

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

October 13, 2020

The Pet Industry Joint Advisory Council (PIJAC) appreciates the opportunity to offer our views and expertise on addressing animal welfare through legislation. Animal welfare is a very broad subject, so we have limited our testimony today to those most often proposed subjects and look forward to more comprehensive and broader ranging discussions in the future.

As the advocacy voice of the responsible pet care community, PIJAC represents the experience and expertise of retailers, companion animal suppliers, manufacturers, distributors, pet owners and others involved in the many aspects of pet care throughout the state of Pennsylvania and across the United States. Our association works to promote animal well-being and responsible pet ownership, foster environmental stewardship, and ensure the availability of healthy pets, as we routinely through our work with governmental agencies at the state and federal levels--including the United States Department of Agriculture, U.S. Fish and Wildlife Service, and the Centers for Disease Control and Prevention.--and PIJAC regularly advocates on legislative and regulatory proposals to advance the public interest and of protecting public health and the health, and safety, health and availability of companion animals.

All of us in the responsible pet care community don't just care about animals, we provide care for them on a daily basis—and are dedicated to ensuring that appropriate care of animals is the primary focus of any law or regulation. As such, we offer an unmatched depth and breadth of experience on legislative efforts to verify and certify the health and well-being of pets from the time they are born all the way until they are taken home and made a part of families.

Pet Sale Bans

Everyone agrees that bad breeders who mistreat or neglect animals need to be put out of business. However, those who seek to stop bad breeders by targeting responsible pet stores with retail pet sale bans are misinformed.

While well-intentioned, retail pet sale bans will not stop bad breeders who are unregulated, unlicensed, and are not held accountable to any animal care standards. What bans will do is harm highly regulated pet stores, eliminating the most transparent source of pets that provides purchasers with legal protections, and driving prospective pet owners to unregulated, unlicensed and potentially unscrupulous pet-sellers.

The fact is that pet stores and the licensed breeders they work with are a highly-regulated, best-in-class source of pets that are inspected regularly, provide veterinary exams, and keep detailed records of the condition and care of their animals:

- The U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) established and enforces humane care standards under the federal government’s Animal Welfare Act that regulate the transportation, purchase, sale, housing, care, handling and treatment of animals for use as pets.
- Breeders with five or more breeding females that are not USDA-licensed are prohibited from selling to pet stores.
- USDA-licensed breeders are routinely inspected to ensure they are complying with humane standards for veterinary care, shelter, food, and clean water.
- Pet stores are also regulated by state laws regarding animal care and warranties and are required to keep records related to the health, veterinary care and source of the animals they sell.

Beyond the legal requirements, our members feel a responsibility to the animals themselves. They work with families to find the ideal pets for their individual situations because that is the single best way to ensure successful lifelong pet relationships and keep pets from being surrendered to shelters and rescues. Pet stores also have a significant incentive to adhere to the highest standards of care because they rely on their reputation, and positive word of mouth to stay in business.

Pet stores are a valuable and transparent option for prospective pet owners. They provide the peace-of-mind and the opportunity for families to personally interact with and choose a pet that will be the best fit for their circumstances that was raised under federal and state care standards, has a detailed medical history, and in many cases, is protected by a consumer warranty.

The best option for pet ownership for some families are the pure- or purpose-bred puppies offered by pet stores. They may need a specific breed due to health considerations – 30 percent of Americans suffer from pet allergies. Or, with young children, they may not be able to take on the behavior risks of bringing a dog with an unknown history into their home – 47 percent of rehomed dogs are relinquished because of pet problems, including aggressive behaviors. If a future pet owner needs or wants a specific breed due to such common circumstances, their options will be severely limited without pet stores

A ban will boost the black market for pets. Bad breeders who don’t adhere to care standards can sell puppies with diseases or genetic defects, and families are left with huge veterinary bills and without the legal recourse of a warranty, such as those offered by many pet stores and required in many states. In California, for example, veterinarians saw an increase in consumers purchasing sick dogs from unregulated sources shortly after the state implemented a ban on the sale of dogs, cats and rabbits at pet stores in 2019.

