



NEW HAMPSHIRE BILL IMPOSES SEVERE BREEDER RESTRICTIONS

****HEARING SET FOR JANUARY 19TH****

The Issue:

Legislation under consideration in New Hampshire, and set to be heard by committee on January 19, 2012, would establish new requirements for dog breeders, and would impose restrictions on ownership of dogs. Among the requirements are new exercise, breeding and housing standards as well as a **restriction against ownership by any person, at any time, of more than 50 covered dogs for use in breeding and sale.**

The Impact:

[Senate Bill 370](#) establishes specific care requirements for any person having custody or ownership of more than 10 female covered dogs for the purpose of breeding and then selling any of the offspring for use as a pet. "Covered dogs" under the bill means domestic dog or hybrid that is over the age of 6 months and has intact sexual organs. These animals must be provided:

- Sufficient food and clean water, which means access to appropriate nutritious food at least once a day sufficient to maintain good health; and continuous access to potable water that is not frozen, and is free of debris, feces, algae, and other contaminants
- "Necessary veterinary care," which means examination at least once yearly by a licensed veterinarian, prompt treatment of any illness or injury by a licensed veterinarian, and euthanasia by a licensed veterinarian if euthanasia is appropriate
- Sufficient housing, including protection from the elements. Enclosures may not be stacked and the temperature may not fall below 45 degrees Fahrenheit or rise above 85 degrees Fahrenheit.
- Sufficient space to turn and stretch freely, and for the dog to lie down, and fully extend limbs without touching the side of an enclosure or another dog. Additionally, enclosures must allow at least one foot of headroom above the head of the tallest dog in the enclosure and at least 12 square feet of indoor floor space per each dog up to 25 inches long; 20 square feet of indoor floor space per each dog between 25 and 35 inches long; and 30 square feet of indoor floor space per each dog for dogs 35 inches and longer (measured from the tip of the nose to the base of the tail)
- "Regular exercise" which means constant and unfettered access to an outdoor exercise area that is composed of a solid, ground level surface with adequate drainage, provides some protection against sun, wind, rain, and snow, and provides each dog at least twice the square footage of the indoor floor space required by the bill; and
- "Adequate rest between breeding cycles" which the bill defines to mean that dogs are not bred to produce more than 2 litters in any 18 month period.

Anybody in violation of any of these provisions is guilty of a class A misdemeanor, with each violation constituting a separate offense. Additionally, people may be subject to administrative fines of \$1,000 per violation. **The bill specifically recognizes enforcement authority for any Department designee including agents of any humane society, New Hampshire S.P.C.A. and animal control officers.**

PIJAC Position:

PIJAC supports responsible care of pet animals by all breeders, pet stores and pet owners. Laws establishing specific standards of care should base those standards on objective criteria that are not unduly burdensome on licensees and are demonstrated by research to meet the welfare needs of the animals they are intended to protect. Deference should be given to prevailing standards, such as those applied by USDA under the Animal Welfare Act, unless scientifically valid research demonstrates such standards to be inadequate. **In no case should the law impose an arbitrary limit on the number of dogs one may own, since there is no correlation between the number of animals in a facility and the quality of care they receive.**

Recommended Action:

[Senate Bill 370](#) is scheduled for hearing in the Senate Executive Departments & Administration Committee on January 19, 2012 at 10:45 a.m. in Room 100 of the State House. **All breeders and others concerned about preserving the right to keep pets are urged to immediately contact [members of the committee](#) to voice your concerns about this bill, as well as appearing at the hearing to publically communicate your opposition.**

You should **ALSO** contact your individual Senators whether or not they sit on the Executive Departments and Administration Committee. You may easily find out who your Senator is by entering your zip code through [PIJAC's Legislative Action Center](#).

In communicating with legislators, you may wish to make the following points about the bill (always using your own words):

Always be respectful in speaking with legislators, but firmly request a commitment from them to vote against this bill. You may wish to reference some of the following points (using your own words):

- While the pet industry strongly supports humane care of dogs, a number of the standards in this bill are inappropriate and inconsistent with federal requirements.
- Certain requirements are unnecessary and would be so expensive to comply with that breeders would be forced out of business altogether.
- The requirement in this bill for veterinary treatment of “any illness or injury” is excessive and would be akin to mandating that a parent take a child to the doctor or hospital every time he or she scraped a knee or contracted a cold.
- For breeding requirements, the state should not replace veterinary expertise in individual cases with a one-size-fits-all mandate that ignores needs of individual animals and recommendations of the treating veterinarian.
- Welfare of dogs is dependent on the quality of care they receive, not the number of animals a breeder may have. It is factually impossible to determine how well dogs are being raised based simply on the number of animals a breeder has. **Any restriction based solely on the number of animals a breeder has is wholly unrelated to animal welfare and should be removed from the bill.**

While this PetAlert summarizes provisions of SB 370, interested persons may wish to view the actual [text of the bill](#). **It is critical that legislators hear about specific objections to this bill prior to the committee hearing.** PIJAC will issue a revised PetAlert advising members of any change in status of the bill, and recommending appropriate further action.

For questions or additional information about this legislation, contact PIJAC's Michael Maddox via email at michael@pijac.org or by phone at 202-452-1525, ext 106.

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The Pet Industry Joint Advisory Council (PIJAC) has been protecting and promoting responsible pet ownership for nearly forty years. Follow our successes, events, and action alerts through Facebook and/or Twitter at PIJAC4pets. If you are not already a Member, please join us today by visiting www.pijac.org/membership. For additional information on PIJAC and its many exciting campaigns, please visit: www.pijac.org. Or, contact us at 1-800-553-PETS (1-800-553-7387); members@pijac.org.

On behalf of pets, responsible pet owners, and the pet industry, we thank you!