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RECEIVED
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INDEPENDENT REGULATORY
REVIEW COMMISSION

DEC 21, 2006

RECEIVED
DOG LAW ENFORCEMENT

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 family resides in Westmoreland County and has had a PA State Kennel License for over 6 years. The need for a kennel license has been for the purpose of owning/operating a small hobby/show kennel that has also fostered and cared for more than 40 rescues over the last 8 years. I am currently the president of the Bushy Run Kennel Club, Inc. in Westmoreland County and have served as either an officer or board member of other all-breed and regional specialty clubs, as well as the American Chinese Crested Club, the breed's national parent club organization. My career in dogs began over 30 years ago, as a junior handler and now our 9 year-old Daughter has begun her career this year both in the conformation show ring and the junior handling ring.

I serve as the AKC Breeder referral contact person for our club as well as the Public Education Coordinator. My family actively participates in many community events to promote responsible dog ownership including programs at local Special Education Schools, with Autism related groups and most recently the county's juvenile detention center. Professionally, I hold advanced degrees in education and work as behavior specialist and clinical therapist.

We breed and show toy breeds and average 1-2 litters a year, mostly when we are ready for our next show prospect and to continue a breeding program that I have been building over the last 15 years. Our puppies are born in the master bedroom where they can receive constant care and attention before being moved to our living room and kitchen for on-going socialization and exposure to a variety of stimuli. Any puppies available for sale as companion pets do not leave our home until 12 weeks, as toy breeds require a great deal of monitoring for health related concerns and appropriate socialization. We do annual health testing on our dogs that includes OFA, CERF and Optigen testing. All of our dogs are micro-chipped and we remain as alternate contacts on every dog. Our sales contract comprises the PA Puppy Protection Act as well as factors that insure that buyers are receiving a healthy well-adjusted puppy and that we are responsible for each and every dog that we place.

Our adult dogs reside in a kennel room that has been built within our home. Our dogs are our pets and this set up means that they receive constant attention and interaction as well as supervision to insure their care and well-being.

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:

1) The definition of "temporary housing" would require thousands of small residential hobby/show households to become licensed as well as private rescue homes which could not possibly comply with the proposed regulations, and which there is little reason to regulate.

2) There is no scientific or accepted husbandry basis for the amended space and exercise requirements. Currently, our dogs are exercised as the weather permits and on a schedule not unlike homes with 1-2 pets however, our small dogs are required to be housed within our home in a crate designed for a Labrador Retriever or German Shepherd in size, thus making appropriate crate training nullified and placement in companion pet homes more difficult.

3) 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. Requiring that my toy breed dogs and any puppies be raised in an "out building" will reduce the amount of care and socialization, thus rendering them to be more like the very kennels and dogs the department is concerned about. This would be a huge step backwards, not forward.

4) 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. We are already aware as smaller hobby/show breeders that we cannot nor choose to be able to produce the volume of puppies requested per the demand of the "buying public" however, many buyers/owners recognize that electing to purchase a pet from a hobby/show breeder means that they receive a dog of quality, with care and health of that dog being a priority as well as an ongoing mentoring relationship through out that dog's life. Many of the people that own our dogs, return for their net pet or even a second one, because of the relationship we have established with them. If small hobby/show breeders are eliminated then companion animals will only be able to be purchased through large commercial kennels and in puppy mills, with little emphasis on evaluating homes for an appropriate placement or who can provide on-going support and responsibility for those dogs thus burdening rescue groups and shelters more when placements do not work out.

5) 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. Such egregious circumstances already violate existing regulations.

6) The proposals pertaining to housing and social interaction of dogs of different sizes are contrary to good husbandry, socialization and training practices. Our Portuguese Water Dog (who is a certified therapy dog) and her Chinese Crested companions are our housedogs. These are our pets, not livestock and they are treated as such.

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.

Sincerely yours,



Dawn A. Backos M.Ed.