



advancing animal welfare and human health while ensuring the vitality of the profession

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August 17, 2010

Independent Regulatory Review Commission
The Honorable Chairman Arthur Coccodrilli
333 Market Street, 14th Floor
Harrisburg, PA 17101

Dear Chairman Coccodrilli:

On behalf of the Pennsylvania Veterinary Medical Association (PVMA), I am writing to offer our brief comments on the final form Commercial Kennel Canine Health Regulation #2-170/IRRC #2785. First and foremost, we support the efforts of the Canine Health Board in trying to address many complex issues related to the health and welfare of the dogs housed in commercial breeding facilities. Although veterinarians are experts in animal health and well-being, the regulations developed and now revised center more on engineering standards. Therefore, this made the task before the Canine Health Board very difficult. We also commend the efforts of the Pennsylvania Department of Agriculture to revise these regulations to address the concerns raised by the public and legislative bodies and to make this final form regulation a much better attempt to address the health and welfare of the dogs in a way that is easier to comply with and enforce.

The final-form regulation is vastly improved from the previous draft submitted for your consideration. However, we are not confident that these standards will ensure animal health and welfare because they are nothing more than an educated guess. This is not because of lack of effort on the part of the authors but because there are no current standards available for dogs housed in a commercial kennel environment. The ones used for this are borrowed from other environments and species. An example of this is the ventilation requirement of using Cubic Feet per Minute per Dog. This measurement works well on species that are relatively the same size such as cattle. However, dogs housed in the same facility may be different sizes. Therefore, a different ventilation measurement that takes into account total body mass or animal units in the facility would be more beneficial and a more accurate calculation for dogs. It would make much more sense to conduct research with the actual dogs in the actual environment and develop quality science behind the measurements being used. We encourage this type of partnership between the Department of Agriculture and industry.

On the subject of flooring, it appears that there is an attempt to change the intent of the law to require only solid floor. Particularly, the section, d) "Additional flooring requirements" calls for 4) "the flooring shall not....or allow for the dog toe or toenail to slip between the any openings in the floor thereby causing injury." This would appear to basically allow for only solid flooring and therefore, is in direct contrast with the law. We encourage IRRC to consider this in your decision. PVMA does support the compromise developed in relation to flooring for nursing mothers and pups because it is an attempt to take into consideration the needs of both the nursing bitch and the pups. However, because this provision does currently present a conflict in the law, it should be revisited in the actual law.

Regardless of the final outcome of the regulations, it is imperative that breeders utilize their veterinarians to develop a plan which outlines the needs of all dogs housed in each facility and addresses access to exercise, veterinary care, and other health factors that will ensure that the dogs are humanely cared for at all points throughout their lives.

Thank you for the opportunity to provide comments. If you have any questions or we can serve as a resource to you, please do not hesitate to contact our Executive Director Charlene Wandzilak at cwandzilak@pavma.org or 717-533-7934.

Sincerely yours,

Robert P. Lavan, MS MPVM DVM, DACVPM
Vice-President and Co-Chair, Legislative and Regulatory Affairs Committee

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From: Charlene Wandzilak [cwandzilak@pavma.org]
Sent: Tuesday, August 17, 2010 9:59 AM
To: IRRC
Cc: 'John Maher'; Kerry Golden; 'Crawford, Kristin'; 'Hanna, Michael'; opake@pasenate.com; mbrubaker@pasen.gov; WGEVANS@pasenate.com; DHain@pahouse.net; 'Posergolfr'; 'Lavan, Robert P DVM'; 'John Simms, VMD'
Subject: Commercial Kennel Canine Health Regulation Comments
Attachments: Canine Health Regulation Comments 081910.pdf

Attached are the comments on the final form Commercial Kennel Canine Health Regulation (#2-170/IRRC #2785). Please let me know if you have any questions.

Thanks, Charlene

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