



# PET Letter

Your Advocate in the  
Pet Industry

Summer 2011  
Volume 32, Number 2

## Join industry leaders, visionaries, and policymakers at the first annual Pet Industry's Top to Top Conference

PIJAC is proud to announce the **Pet Industry's Top to Top Conference**. In partnership with **PETCO** and **PetSmart** as Diamond Sponsors, this premier conference is essential for all leaders in the pet industry.

This must-attend event for manufacturers, pet product distributors, companion animal suppliers, and retailers provides meaningful sessions that address America's changing demographics and resulting purchasing choices, rapidly changing retail channel strategies, the status of companion animal populations, legislative issues that impact the pet industry, and several networking events.

The conference will close with the Pet Industry Golf Tournament at the world-famous Torrey Pines Golf Course on May 4<sup>th</sup>.



May 3-4, 2012  
Hilton at Torrey Pines  
La Jolla in San Diego, CA

Registration and additional information will be available in September. There are multiple opportunities for companies to sponsor various components of the conference. To take part in this ground-breaking event in the pet industry, please contact Cathy Calliotte at [cathy@pijac.org](mailto:cathy@pijac.org) for sponsorship opportunities.

Avid pet owners and nationally-known political commentators **James Carville & Mary Matalin** will keynote the conference.



**You will want to be a part of it!**

## From Our President

### Behind the Scenes of a New Industry Event

We've been planning the ground-breaking Pet Industry's Top to Top Conference for a few months now. In discussing the event with pet industry leaders, I'm always asked the same questions: *"Why is the new event important?"*, *"What's the purpose of the event?"* and *"Who came up with the idea?"* I thought that I would provide a behind-the-scenes look at how the event started and some of the exciting components that are planned.

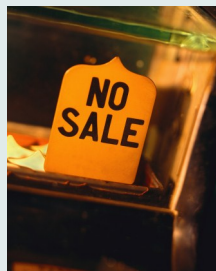


When Jim Heim of **Central Garden and Pet** assumed the role of PIJAC Chairman in 2009, he brought us the idea to host a conference for leaders

*Continued on page 4*

## Local Retail Pet Sale Bans Sweep the Country

Within the last year, a number of local jurisdictions have introduced ordinances aimed at banning the retail sale of animals. Some of the bans prohibit dog and cat sales while others cover a wide gamut of animals, from fish to chickens and rabbits. Proposals in three states



have been defeated, but cities in California, Colorado, Florida, New Mexico, and Texas have adopted some sort of ban.

Four additional cities in California, and one in New York, are currently considering bans. The process for passing local ordinances can be much faster than legislation at the state and federal level.


If a ban is introduced in your locality, please notify PIJAC so we can work together to stop this growing trend that is detrimental to the pet industry.


For updates & to track ordinances visit the Breaking News page at [www.pijac.org](http://www.pijac.org).



## Legislative & Regulatory News

So far in 2011, PIJAC has screened more than 9000 bills and ordinances of which 1050 are being closely monitored. With this much legislation, PIJAC is active in almost every state, in numerous local jurisdictions and at the federal level. Be sure to check the "Breaking News" page of the PIJAC website, [www.pijac.org](http://www.pijac.org), regularly for updates on the latest legislative and regulatory happenings.

 **Arizona.** A bill requiring microchipping in order to obtain a kennel permit died in the Arizona Legislature when it adjourned its 2011 session. House Bill 2431 provided that before a kennel permit is issued the person operating the kennel must implant a microchip in each dog that is three months of age or older and that remains in the kennel.

 **California.** Assembly Bill 1121 would require pet dealers and breeders to send a monthly report on dog transfers to county/city agencies responsible for licensing. The bill creates a "puppy license" for dogs up to one year old, and provides specific licensing terms for both the new puppy licenses and the existing dog licenses. AB 1121 has passed the Assembly and is currently in the Senate.


Pet related city ordinances have been popular in California.


**Irvine.** The Irvine City Council has postponed introduction of a proposed ordinance which would ban retail pet shops from selling dogs and cats. The request originally called for a draft ordinance by June 28<sup>th</sup>, but the deadline is now September 13<sup>th</sup>.


**Los Angeles.** A motion to create an ordinance to ban the sale of commercially bred dogs, cats, chickens and rabbits within city limits was passed by the Los Angeles City Council on June 7<sup>th</sup>. The motion also calls for the establishment of a program in which the Los Angeles Department of Animal Services would work with licensed pet stores to make shelter animals available for adoption at pet stores.