Without pet stores to personally interact with and select their new pet, families may turn to online sources where they could fall victim to the “puppy scams” that have surged in recent years—tricked into sending unrecoverable money for a nonexistent dog. While there are reputable and responsible online sellers, the Better Business Bureau has stated that fake online puppy sellers and puppy scams have surged 39 percent since 2017, and up to 80 percent of sponsored online ads for puppies may be fake. Victims of these puppy scams often have no legal recourse because they purchased from a source without regulatory oversight and without a purchase warranty to protect them.

Legislation banning the retail sale of puppies would not impact bad actors, but it will punish law-abiding pet stores, often small, local businesses that depend on establishing life-long relationships with pet owners to sustain their businesses because they can’t compete with the volume pricing that online or big-box retailers are able to offer. These local businesses are committed to the health, safety, and wellbeing of the animals they provide to Pennsylvania families, but a pet sale ban will force them to close their doors permanently.

The way to put bad breeders out of business is to evaluate, improve, and increase enforcement of federal and state animal care laws, including setting and enforcing strong and uniform standards of care and applying them to pet sources including stores, licensed breeders, shelters and rescues.

Animal Abuse Registries

Animal abuser registries can be an important tool to help law enforcement and the pet care community identify and keep convicted felons from harming animals again. We know that animal abuse often accompanies or is a precursor to domestic violence, making it even more important to identify and stop people who hurt defenseless animals. This association with violence against humans means that how such registries are enforced is of vital importance—because some methods force innocent store employees or shelter volunteers into potential confrontation with a proven criminal who could cause severe harm to them or others if provoked.

PIJAC opposes legislation establishing an abuser registry if it includes a point-of-sale verification enforcement mechanism that requires retail pet store employees and animal shelter volunteers to check if customers are listed as animal abusers before processing a pet adoption. If the customer is on the registry, the store or shelter would be responsible for turning away these individuals—or they could face fines or legal prosecution. This is a frightening prospect that puts the personal safety of the employee or volunteer at risk, as those whose names will appear on the registry have already been found guilty of a violent crime.

Numerous studies have concluded that there is a significant correlation between cruelty to animals and violence against other people:

- Animal abusers are five times as likely to harm a person
- Reoffending rates of animal abusers is almost 100 percent
- 60 percent of child abuse cases also had animals in the home that had been abused
- Animal abuse is often the first point of intervention for domestic violence
- More than 50 percent of battered women report their abuser also abused their animal companions

Retail employees and shelter volunteers—many of whom are young and working at their first job, or are retirees supplementing their income—are not trained to handle conflicts nor do they carry the authority of being a law enforcement professional. Situations can easily escalate in a manner similar to those confrontations that have occurred in retail environments regarding mask requirements during the coronavirus pandemic.

In order to ensure the safety and well-being of pet store employees and shelter volunteers who could be put in harm's way by confronting felons with a history of violence, it is critical that point-of-sale verification NOT be included in abuser registry legislation. The enforcement of animal abuser registries should be left to law enforcement professionals who are trained to successfully handle conflicts and situations that could turn violent. More effective ways to enforce animal abuser registries, without endangering innocent store employees or shelter volunteers, include:

- Requiring states to regularly follow up with the abusers on the registry, providing law enforcement the opportunity to expertly identify and appropriately punish cases of abuse.
- Having the state frequently distribute the names and pictures of registry offenders to stores and shelters to share with employees and volunteers, who would be instructed to contact authorities if they see someone on the list attempting to obtain a pet.
- Establishing a federal abuser database maintained by the federal government using the statistics that the FBI already tracks. This national focus would also prevent convicted animal abusers from moving out of the jurisdiction to avoid being listed.

