



# NATIONAL ANIMAL INTEREST ALLIANCE

*Supporting the people who care for America's animals*

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

INDEPENDENT REGULATORY  
 REVIEW COMMISSION

2007 MAR 16 PM 1:42

RECEIVED

Opposition to proposed kennel regulations

Dear Ms. Bender.

I am writing on behalf of the National Animal Interest Alliance (NAIA) to express our concern about the Pennsylvania Department of Agriculture's proposed amendments to the Pennsylvania dog law regulations.

(NAIA) is an educational organization of business, agricultural, scientific and recreational interests dedicated to promoting animal welfare and strengthening the bond between people and animals. NAIA was founded in 1993 as a broad-based, mainstream organization of animal professionals, businesses, veterinarians, pet owners, and others who strive to improve the conditions under which all animals are kept and raised. We have members in all 50 states including many in Pennsylvania.

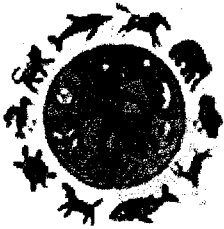
NAIA strongly opposes the proposed kennel regulations issued December 16, 2006.

The desire to improve the conditions under which dogs are raised and bred is good, but many of the proposed requirements, especially for record keeping, exercise, confinement and cleaning are impractical, ineffective and virtually unenforceable. Strengthening enforcement of the current laws would do more to improve conditions than passing these new regulations.

Some of the provisions are particularly detrimental to breed enthusiasts who raise dogs in their homes. Common sense suggests that these proposals are really intended for commercial settings where a large number of dogs and puppies are maintained; but as currently worded, the language would affect all breeders, large and small, commercial operations and home-raised puppies alike. If passed, these proposals would greatly reduce the availability of healthy, well-socialized dogs in Pennsylvania.

The problems associated with this proposal are too numerous to list, so I will note only a few of the most onerous, ineffective and unenforceable ones.

- Requiring burdensome record keeping to track exercise, cleaning and other animal management activities by dog breeders will not improve the health and welfare of the dogs, but it will add time-consuming activities to kennel owners and dog breeders,



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leaving them less time for animal care, putting them at risk for technical noncompliance to one-size-fits-all rules, and undermining the relationship between breeders and regulatory compliance personnel.

- If hobbyists are forced to comply with commercial standards it will lower the quality of handling for the overwhelming majority of home-raised dogs. What may make sense in a commercial setting can be detrimental to dogs in a home environment.
- Space and exercise requirements are arbitrary, not based on scientific data.
- If the current proposal is adopted, many Pennsylvania dog breeders would need to rebuild their kennels, even though their dogs are well kept now and comply with current federal and state regulations.
- Establishing rigid engineering standards for kennels will not contribute to the health and welfare of dogs.
- There is no data showing a need to regulate hobby breeders.
- If licensing home-based breeders is seen as a funding source, this assumption needs to be reevaluated. Passage is far more likely to eliminate potential licensees from the market place than serve as a funding source for the program, a harmful outcome for consumers and Pennsylvania's economy.
- Pennsylvania consumers would be the losers if small hobby breeders were forced to adopt commercial standards. Home-breeders are the best overall source for healthy, well-socialized puppies.
- If animal welfare is the issue, it is hard to comprehend why shelters would not be required to meet the same standards as commercial kennels.
- Requirements to keep dogs off the grass, strictly separated by size and gender are just plain silly, especially when talking about home-raised puppies.
- AKC Dog clubs are not for profit organizations that work year round to advance the best interests of dogs and dog owners. They provide public education, dog training, dog rescue services; they donate funds for canine health and welfare, produce the highest quality of dogs available; and through their events generate between \$45 million and \$60 million in tourism dollars for Pennsylvania annually. To over-regulate this group is to kill the goose that lays the golden egg.
- The proposed amendments painfully reflect a lack of stakeholder participation in the drafting process.

Please consider the laws of supply and demand and unintended consequences in any attempt to improve dog welfare. The law of supply and demand assumes that someone will always supply demand, and there is great demand for dogs in the state of Pennsylvania. But before imposing a stifling array of regulatory controls, consider who is complying with current law and who is not: do those who already license their kennels and dogs and those who form the Pennsylvania Federation of Dog Clubs and those who voluntarily put on family oriented public events that bring in \$millions to Pennsylvania fall into the category of scofflaws likely to ignore



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laws? And are those who already ignore laws and regulations likely to comply with additional laws and regulations?

Regulations are akin to taxes: more of either one decreases the activity targeted. Imposing more regulations runs the risk of diminishing the best source of dogs available to Pennsylvania consumers, which, since demand is a constant, will be replaced by out of state puppies at a great cost to the Pennsylvania economy and without improving the welfare of Pennsylvania dogs one whit. In other words, using a risk-benefit model, this proposal offers lots of pain for virtually no gain.

In most scenarios, a few bad apples cause most of the problems. Through better methods of problem identification and enforcement, Pennsylvania can make enormous strides in improving or eliminating truly substandard kennels, and it can do so without harming citizens who are willing to comply with reasonable laws. Other enforcement venues have proven the legitimacy and effectiveness of this approach. Please think long and hard before adopting these off-the-mark and unenforceable proposals and call us if we can be of help.

Sincerely,

Patti Strand,  
National Director, National Animal Interest Alliance