**San Francisco.** A proposal for an ordinance banning the retail sale of pets in San Francisco was adopted at the June 9<sup>th</sup> meeting of the San Francisco Animal Control & Welfare Commission. The proposal, and possible language, is

being forwarded to the Board of Supervisors for future action.


 **Connecticut.** House Bill 5368, extending pet shop licensee requirements to the adoption of animals and creating an importer license requirement, became law on June 28<sup>th</sup>. Pet shops are ONLY exempt from registration and notification provisions if animals were delivered directly to the pet shop.


 **Illinois.** The Illinois General Assembly adjourned on May 31<sup>st</sup> with the following pending legislation being carried over to the 2012 session: House Bill 1166 which amends the Illinois Humane Care for Animals Act to define a companion animal hoarder as a person who is in possession of seven or more companion animals; HB 1080 that allows for a dog to be declared "vicious" solely based on breed; HB 1247 which provides new dog tethering requirements; and Senate Bill 1840 that amends the state's Animal Welfare Act to provide that a pet shop charge a \$15 fee for each dog and cat sold.

 **Indiana.** Senate Bill 17 died when the Indiana General Assembly adjourned its 2011 session. The bill would have made it a Class C misdemeanor to sell exotic or wild animals (including exotic reptiles) without a permit or to release an exotic or wild animal into the wild without legal authorization or a permit.

 **Michigan.** A bill creating the "Pit Bull Regulation & Prohibition Act" that sets forth certain dates by which a person will be banned from owning, selling, breeding, or possessing a "pit bull" has been assigned

to the House Regulatory Reform Committee. If HB 4714 is enacted it would completely ban the ownership of "pit bulls" in Michigan over a ten year period.

 **Minnesota.** Action on five similar bills, which would provide for the regulation of commercial dog breeders, has been held over to 2012 as the Minnesota Legislature adjourned its 2011 session on May 24<sup>th</sup>. House Bill 388, House Bill 417, House Bill 702, Senate Bill 384, and Senate Bill 462 all define a "commercial breeder" as a person, other than a hobby breeder, who possesses 20 or more adult intact animals and whose animals produce five or more total litters of puppies or kittens per year.

 **Nebraska.** Nebraska Legislative Bill 64, which lists new species that would require "captive wildlife permits", will be held over to 2012 as the Nebraska Legislature adjourned on May 27<sup>th</sup>. The bill provides new definitions of species for "wild mammals" and "wild reptiles" that include some considered as pets.

A resolution calling for a review of the Commercial Dog & Cat Operator Inspection Act (enacted in 2010) will also be considered in the 2012 legislative session. LR 277 calls for a study to discuss establishing an exemplary breeder certification program and to examine the budgetary resources available to the Department of Agriculture to carry out the inspection program.

*Continued on page 5*

## Texas Governor Signs Anti-Breeder Bill

During the 2009 session of the Texas legislature, a comprehensive bill was introduced, ostensibly to regulate breeders and pet stores selling dogs and cats. In reality, this bill would have put most of them out of business with extreme provisions that were not economically feasible and were inconsistent with any rational regulatory scheme. The bill explicitly permitted inspection of breeders by nongovernmental “humane” groups that don’t believe breeders should even exist, strictly limited the number of animals they could possess, and imposed requirements for the care of animals that were onerous and contrary to nationally recognized standards. PIJAC joined with others in the state to defeat this bill; barely. After easily passing the House of Representatives, the measure was on the verge of adoption by the Senate as the session came to a close.

When new legislation was introduced in the 2011 session, it was clear that strong momentum was behind it. Bill sponsor Senfronia Thompson, powerful chair of the Local and Consent Calendars

Committee, lined up the support she needed to move the bill in the House and then secured a Senator willing to take the reins when it arrived in the Senate. At the outset, PIJAC was in favor of introducing its own bill, with the strategy of passing it through the Senate even as Representative Thompson’s bill moved through the House. This would have allowed the pet industry to dictate terms of the legislation while giving cover to legislators who were politically motivated to vote for a breeder licensing bill. Such an approach was controversial from the start, with a disproportionate number of Texas breeders opposed to any regulation at all. PIJAC’s warning that some form of legislation was coming, and breeders would be better off to have an industry bill, fell on deaf ears.

