



**TESTIMONY OF PET INDUSTRY JOINT ADVISORY COUNCIL
BEFORE AGRICULTURE & VETERANS COMMITTEE**

SENATE BILL 7

January 27, 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 7. 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 Minnesota who would be significantly impacted by the legislation before you today.

Let me emphasize 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.

Our concern about the pending legislation is with certain provisions that would advance neither the interests of pet animals nor the public at large. Indeed, as well intentioned as the bill is, we respectfully submit that, as currently crafted, it will compromise the goal of humane treatment for dogs and cats. **PIJAC is not in any way opposed to legislation, but believes the pending bill should be reconsidered.**

As the committee is aware, commercial breeders of dogs and cats 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 a dual licensing system for commercial breeders. 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. We suggest that the committee should consider whether there is a sufficient basis for directing scarce resources to the state regulation of breeders that are already licensed under federal law.

Regardless of the answer to this question, PIJAC is perplexed by the inclusion in Senate Bill 7 of a provision under Section 3 of the bill, creating Section 347.59 of the code. This section concerns Standards of Care for pet animals and, among other things, quite properly requires breeder compliance with all applicable federal laws and regulations governing the licensee (notably the Animal Welfare Act). However, it includes as well a prohibition against possession of “more than 50 adult animals at a facility for the purpose of breeding...” **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).

Any licensure statute should focus on establishing, and providing appropriate enforcement authority for, standards that will ensure dogs and cats 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.

If there is a need for Minnesota to adopt licensing legislation (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. PIJAC has other concerns about this bill as well. We believe the approach contemplated by this legislation should be revisited.

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 and cat 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 7 is NOT the answer though. It would constitute poor public policy that compromises this effort. We respectfully urge the committee to send this bill to a study committee so that all stakeholders may work to fashion legislation that will truly accomplish the intended goals.

Thank you greatly for your consideration of our concerns!

Respectfully Submitted,

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