

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HEALTH

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HELD AT: 250 Broadway - Committee Room  
16th Floor

B E F O R E: COREY D. JOHNSON  
Chairperson

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Maria Del Carmen Arroyo  
Rosie Mendez  
Mathieu Eugene  
Peter A. Koo  
James G. Van Bramer  
Inez D. Barron  
Robert E. Cornegy, Jr.  
Rafael L. Espinal, Jr.

## A P P E A R A N C E S (CONTINUED)

Dan Kass, Deputy Commissioner  
Division of Environmental Health  
New York City Department of Health and  
Mental Hygiene (DOHMH)

Risa Weinstock  
Executive Director and General Counsel  
Animal Care & Control (AC&C)

Marilyn Molina, Assistant Commissioner  
Division of Environmental Health  
New York City Department of Health and  
Mental Hygiene (DOHMH)

Bob Likins, Director  
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Pet Industry Joint Advisory Council (PIJAC)

Michael Glass  
America's Pet Registry, Inc. (APRI)

Ed Wallace  
Greenberg Traurig, LLP  
New York City

William Mack  
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New York City

Michael Gill, Owner/Operator  
We Love Rescue Pets  
Media, Pennsylvania

Sheila Goffe, Director  
Government Relations  
American Kennel Club (AKC)

Dr. Linda Jacobson, Veterinarian  
American Veterinary Medical Association  
Past President of the New York State  
Veterinary Medical Society

Randie Blumhagen  
National Animal Interest Alliance (NAIA)

Bob Yarnall  
American Canine Association (ACA)

Jane Hoffman, President  
Mayor's Alliance for New York City's Animals  
(NYCA)

Melanie Kahn, Senior Director  
Puppy Mills Campaign  
Humane Society of the United States (HSUS)

Brian Shapiro, New York State Director  
Human Society of the United States (HSUS)

Deborah Howard, Founder and President  
Companion Animal Protection Society (CAPS)

Linda Rosenthal  
New York Assembly Member

Christine Mott, Chairperson  
New York City Bar Association's  
Animal Law Committee

Joel Bhuiyan  
NYCLASS

Vivian Barna  
All About Rabbits Rescue  
Queens, New York

Emily McCoy  
People for the Ethical Treatment of Animals  
(PETA)

Natalie Reeves  
Big Apple Bunnies

Matt Bershadker, President & CEO  
American Society for the Prevention of  
Cruelty to Animals (ASPCA)

Cori Menkin, Senior Director  
Puppy Mills Campaign  
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Michelle Villagomez,  
New York City Legislative Director  
American Society for the Prevention of  
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Bill Ketzner, State Legislative Director  
Northeast Region of the United States  
American Society for the Prevention of  
Cruelty to Animals (ASPCA)

Roxanne Delgado

Courtney Stomar  
Friends of Finn  
Gordon Strom  
Monica Wright



2 CHAIRPERSON JOHNSON: Good morning,  
3 everyone. Thank you for joining us this morning for  
4 the second hearing on pet store regulation. My name  
5 is Corey Johnson, and I'm Chair of the Council's  
6 Committee on Health. Today, the Committee will  
7 consider four bills that will regulate the sale of  
8 animals in pet shops. All with the common purpose of  
9 improving the welfare, health, and safety of both  
10 people and companion animals in the City of New York.  
11 We are joined today by Council Member Elizabeth  
12 Crowley, with whom I have co-sponsored all four of  
13 the bills we will hear today, and to whom I extend my  
14 thanks for her leadership on proposed Intros No. 55-A  
15 and 136-A, and on this issue over the years. In a  
16 moment, she will discuss those bills, but first, let  
17 me begin by setting the context for this hearing.

18 Prior to this year, New York State was  
19 the only state in the country that prohibited  
20 municipalities from regulating the sale of cats and  
21 dogs. That changed in January when Governor Cuomo  
22 signed into law legislation sponsored by Assembly  
23 Member Linda Rosenthal that authorized the City  
24 Council to act. The committee first held a hearing  
25 on earlier versions of these bills on April 30, 2014.