For four decades PIJAC has fought to preserve a legal environment in which responsible members of the pet trade may make pet animals available to the public, while at the same time continuing to raise the standards under which the pet industry operated. On the other side

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have been those who would prefer to see no pet trade in this country; people who do not believe anyone should make a “profit” providing healthy, loving pets to the American public. By continuing to raise standards under which pet animals are bred, transported and sold, the pet industry has seen a rise in the quality of the pets offered to the public and enhanced its credibility as a legitimate source for such pets. But there continue to be extremists who want to see an end to the sale of pets in this country.

The final version of Texas House Bill 1451 that was recently signed into law by the Governor lacks most of the egregious provisions found in the 2009 bill. Certain provisions that PIJAC objected to in this year’s introduced version of the bill were stricken during deliberations in the House and further amendments were made prior to final adoption by the Senate. But the bill remains far from perfect. The manner in which agency rules are drafted to implement this law will tell us much more about whether Texas will be imposing fair regulation, or simply targeting responsible pet breeders for extinction.

However those regulations read, the pet trade, and indeed all those who love pets, are on notice. When a state generally known for a positive business environment adopts such a sweeping law, other states are not far behind. If the pet industry chooses to play defense rather than proactively advancing reasonable regulatory standards, its ability to influence the outcome of such a battle, and control its own destiny, is jeopardized.

## Staff Profiles

### Cathy Calliotte, Vice President of Marketing & Communications

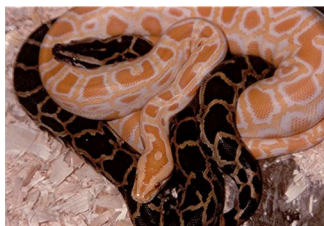
Cathy, our most recent staff addition, joined PIJAC at the end of March. Her love of pets started early. Growing up with white German Shepherds, Springer Spaniels, cats, and several aquariums (not ALL at the same time) enriched her childhood. Today, Cathy’s pet family includes two cats, Mattie and Chloe, rescued from the local shelter when they were just kittens.

She attended James Madison University in Virginia, graduating with a degree in Marketing, and a minor in Economics. She comes to PIJAC with more than 15 years of marketing, communications, and sales experience in the fields of education and



publishing. “Partnering with retailers, distributors, reps, and manufacturers has been an important part of my career, and I’m looking forward to continuing that at PIJAC.” In addition to website content, marketing initiatives, and membership communication, Cathy will be working on the upcoming Pet Industry’s Top to Top Conference held in May, 2012. “I’m looking forward to meeting all of our members at the Top to Top Conference, if not before!”

## PIJAC Comments on Injurious Wildlife Additions



PIJAC submitted comments to the White House Office of Management and Budget regarding the pending determination by the US Fish & Wildlife Service to list nine species of large constrictor snakes as injurious wildlife under the provisions of the Lacey Act. PIJAC has participated at each stage of the listing process and has submitted detailed comments in response to each stage of the process. Below is an excerpt of the comments provided by PIJAC on May 19, 2011.

“Quite simply, the Service does not currently possess the requisite information needed to conduct and produce a credible IRFA analysis as required by the Regulatory Flexibility Act. In preparing the IFRA, the Service ignored and/or used incomplete information submitted in response to the Services’ 2008 Notice of Inquiry; thereby grossly underestimating the scope and impact of the proposed listing...”

The IFRA as well as the Draft Economic Analysis dated March 1, 2010 highlight the stark admission that much needed data are non-existent...

PIJAC’s identification of inadequacies is not unique. The Small Business Administration’s Office of Advocacy found... that the Service failed “to provide an accurate analysis of the economic impacts of the proposed rule on small entities...”

Inasmuch as the proposed rulemaking is neither mandated by law or regulation at this time, PIJAC believes that such policy determinations should be based on strict compliance with the analytical process normally afforded such prohibitions. Such a decision should be based on a thorough, transparent risk analysis not a controversial document characterized as a scientific risk assessment, an assessment not subjected to public comment normally afforded such activities...”

To read the comments in full, please visit the [Testimony and Policy](#) section of our website under Government Affairs.



