

2785

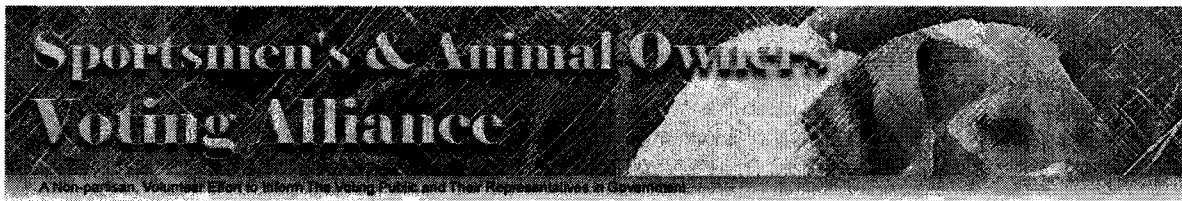
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**From:** Susan Wolf (SAOVA) [saova@earthlink.net]  
**Sent:** Monday, September 28, 2009 9:19 PM  
**To:** CHBcomments@state.pa.us  
**Cc:** suwest@state.pa.us; CHBComments@state.pa.us; IRRC; mhanna@pahouse.net; jmaher@pahouse.net; mbrubaker@pasen.gov  
**Subject:** Comments: Canine Health Board Standards for Commercial Kennels  
**Attachments:** SAOVA\_Comment\_IRRC\_Sept09.pdf

Attached please find comments on proposed standards for Commercial Kennels from the Sportsmen's & Animal Owners' Voting Alliance.

Susan Wolf  
[www.saova.org](http://www.saova.org)

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COMMISSION



September 28, 2009

Canine Health Board  
c/o Department of Agriculture  
Bureau of Dog Law Enforcement  
2301 North Cameron Street, Room 102  
Harrisburg, PA 17110  
[CHBcomments@state.pa.us](mailto:CHBcomments@state.pa.us)

Re: Canine Health Board Standards for Commercial Kennels, Proposed Regulation #2-170 (#2785)

The Sportsmen's and Animal Owners' Voting Alliance (SAOVA) is a nationwide, nonpartisan group of volunteers working to protect both sportsmen and animal owners in the legislative and political arenas. SAOVA's members hunt, fish, own and breed livestock, dogs, cats and other pets. On behalf of our members in Pennsylvania, we submit the following comments on the standards for commercial kennels as proposed by the Canine Health Board.

The Canine Health Board has been charged as specified in Section 207 (h)(7) with the responsibility to determine appropriate ventilation, humidity and ammonia ranges to ensure dogs' health and well-being. However, the precise, detailed regulations proposed by the Canine Health Board exceed those outlined by USDA/APHIS and appear far more exacting than even guidelines used by the Office of Laboratory Animal Welfare. Engineering standards to the detailed level currently proposed are problematic for several reasons:

- Carbon monoxide detectors and monitoring are not included in Act 119 for regulation.
- Proposed regulations state: When the temperature is 50—75° F, the relative humidity shall be in the range of 40—60%. The relative humidity shall be measured at standing shoulder level of 10% of the dogs in the kennel, randomly selected from all rooms. This method of measurement is both excessive and unnecessarily time consuming for kennel owners and dog wardens.
- Complete air change of 8-20 times per hour is likely to create difficulty in maintaining temperature without drafts or wide variances in room temperature.
- Section 28a.2.(1) states that dogs may not remain in the facility if temperatures rise to 86 degrees or above. Removing the dogs to the outside when temperatures are 95 degrees or more does not seem a logical alternative if the ventilation system malfunction has caused a temporary rise but will be corrected within a reasonable time frame.
- The tedious and exact regulations proposed for monitoring and recording air quality will substantially decrease the number of inspections that can be performed in a day by each dog warden. It would be reasonable to assume that additional inspectors must be hired and trained to accomplish the current workload of inspections. We believe that cost to the Department has been greatly underestimated.

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Section 28a.2 (8)a of the proposed regulations states that dogs may not exhibit conditions or signs of illness or stress associated with poor ventilation and lists 17 symptoms of canine illness. Every veterinarian and anyone with the most basic animal husbandry knowledge is aware that each of the listed symptoms has multiple causes completely unrelated to air quality. For example:

- Nasal mucous can be caused by rhinitis, foreign bodies, nasal irritation, nasal mites, or even nasal tumors.
- Redness, crusting of eyes can be caused by seasonal allergies, corneal scratches, entropion, or excessive tear production.
- Diarrhea can be caused by something as simple as change of diet

The mere attempt to draft legislation prohibiting dogs from showing signs of illness defies reason, common sense, and practicality. To enact this into law establishes a dangerous precedent of mandating what is not achievable.

#### Conclusion

The regulations as proposed would create a source of constant violations for kennel operators until in frustration they decide to go out of business or leave the state.

According to the 2008 Dog Law Bureau Annual Report 2,674 kennels were licensed of which only 84 (3%) were licensed to have more than 250 dogs. A total of 6,033 kennel inspections were completed and the department revoked or refused licensing to 14 kennels (0.52%). Using current standards, the inspections produced 182 kennel citations for unsanitary or inhumane conditions (6.8%).

The overwhelming number of kennels appear to be operating satisfactorily and the onerous regulations proposed by the Canine Health Board are therefore not justified and should be rejected in their entirety.

Respectfully submitted,

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Canine Health Board Standards for Commercial Kennels,  
Proposed Regulation #2-170 (#2785)  
September 28, 2009  
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