2 At that hearing, we heard loud and clear that the  
3 more a pet store owner knows about the source of cats  
4 and dogs their store sells, the more likely animals  
5 will come from breeders who provide a safe, caring,  
6 and healthy environment. Brokers are intermediaries  
7 who obtain dogs and cats from breeders, and provide  
8 them to pet stores. Several witnesses at our last  
9 hearing testified that brokers can be bad actors who  
10 obscure the true source of an animal and provider  
11 cover for puppy and kitten mills.

12 As we all are aware by now, puppy and  
13 kitten mills are notorious for raising animals in  
14 dangerous, overcrowded, dirty and anti-social  
15 conditions. The suffering such puppy mills inflict  
16 on animals translates to suffering for consumers when  
17 the manifest serious behavioral problems and costly  
18 medical conditions once at home with a purchaser.  
19 Due to the compelling testimony at our first hearing,  
20 Intro No. 55 was amended to prohibit pet stores from  
21 selling cats or dogs obtained from brokers. Proposed  
22 Introduction No. 55-A would require that a pet shops  
23 that obtain any dog or cat for sale directly from a  
24 breeders licensed by the USDA. The sale of rabbits  
25 obtained from any source will also be prohibited.

2           The bill would prohibit pet stores from  
3 obtaining cats or dogs through a breeder found by the  
4 USDA to be non-compliant with the Animal Welfare by  
5 putting their animals in immediate danger receiving  
6 multiple citations by not permitting USDA inspectors  
7 to assess the property or records. This bill would  
8 also prohibit the sale of dogs or cats obtained from  
9 a breeder that according to publicly available USDA  
10 records has been subject to any member of enforcement  
11 actions at any time during the past five years. Pet  
12 shops would also be required to obtain a sworn  
13 affidavit from a breeder attesting that such breeder  
14 has not been convicted in the past five years of  
15 violating the standard of care in New York State law,  
16 and has never been convicted of an animal abuse  
17 crime.

18           Pet shops must also be able to supply the  
19 two most recent USDA inspection reports for the  
20 breeder of a cat or dog, and a written statement  
21 certifying information about the breeder, its USDA  
22 inspection history, and the animals and the animal's  
23 health, any medical treatment the animal has  
24 received. Anyone who wants to bring their cat or dog  
25 into their home should know their pet was treated in



2 a humane manner, and pet store owners should be able  
3 to stand behind their breeders. Proposed Intro No.  
4 55-A is a major and important step towards making  
5 that a reality. Additionally, while shelters spay  
6 and neuter the animals they receive, pet shops  
7 release unaltered animals to the public, and these  
8 animals breed litters that too often end up in the  
9 shelter and rescue system.

10 Proposed Introduction 136-A would require  
11 pet stores to spay or neuter any cat or dog before  
12 releasing it to a purchaser. And would further  
13 require pet shops to obtain the purchaser of that dog  
14 with completed license application and any license  
15 fees required by law. This bill would help reduce  
16 the pet overpopulation problem that is both bad for  
17 animals and a drain on the City's resources.

18 Finally, I am the prime sponsor of two  
19 other bills we are hearing today: Proposed  
20 Introduction 73-A, which would amend the definition  
21 of a pet shop within the Animal Abuse Registration  
22 Act to require that all pet shops, including those  
23 that sell only cats and/or dogs to consult the  
24 Registry before releasing an animal to the purchaser.  
25 When the Council first passed this law in December of

2 last year, State regulated pet dealers were exempt  
3 from compliance. This bill would close that  
4 loophole, and expand the registry to cover all pet  
5 shop sales in the city.