## Education News

**Congratulations to those who have earned PIJAC Certified Animal Specialist credentials.**



### AVIAN (CAS)

**Ralph E. Beard**, Folsom, CA  
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**Rebecca Berkley**, Fresno, CA  
**Dan Boyle**, Marietta, CA  
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**Ellen B. Kessler**, Littleton, CO  
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**Holly Marshall**, Huntington Beach, CA  
**Catherine Meek**, Novato, CA  
**Bobby Melendrez**, San Diego, CA  
**Robert Mounts**, Anaheim, CA  
**Minh Nguyen**, Fountain Valley, CA  
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**Ethan Wilson**, Gardena, CA  
**Lauren Yezback**, Ventura, CA

**To inquire about certification, contact Nancy Knutson at [Nancy@pijac.org](mailto:Nancy@pijac.org)**

## From Our President (continued)

in the pet industry and government decision-makers. Successful in his previous career in the cosmetics industry, Jim’s thought was that in a highly regulated industry such as ours, more communication was needed between the regulated and those that make the rules. PETCO and PetSmart agreed, and signed on as Diamond Sponsors. The conference will promote communication between policymakers and industry leaders, facilitate strong relationships within the pet industry, and discuss upcoming trends, whether those are demographic, legislative, or consumer-driven. In addition, this annual event for CEOs and their significant others will combine some relaxation, learning, and communication, in a resort setting that will become a family tradition each year.

## Honoring Our Members

We at PIJAC are proud of our members. Your support of PIJAC provides instrumental services to the pet industry.

To honor our members, PIJAC is pleased to announce our new programs: The Chairman's Club and President's Club. Featured on our website, this new webpage represents the leaders of PIJAC membership in each segment of the market.

Check out The Chairman's Club and The President's Club at [www.pijac.org](http://www.pijac.org).

## PIJAC Awards

PIJAC recently honored two members of its Board of Directors for their many years of support of PIJAC, and their dedication to the pet industry.




**Frank Koch**, *Natural Balance Pet Food*, was presented with the Chairman's Award for his outstanding service as PIJAC Chairman 2009-2010. Before becoming Chairman, Frank served on the PIJAC Board for many years as a Director and currently holds the position of First Vice Chairman.

**Roger Lambert**, *Lambriar Inc.*, was presented the PIJAC Gold Circle Award for his dedication to the pet industry and his service to PIJAC. Roger has been a PIJAC Board Director for over 15 years.





 **Nevada.** Legislation imposing new licensing requirements on dog and cat breeders was signed into law by the Governor Sandoval on June 10th. Unlike most state laws regulating breeders, SB 299 mandates that individual localities adopt ordinances providing for breeder licensing. These new standards prohibit the selling of any dog or cat that has not been microchipped and establishes restrictions on breeding, as well as enclosure requirements.

 **New York.** As originally introduced, AB 1767 and SB 1253 would have banned the sale of unweaned birds by pet dealers in the state. After working with the bills' sponsors, PIJAC was successful in suggesting the legislation be amended to permit the sale of unweaned birds to those who have the knowledge and experience to properly care for such birds.

Pet groomers in New York should be aware that companion legislation, AB 7502, SB 5682 and SB 5702, has been introduced that

would ban the use of cage and box dryers containing a heating element for the purpose of drying or aiding in the drying of a companion animal. The bills provide that violations shall be punishable by a fine between \$250 and \$500.

 **Ohio.** Senate Bill 130, creating the "Kennel Control Authority", was heard in the Senate and awaits further action. The bill establishes licensing requirements and standards of care for certain dog breeding kennels, dog retailers, and animal rescues for dogs, as well as calls for pet stores to provide warranties for dog purchases.

 **Pennsylvania.** Legislation has been introduced that adds new specifications to current "Dog Purchaser Protection" laws, and modifies the number of days allotted for warranty purposes. SB 27 also provides a list of conditions which will not qualify a dog as "unfit for purchase". SB 27 has passed the Senate and awaits further action in the House Agriculture and Rural Affairs Committee.



**Federal.** The "Puppy Uniform Protection & Safety Act" (PUPS) has been reintroduced in Congress. H.R. 835, sponsored by Rep. Jim Gerlach (R-PA), would amend the Animal Welfare Act to limit the existing exemption for retailers and add substantive requirements to existing care standards. As in this past, H.R. 835 sets to create an "Internet loophole" to regulate internet dog sales. PUPS awaits hearing in the House Committee on Agriculture.

The Senate Committee on Commerce, Science & Transportation has recommended that Senate Bill 46, reauthorizing the Coral Reef Conservation Act of 2000, be passed without amendments and a final vote is forthcoming. The bill calls for a study on the trade of corals within 30 months of enactment; proposes new criteria for approval of projects under the Coral Reef Conservation Program; and provides for a report back to Congress on an international coral reef ecosystem strategy.



**Pet Industry Joint Advisory Council**

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