

Gelnett, Wanda B.

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From: diane gaul [ditique@comcast.net]

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Sent: Friday, March 16, 2007 7:45 AM**To:** IRRCINDEPENDENT REGULATORY
REVIEW COMMISSION**Subject:** RE: Comments on proposed amendments to the Dog Law regulations

Independent Regulatory Review Commission

RE: Comments on proposed amendments to the Dog Law regulations

Dear Ms. Bender,

First, I would like to commend the Pennsylvania Department of Agriculture (the "Department") and the Bureau of Dog Law Enforcement for proposing amendments to the Dog Law Regulations to improve conditions for dogs housed and bred in Pennsylvania's commercial breeding facilities. It is my sincere hope that with the passage of the portion of these amendments that regulates kennels, the commercial breeding facilities currently operating in Pennsylvania as puppy mills will reform their operations and start treating and housing their breeding dogs in a humane way, so that Pennsylvania can stop being known as the puppy mill capital of the Northeast.

I am very concerned, however, about the material adverse effect that the proposed amendments as drafted will have on dog rescues that use foster homes but do not operate kennels. I am also outraged that the Department would think that these rescues and their foster home volunteers deserve to be regulated like puppy mills, which is what these amendments do by including them in the definition of Establishment, which then turns those rescues into statutory kennels and their foster homes into separate kennel locations if the rescue adopts more than 26 dogs per year anywhere in the country.

Rescues that use foster homes in Pennsylvania play a key role assisting local shelters in rehabilitating and rehoming Pennsylvania's homeless dogs and preventing thousands of dogs from being euthanized. They do this with their own funding and volunteers. Most are small organizations with no paid staff and spend all their funding in procuring veterinary care for their dogs. Foster homes generally have from 1 to 5 foster dogs, not the dozens of dogs that a commercial kennel would have nor the hundreds of dogs that puppy mills typically have. If the Department chooses to impose on these rescues the same regulations that apply to commercial kennels and puppy mills, it will drive them out of business to the detriment of the dogs in Pennsylvania that need their assistance and often also their breed expertise. Few if any residents of Pennsylvania will want to subject themselves to possibly unconstitutional searches by the Department for the privilege of helping a homeless dog. Few if any of these rescues will be able to bear the costs of complying, estimated by the Department to be at least \$5,000 per regulated organization. Worse, these regulations will become effective at the same time that the puppy mills will be dumping their older breeding stock in order to come into compliance with the new space, structural and care requirements contained in the amendments, and it is precisely these rescues with their foster home networks that normally take these dogs for rehabilitation to try to undo the physical and psychological damage that results from the years of suffering that these dogs have endured at the mills. Who will take them if you drive the rescues out of business? The requirement that all dogs brought into Pennsylvania have a health certificate will also add \$50 minimum to the adoption fees charged by the rescues for dogs adopted in Pennsylvania as the rescues will have to pass on their costs and this cost will thus be borne by the general public so it is not true that this is cost-neutral to the public.

I urge the Department to remove from the amendments ALL the provisions that would cause dog rescues that use foster homes, and the foster homes themselves, to be regulated as kennels, that would make it illegal to

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accept dogs from or provide transport assistance to unlicensed rescues, that would require that all dogs entering PA from other states have a health certificate and not just proof of rabies vaccination and that would require rescues to issue, collect and remit the fees for PA licenses for their adopted dogs. Dog rescues are already regulated as such in a different part of the Dog Law in a manner that is consistent with the fact that most rescues are all-volunteer organizations with limited financial and human resources.

I thank you in advance for your time and consideration of my comments and applaud your efforts to regulate the puppy mills and stop the mistreatment and abuse that is currently endured by their breeding dogs, but please, do not kill the dog rescues that operate in Pennsylvania in the process.

Please take into consideration those of us who are in this to HELP the animals because we love them. They have a definite place in our families and in our society, they help with the blind, those with seizures, they find cancers, cadavers, and in search and rescue.

Most of the dogs doing this work belong to regular everyday people, not special agencies. A lot of these dogs are rescued from shelters and from rescues. These laws will more than likely put a stop to what we can do.

Sincerely,

Diane L. Gaul
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