6 Proposed Introduction 146-A would  
7 prohibit a pet shop from releasing a dog or cat to a  
8 purchaser unless the animal is implanted with a  
9 microchip for identification, and the microchip is  
10 registered with the identification information of the  
11 purchaser. This bill will be a boon to the efforts  
12 of rescued animals that have been abandoned or lost.  
13 Taken together, these bills will enable the city to  
14 strengthen its shelter system, and pilot customers  
15 [sic], decrease the number of unwanted litters,  
16 increase the number of lost animals returned to their  
17 owners, and join the nationwide effort to keep bad  
18 actors out of the pet supply chain.

19 I want to thank Assembly Member Linda  
20 Rosenthal who shepherded the passage of a State law  
21 permitting local municipalities to regulate pet  
22 stores. Therefore, making it possible for the  
23 Council to consider legislation before us today. I  
24 also want to thank all of the advocates who have  
25

2 worked so hard to get us to this point, many of whom  
3 are in the room today.

4           Finally, I want to acknowledge my  
5 colleagues on the Health Committee, Council Member  
6 Rafael Espinal and Peter Koo are here this morning,  
7 and I want to thank my Legislative Director Louis-  
8 Cholden Brown, Council Member Crowley's Legislative  
9 Director, Jeff Mailman, the Health Committee Counsel  
10 Dan Hafidz, our Policy Analyst Crystal Pond, our  
11 Finance Analyst Crilhien Francisco. And I would  
12 especially like to thank Jeff Campagna, who is the  
13 Legislative Counsel to handling this package of  
14 legislation, and had done a tremendous job getting us  
15 to this point today.

16           Now, I would like to recognize my  
17 colleague, and the co-sponsor of today's bill,  
18 Council Member Elizabeth Crowley.

19           COUNCIL MEMBER CROWLEY: Good morning. I  
20 want to thank Chair Corey Johnson for convening  
21 today's hearing on this comprehensive package of  
22 legislation that we have co-sponsored to regulate  
23 commercial pet stores. And all the advocates who are  
24 here today who have played such an instrumental role  
25 in shaping it. For many years now I have been

2 working with the Council and representatives in  
3 Albany to stop the sale of puppy mill dogs in New  
4 York City. And to end pet overpopulation by  
5 instituting mandatory spaying and neutering for cats  
6 and dogs. Although the State has not authorized used  
7 to ban the sale of cats and dogs in pet shops and pet  
8 stores, as has been done in 89 other jurisdictions,  
9 it has authorized us to take significant measures to  
10 improve the welfare of animals and consumers alike.

11           Since our last hearing on these bills, we  
12 have thoroughly analyzed all of the testimony that we  
13 received and have engaged in extensive discussions  
14 with advocates and industry experts in order to  
15 produce the amended bills that we will discuss here  
16 today. Council Member Johnson and I are confident  
17 that given the legal constraints imposed by the state  
18 law, and the City's enforcement authority, that we  
19 have crafted the strongest most enforceable bill  
20 possible to prevent pet shops from selling animals  
21 that have been bred under inhumane conditions.

22           Proposed Introduction No. 55-A, the Puppy  
23 Mill Bill, would require all pet shops to obtain a  
24 new permit issued by the Department of Health and  
25 Mental Hygiene subject to a certification that the

2 pet shop has not sold any animals obtained from a  
3 prohibited source during the previous permitted  
4 period. The bill would prohibit pet shops from  
5 obtaining dogs and cats from breeders who are not  
6 compliant with the Federal Animal Welfare Act. Who  
7 are not compliant with the State's Animal Care  
8 Standards as set forth in agriculture and market  
9 laws. And from breeders who have been convicted of  
10 animal abuse crimes.

11           The bill prohibits the sale of cats and  
12 dogs obtained from brokers, who as middle men give  
13 pet stores the ability to plead ignorance about the  
14 breeders that produce the animals they sell. And  
15 make false claims that they are puppy mill free. The  
16 bill also requires pet shops to maintain detailed  
17 records providing the source and condition of every  
18 cat and dog purchased or offered for sale to disclose  
19 such information to customers, which will provide the  
20 transparency that is currently lacking in the  
21 industry. The bill also requires pet shops to adopt  
22 standards of care for the cats and dogs in their  
23 custody that are more stringent than those required  
24 by state law. Additionally, in response to  
25 substantial testimony about the over-abundance of

2 rabbits in shelters and cases of abandonment, this  
3 bill prohibits pet shops from selling such animals.

