



MASSACHUSETTS BILL MANDATES PET CARE INFORMATION SHEETS

****HB 192 SET TO BE HEARD ON MAY 12TH****

The Issue.

Legislation has been introduced in the Massachusetts House of Representatives, House Bill 192, which would require pet shops to provide basic care information to purchasers of certain animals. **HB 192 is set to be heard before the Joint Committee on Community Development & Small Business on May 12, 2009 (Room B-2, 1:00 p.m., at the State Capitol Building in Boston).**

The Impact.

House Bill 192 calls for pet shops to provide basic care information on animals they sell. This exact same bill was introduced in 2007 and 2008, but made no progress in the legislature. The bill requires that:

“Every person engaged in the business of operating a pet shop and selling pet animals on the premises, shall display and provide free basic care information on **all birds, mammals, reptiles, amphibians and fish sold** on the premises. The care information shall be developed with and approved by the Massachusetts Board of Registration in Veterinary Medicine and contained on at least one 8 ½ by 11-inch sheet of paper that shall be provided free of charge to consumers.”

The content of the care sheet materials would have to be developed with and approved by the Massachusetts Board of Registration of Veterinary Medicine. The legislation leaves several questions unanswered. Who from the pet trade would work with the Board (does each pet store have to do so individually)? And does the Board even have sufficient expertise about all species sold by pet stores? Does the Board have sufficient staff to work with pet stores in developing these materials? Is the Board even the appropriate entity to direct this process?

Recommended Action.

Below are questions, concerns and PIJAC's position on this bill.

- This bill is ambiguous in a number of respects as to precisely what its requirements are. Who would work with the Board in establishing appropriate care sheet content? Would it be each individual pet store? Is separate information required on each of thousands of species of pets, or would care sheets focus on individual classes of animals?
- What is the nature and extent of the requirement for information? The bill should provide some parameters, rather than simply charging an agency with establishing content. Not all experts even agree on standards of care for certain species; how will such content requirement be determined? Will there be any process for dispute resolution? Will pet stores be required to provide care information that they don't even believe to be accurate? **What liability will stores have for providing information they believe to be false?**



- Part of the responsibility of owning a pet is becoming well-informed about its proper care. While pet store employees are and should be trained to supply basic information, consumers also have the responsibility to acquire information about proper care of their pets. Pet stores already sell myriad books on pet care, and such information is also available on the Internet and through various other sources. Why should pet stores now be required to simply give this information away?
- HB 192 should be amended to establish a more reasonable standard for developing the content to be included in animal care sheets. California recently enacted care sheet legislation that includes specific criteria for content which Massachusetts may wish to use as a model.

HB 192 is set to be heard before the Joint Committee on Community Development & Small Business on May 12, 2009 (Room B-2, 1:00 p.m., at the State Capitol Building in Boston). We urge you to read the text to this bill, which can be found attached to the online version of this PetAlert on the Breaking News page of the PIJAC website (www.pijac.org). Please contact the committee members listed below with any concerns.

If you have additional questions, you may contact PIJAC's Nicole Osborne by phone at 202-452-1525 or by email at bambi@pijac.org.

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Joint Committee on Community Development & Small Business
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Not Yet a PIJAC Member?

For more than thirty-five years, the Pet Industry Joint Advisory Council (PIJAC) has ensured the prosperity of the pet industry. To learn more about PIJAC, please visit our website at www.pijac.org. For further information, please send an e-mail to Members@pijac.org or phone 1-800-553-PETS (1-800-553-7387).

Our Business IS Your Business. PIJAC: Keeping You in Business.

2009 MA H 192
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HOUSE No. 192

THE COMMONWEALTH OF MASSACHUSETTS

In the Year Two Thousand and Nine.

PRESENTED BY:

Demetrius J. Atsalis

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

PETITION OF:

Name: Demetrius J. Atsalis
District/Address:

Second Barnstable
Kevin Aguiar 7th Bristol

AN ACT REQUIRING PET SHOP OWNERS TO PROVIDE BASIC PET CARE INFORMATION TO CONSUMERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 129 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after section 39A, the following section 39A:-

Section 39A. Every person engaged in the business of operating a pet shop and selling pet animals on the premises, shall display and provide free basic care information on all birds, mammals, reptiles, amphibians and fish sold on the premises. The care information shall be developed with and approved by the Massachusetts Board of Registration in Veterinary Medicine and contained on at least one 8 by 11-inch sheet of paper that shall be provided free of charge to consumers.