

**Comments to the Independent Regulatory Review Commission****Kenneth B. Kephart****August 19, 2010**

Good morning and thank you for this opportunity to comment on the proposed regulations of commercial kennels. My name is Ken Kephart. I am a professor of animal science at Penn State University. Although my exposure to commercial kennel operations is very limited I do have experience in the design and operation of ventilation systems for livestock enterprises. Today I would like to make three points.

First, I support a revision of the current regulations. I believe that some of the previously reported issues and problems with commercial kennels were associated with either inappropriate interpretation or inadequate enforcement of existing regulations.

Second, many of the requirements that you propose may actually impair the wellbeing of the animals. In particular, the high ventilation and airflow rates in the new regulations have the potential to increase aerial dust and subject the animals to wind chill and drafts. In my comments to the Canine Health Board in October 2009, I had suggested that the ventilation requirements of dogs housed in commercial kennels be based on average body weight and air temperature. We use these two parameters in livestock facilities to estimate heat and moisture production by the animals to derive an appropriate ventilation rate for each animal. In my comments to the Canine Health Board my proposed ventilation rates per animal ranged from 4 cubic feet per minute during cold weather for a dog weighing about 10 pounds, up to 100 cubic feet per minute during hot weather for a dog weighing over 100 pounds. This approach would provide an aggressive air exchange rate during hot weather to keep the animals comfortable, and a relatively modest air exchange rate during cold weather to reduce drafts and chilling. The proposed regulations have adopted the units of cubic feet per minute as I had suggested, but there is also a requirement that the airflow above *any* sized dog housed at *any* temperature must be 100 cubic feet per minute. Unless the ventilation system is very sophisticated in its temperature modulation and airflow control, this will almost certainly subject young dogs to chilling, particularly during cold weather.

Comments to IRRC
August 19, 2010
Page 2 of 2

For my final point I fully acknowledge that dogs are companion animals and as such, they serve a much different function from that of farm animals. It is therefore appropriate that we adopt a slightly different approach in developing guidelines for the care and housing of dogs. However, I also remind you that these regulations, in their scope and extensive monitoring requirements, greatly exceed the regulatory statutes in place for nearly any enterprise that houses animals in this state. It certainly exceeds that of the United States Department of Agriculture regulations for zoo animals. And it certainly exceeds that of housing and management requirements for farm animals, which by the way, *enter our food chain*. In closing, I pose two questions. Number 1 – How are Pennsylvania’s farms and zoos able to keep animals healthy and productive without regulations such as those proposed here? Number 2 - What exactly are we trying to accomplish with this new law? If the primary objective is to improve the welfare of dogs housed in commercial kennels, I contend that you can meet that goal by developing regulations that are much less pervasive.

Thank you for your attention. This concludes my comments.

Respectfully,



Kenneth B. Kephart
Professor of Animal Science.