

ARTHUR COCCODRILLI, CHAIRMAN  
GEORGE D. BEDWICK, VICE CHAIRMAN  
S. DAVID FINEMAN, ESQ.  
SILVAN B. LUTKEWITTE III  
JOHN F. MIZNER, ESQ.  
KIM KAUFMAN, EXECUTIVE DIRECTOR  
LESLIE A. LEWIS JOHNSON, CHIEF COUNSEL



PHONE: (717) 783-5417  
FAX: (717) 783-2664  
irrc@irrc.state.pa.us  
<http://www.irrc.state.pa.us>

## INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

August 19, 2010

Honorable Russell Redding, Secretary  
Department of Agriculture  
211 Agriculture Building  
2301 North Cameron Street  
Harrisburg, PA 17110

Re: Regulation #2-170 (IRRC #2785)  
Department of Agriculture  
Canine Health Board Standards for Commercial Kennels

Dear Secretary Redding:

The Independent Regulatory Review Commission approved the subject regulation today. Our order is enclosed and will be available on our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

Arthur Coccodrilli

Chairman

wbg

Enclosure

cc: Honorable Michael W. Brubaker, Majority Chairman, Senate Agriculture and Rural Affairs  
Committee  
Honorable Michael A. O'Pake, Minority Chairman, Senate Agriculture and Rural Affairs  
Committee  
Honorable Michael K. Hanna, Sr., Majority Chairman, House Agriculture and Rural Affairs  
Committee  
Honorable John A. Maher, Minority Chairman, House Agriculture and Rural Affairs  
Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION  
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held August 19, 2010

Arthur Coccodrilli, Chairman  
George D. Bedwick, Vice Chairman  
Silvan B. Lutkewitte, III, Dissenting  
John F. Mizner, Esq.

Regulation No. 2-170 (#2785)  
Department of Agriculture  
Canine Health Board Standards for  
Commercial Kennels

On September 1, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Agriculture (Department). This rulemaking deletes the Statement of Policy at 7 Pa. Code Chapter 28 and replaces it with a regulation at 7 Pa. Code 28a. The proposed regulation was published in the September 12, 2009 *Pennsylvania Bulletin* with a 45-day public comment period. The final-form regulation was submitted to the Commission on July 14, 2010.


This regulation establishes requirements and standards for the ventilation, lighting and flooring of primary enclosures for commercial dog kennels pursuant to the directives of Act 119 of 2008.

We have determined this regulation is consistent with the statutory authority of the Department (3 P.S. § 459-221(g)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

**BY ORDER OF THE COMMISSION:**

This regulation is approved.



  
\_\_\_\_\_  
Arthur Coccodrilli, Chairman