Animal Care Standards

There are an estimated 184 million pet dogs and cats in the United States—but before they are brought into homes as pets many animals are left vulnerable to substandard treatment or neglect because consistent regulation and uniform oversight doesn't exist to make sure all pet providers care for their animals appropriately. This not only jeopardizes animal health and well-being; it creates human health risks as well since animals may not have been given necessary vaccinations or veterinary exams to prevent or identify the presence of zoonotic diseases.

In order to better provide transparency, animal care, and consumer protection, we recommend the inclusion of language requiring registration with or licensing by the state of all animal shelters and rescues, adoption of appropriate animal care standards, and animal shelter and rescue compliance with state and federal laws regarding animal transport and importation. PIJAC is happy to provide sample language on these provisions.

No one wants defenseless animals to be neglected or mistreated, no matter who is responsible for their care. All pets deserve to be protected and looked after under the highest standard of care—no one who offers dogs and cats to the public should be exempt. We at PIJAC work to ensure that providers of pets to the public be either licensed or regulated, held accountable to written standards of care, and inspected by knowledgeable and trained officers. In this way we can protect not only the animals we are entrusted to care for – but also the consumers who ultimately bring these pets into their homes. No matter where pet owners choose to get their companion animals, they deserve to bring home a happy, healthy pet.

As you may know, nearly 70 percent of U.S. households have at least one pet. Shelters and rescues represent the largest source—44 percent—of all dogs brought into homes each year. Those dogs deserve the protection afforded by regulations requiring basic care standards and record-keeping. Federal and state laws regulate animal care provided by licensed and inspected dog breeders. Pet stores, the source of just four percent of dogs each year, are a highly-regulated and, in most states, frequently inspected source of dogs and cats that provide veterinary exams and keep detailed records of the condition and care of their animals. It only makes sense that shelters and rescues, as trusted providers for the majority of dogs, should also be regulated, inspected and accountable for providing the highest standards of care.

A recent national survey found that 90 percent of Americans would support legislation requiring animal shelters and rescues to meet the same standards of care and requirements that pet stores meet.

Some states have set excellent examples for protecting the health and well-being of animals in all pet care facilities:

- Colorado's Pet Animal Care Facilities Program (PACFA) ensures that pet care facilities meet or exceed minimum standards of care, holding and record keeping. Anyone who engages in selling, transferring, adopting, breeding, boarding, training, grooming, sheltering or rescuing an animal may need to be licensed with the state's Department of Agriculture.
- Wisconsin's Dog Seller and Dog Facility Operator rules regulate those that deliver pet dogs to the public, including non-profits that shelter or foster 25 dogs or more each year, dog breeders and pet stores. The state licenses and inspects these groups that are required to meet specified standards of care and provide certificates of veterinary inspection when a dog goes to an owner for sale or adoption, among other requirements.
- Massachusetts requires that all dogs imported into the state undergo a five-day quarantine.
- Other states, such as Connecticut, Maine and New York, have registration requirements or animal care regulations that apply to municipal shelters and/or private rescues, but most do not.

Appropriate care standards and oversight do not just protect pet health and wellbeing, they also help safeguard humans from disease risks and provide peace-of-mind to new pet owners. Requiring all animal providers to be licensed or registered and to provide vaccinations, veterinary exams, a quarantine for animals imported into the state, accurate record keeping and reporting and a detailed medical history will mitigate the spread of disease and reassure families that they are bringing a healthy animal into their home. It will also enable authorities to track the movement of animals into and across the United States.

Conclusion

These are only a few of the subjects within animal welfare and PIJAC looks forward to discussing these issues further with the Senate Judiciary Committee. Pennsylvania has some of the most comprehensive animal welfare laws in the country, and we encourage the committee to establish a task force to examine how effective current legislation is, how oversight and enforcement can be improved, and where holes in current law may exist. PIJAC served for over two years on a similar task force in Massachusetts examining animal cruelty, and we would be honored to participate in such an effort in Pennsylvania.

Thank you for your consideration.

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