders **bring Pennsylvania over \$47 million in tourism dollars annually by hosting more than 600 AKC events, with 150,000 participants.**
- > These events and the clubs that host them are also major sources of public education regarding responsible dog ownership and rescue services that save the state significant revenues.
- > I am 100% behind laws and regulations that promote the welfare of dogs, and that kennels should be managed with that goal in mind.
- > **Please add stakeholders, including the small and home based dog breeders, to all future Dog Advisory Boards.**

Facilities

- > **The new requirements for the space and exercise for dogs are not based on accepted husbandry standards or scientific research.**
- > Establishing rigid engineering standards for kennels does not contribute to the health and welfare of their dogs.
- > It doesn't make sense to apply commercial facility standards to those who keep dogs in their homes and raise puppies there. Small and home based breeders would be unable to comply with the standards, **very likely lowering the quality of handling for home-raised dogs.**
- > For many small and home based dog breeders, the regulations would require the rebuilding or renovation of kennels **which already comply with current federal and state regulations.**
- > Most small and home based dog breeders **provide more space and better care than required** by the regulations under the Animal Welfare Act.
- < An **inconsistency** is the failure to require reasonable cage space in humane society kennels. Dogs housed at shelters and humane societies **also deserve reasonable cage space.**
- > Regulations to keep dogs off grass do not make sense. Most small and home based breeders put their dogs outdoors into a fenced yard for exercise and play. Keeping dogs off grass would prohibit these breeders from allowing their dogs into the yard. **Common sense dictates that such a requirement will not improve dog welfare, and is inconsistent with the typical family dog area - a grass yard.** [refer to proposed regulation §21.24(b)(8)]

Licensing/Regulation

- > The small and home based breeders provide care and management of their dogs that is **far superior to the care required by the new proposals.** If these regulations were put in place, these small and home based breeders would not be able to meet the rigid requirements for commercial kennels.
- > The regulation regarding licensing and establishing a facility based upon a cumulative 26 dogs in a calendar year calculation **does not meet a common sense test.** The wording should be "dogs currently on the premises". While maintaining a facility able to handle the capacity of dogs at any given time, it is economically unfeasible to require capacity for a cumulative amount of dogs during a calendar year. [refer to proposed regulation §21.14(3)(i),(iii)]
- > Requiring burdensome record keeping by small and home based dog breeders regarding the exercise of the dogs, the cleaning of their runs, and other aspects of kennel

management will not improve the health and welfare of the dogs, but will add time consuming activities to kennel owners and dog breeders. **Also, it would impossible to verify that these records were accurate or meaningful. By comparison, to maintain human public health we do not require records kept for every restaurant worker washing their hands for the recommended 45 seconds!**

Exercise

- > How is the twenty minute a day exercise requirement for dogs housed in kennels going to be monitored and certified? **This is a requirement that cannot be verified by oversight authorities.**
- > Separating dogs out by size alone during exercise makes no sense. **Size is only one consideration.** There should be a reasonable approach to exercise, based on several criteria, which might include behavior and history of the individual animals, as well as other aspects.
- > Requiring male and female dogs to be exercised separately unless both are neutered does not make sense. If the male is unneutered and the female is unsprayed and not in estrus, the female cannot be impregnated. Most small and home based breeders are aware of when a female comes into estrus. Also, if the male animal is neutered, certainly the female animal cannot be impregnated! Or vice versa, if the female animal is spayed, the male animal cannot impregnate her.

Rescue/Shelters

- > These proposed regulations are going to have a very negative effect on the many small rescues who may have over 26 dogs on the premises at one time; meeting commercial kennel standards would result in many being unable to continue their beneficial work.
- > Whereas we often hear there is an over population of dogs, **the reality is that many shelters have so few dogs that these shelters are importing dogs from out of state and even from out of the country (Puerto Rico, Mexico and Taiwan).**
- > The apparent agenda of this new board is to create such a negative environment in Pennsylvania that people will be encouraged **NOT** to breed dogs, and that the public will be encouraged to obtain their dogs only from shelters and rescues. **As an American, I want the freedom to choose where I obtain my next dog!**

Ownership/Education

- > Responsible small and home based breeders are raising wonderful, healthy, and well socialized puppies and dogs which go to homes where they become loved family members. These responsible breeders would be negatively impacted by the proposed regulations; eliminating them would do a disservice to the people of Pennsylvania who want the freedom to choose a good family dog.
- > Small and home based breeders do a good job of screening future owners, so that their dogs are more likely to stay in their new home. **In the event that becomes impossible for various reasons, these small and home based breeders often take back their animals and re-home them successfully.**