



## Joint Committee on Municipalities and Regional Government

### **S. 774 An Act Relative to Puppy Mills** **H. 1975 An Act Relative to Spaying and Neutering of Cats** **Vicious Dog Bills**

**July 14, 2009**

As the world's largest pet trade association, the Pet Industry Joint Advisory Council (PIJAC) appreciates the opportunity to offer this esteemed committee our views on three issues before the committee today: PIJAC counts among its thousands of members various associations, organizations, corporations and individuals involved in the commercial pet trade. More specifically, we represent pet breeders, pet product manufacturers, distributors and retailers throughout the Commonwealth of Massachusetts who would be significantly impacted by the legislation before you today.

Let me emphasize that nobody cares more about safe and healthy pets than does PIJAC. We have, for many years, provided a highly respected animal care certification program intended to ensure that employees are well trained in the care of the animals they sell; a program that is widely utilized not only by persons in the commercial pet trade but also shelters and humane societies throughout the country, and one that has even been adopted as a statutory standard. PIJAC has worked closely with the USDA on effective implementation of the Animal Welfare Act for pets since its inception over three decades ago, and has joined hands with state and local agencies to ensure adoption and enforcement of appropriate regulatory standards. Our association has long been recognized as the voice for a responsible pet trade, and routinely advocates for new statutory standards that are in the best interests of companion animals and the pet-owning public. We also continually seek to advance the voluntary implementation of superior standards in the care, handling and transport of companion animals.

We respectfully offer our testimony on the following:

#### **S. 774 An Act Relative to Puppy Mills – Oppose**

As the committee is aware, commercial dog breeders are already subject to licensing and inspection pursuant to the federal Animal Welfare Act. Regulations promulgated under that act provide extensive standards for the breeding, housing, transport and general care of pet animals. We believe that care should be taken when imposing restrictions under a dual licensing system for commercial breeders.

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Only a minority of states have taken this route at all and, when doing so, such states endeavor to fashion a system that will not create conflicting standards between the federal and state licensing schemes. As a general proposition, PIJAC urges against the investment of scarce resources towards the state regulation of breeders that are already licensed under federal law. In any case, state requirements should be consistent with those already established under the federal Animal Welfare Act administered by USDA.

More specifically, PIJAC opposes the provision of this legislation that would deny licensure for any person possessing more than twenty-five intact adult dogs. It is important to note that there is no correlation between the number of animals in a facility and the quality of care those animals receive! Some of the largest commercial breeding operators in this country employ state-of-the-art facilities, exceptional and frequent veterinary care, and the highest standards for breeding and raising their animals (exceeding what is required by law). Furthermore, a prohibition such as this limits the ability of dog breeders to maintain sufficiently diverse blood lines – This will result in an increase in hereditary conditions, to the detriment of the dogs, pet owners and the business itself. Indeed, there is NO ONE that benefits from this provision!

Any licensure statute should focus on establishing, and providing appropriate enforcement authority for, standards that will ensure dogs are receiving quality care, nutritional sustenance, appropriate veterinary care, adequate exercise opportunities and sound, safe transport. Pet animals can and are provided humane care in abundance at countless breeding facilities of all sizes. By the same token, there are some breeders who do not comply with appropriate standards; but that has absolutely nothing to do with the number of animals in the facility.

#### **H. 1975 An Act Relative to Spaying and Neutering of Cats - Oppose**

The pet trade widely endorses spay-neuter, where appropriate. But we do not endorse a mandate as provided for in this bill. There are various reasons why pet owners choose whether and when to sterilize their pets. There are potentially adverse health implications associated with spay/neuter of cats. Those who show cats must have intact animals. And, while some persons may desire to breed the animals, others may only wish to keep that option open. There are many reasons why cats may be maintained intact, and requiring a breeding permit for pet-owners to keep their cat intact is overkill. This type of regulation unduly impinges on a veterinary medical decision that should be made by the pet owner after consultation with his or her veterinarian on a case-by-case.

#### **Vicious Dogs**

There are several bills before the Committee to address the issue of vicious dogs. PIJAC has participated in the drafting of statutes and rules in various jurisdictions to ensure the effective regulation of vicious animals. We endorse adoption of appropriate standards to regulate animals that have demonstrated a propensity towards unprovoked attack. Such standards should be premised upon the goal of restricting threatening or dangerous canine behavior; restrictions based upon status do nothing to advance such a goal. The fact is that any breed of dog can be trained to threaten people or other animals and, conversely, all breeds of dogs are gentle and safe when properly trained to be. Banning one or more breeds of dogs will do nothing to limit dogs trained to be vicious; persons interested in possessing a vicious dog will simply choose a different breed for that purpose.

Thank you greatly for your consideration of our concerns. PIJAC appreciates the opportunity to offer its views on these bills and would be pleased to provide further information to the committee in its deliberations on any of these measures.

Respectfully Submitted,

Pet Industry Joint Advisory Council  
By: Michael P. Maddox, Esq.