



**TESTIMONY OF PET INDUSTRY JOINT ADVISORY COUNCIL  
BEFORE SENATE COMMITTEE ON JUDICIARY**

**SENATE BILL 318**

**February 18, 2009**

**Position: Qualified Opposition**

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 Senate Bill 318. Representing the interests of all segments of the pet industry throughout the United States, 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 Maryland who would be significantly impacted by the legislation before you today.

PIJAC has had the privilege to testify before this committee in years past, and we are confident that members are aware that nobody cares more about humane breeding and rearing standards 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.

**Thus we emphasize again that we support appropriate humane care standards. Certain provisions of this bill, however, would actually vitiate against the goal of humane treatment and healthy animals.** For that reason, PIJAC opposes the bill as currently crafted, but would be pleased to work with this committee in amending the bill to more effectively fulfill its purpose.

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.

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We believe that care should be taken when considering establishment of competing standards for commercial breeders at the state level, as this bill would do. Only a relatively few states have adopted state licensing systems and, when doing so, such states endeavor to fashion a system that will not create conflicting standards between the federal and state schemes. We would urge the committee to carefully consider whether there is adequate evidence to support the need for adoption of new state standards for commercial breeders already subject to extensive regulation and inspection pursuant to federal law under the Animal Welfare Act. We do not believe such an approach is called for, but if this committee concludes the answer is in the affirmative we would respectfully urge the committee to ensure that state standards do not conflict with those already imposed by the USDA.

Regardless of the answer to this question, however, PIJAC is perplexed by the inclusion in Senate Bill 318 of a provision that limits the number of animals a commercial breeder may possess. **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 (typically 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 adverse hereditary conditions, to the detriment of the dogs, pet owners and the business itself. Indeed, there is NO ONE that benefits from this provision!** We urge the committee to inquire of any qualified expert as to the likelihood of increased recessive traits when breeding with limited blood lines!

Any statute promoting humane and healthy breeding of dogs 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. This is what is already done through the Animal Welfare Act. And it is a demonstrable fact that 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.

If there is a need for Maryland to adopt state standards (in addition to, and notwithstanding, existing federal law), that need would be based on the existence of breeders within the state who do not already meet appropriate care standards. Any legislation should be targeting such breeders based on the need to ensure humane care. Placing a limit on the number of dogs a facility may maintain does nothing to further this goal. Worse, though, it compromises the goal. If the state drives out quality breeders who maintain high standards it will only create a void that may be filled by unscrupulous persons who care neither about legal requirements nor the humane care of the animals they raise.

Notwithstanding the hysteria and hyperbole disseminated by some, professionalism in the pet trade has steadily and consistently increased over the past several years, and the quality of care provided pet animals has improved and continues to do so. Most in the commercial dog trade do a good job. PIJAC is proud of its part in making this happen. At the same time, there is always room for continued improvement, and we recognize there are still those who fail to meet acceptable standards. PIJAC routinely works with legislators and regulators to close this gap, and we would be pleased to provide whatever assistance we might to this committee in furthering that objective. Senate Bill 318 is NOT the answer though. It would constitute poor public policy that compromises this effort. We respectfully urge the committee not to adopt this legislation as currently crafted.

Thank you greatly for your consideration of our concerns!

Respectfully Submitted,

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