4 Proposed Introductory 136-A would amend  
5 the Animal Shelters and Sterilization Act to provide--  
6 - sorry -- to prohibit the sale of any dog or cat in  
7 any pet store unless the animal has been spayed and  
8 neutered. This bill would dramatically decrease the  
9 number of unwanted puppies and kittens that end up in  
10 abandoned-- That end up abandoned in shelters. The  
11 bill will also prohibit a pet shop from releasing any  
12 dog to a customer who resides in New York City unless  
13 such customer first completes a dog license  
14 application. Remits the application fee to the pet  
15 store, which will greatly increase the licensure  
16 rate, making every dog traceable not only to its  
17 owner, but to the store that sold it. And raise  
18 revenues to control pet over-population.

19 All of the bills in this package impose  
20 stiff fines on violators at a rate of \$500 per animal  
21 affected for each day the violation continues.  
22 Together with the mandatory microchipping and  
23 implementation of the Animal Abuse Registry, these  
24 bills are a major step forward towards protecting  
25 animals and consumers. I look forward to hearing

2 more testimony from the Administration, and from  
3 advocates. And I hope that we can soon move these  
4 bills forward to a vote.

5 In addition to Chair Johnson, I'd like to  
6 thank all the members of the Health Committee and of  
7 the Council who have signed on as co-sponsors of  
8 these bills, and those who have not, for being here  
9 today, and at the previous hearing for hearing them.  
10 I would like to thank my Legislative Director, Jeff  
11 Mailman, Chair Johnson's Legislative Director, Louis  
12 Cholden-Brown, the Health Committee Counsel Dan  
13 Hafidz, Policy Analyst Crystal Pond, Finance Analyst  
14 Crilhien Francisco, and lastly Jeff Campagna, the  
15 Legislative Counsel responsible for this important  
16 legislative package. Thank you.

17 CHAIRPERSON JOHNSON: Thank you, Council  
18 Member Crowley. For our first panel, I would like to  
19 call representatives of the Department of Health and  
20 Mental Hygiene who are up there, and also Animal  
21 Control and Care. Animal Control and Care. I  
22 apologize. Typically, we have representatives of the  
23 Administration. In this case, DOHMH is on a panel  
24 without any non-governmental advocates organizations.  
25 But recognizing the important role that AC&C plays in

2 helping DOHMH fulfill its animal welfare  
3 responsibilities, we have asked both to sit on a  
4 panel together in case questions come up for DOHMH  
5 that AC&C may be in a better position to answer. But  
6 it's important to know that AC&C is not part of  
7 DOHMH. It's a non-profit contract organization that  
8 contracts with DOHMH.

9           So joining us today is Daniel Kass, the  
10 Deputy Commissioner for Environmental Health at  
11 DOHMH; Risa Weinstock who is the Executive Director  
12 of AC&C; and I believe Mario Molino, the Assistant  
13 Commissioner for Veterinary Health is also up as  
14 well. So I'm going to turn it over to Deputy  
15 Commissioner Kass, and he may start today. Oh, and  
16 my apologies. I have to swear you all in.

17           So if you could please raise your right  
18 hand. Do you affirm to tell the truth, the whole  
19 truth, and nothing but the truth in your testimony  
20 before this committee, and respond honestly to all  
21 Council Member questions?

22           COMMISSIONER KASS: We do.

23           RISA WEINSTOCK: I do.

24           CHAIRPERSON JOHNSON: Thank you. Mr.  
25 Kass, you may start.



2 COMMISSIONER KASS: Thanks very much.

3 Good morning, Chairman Johnson, and the members of  
4 the Health Committee that are here. Thank you so  
5 much. As you've heard, my name is Dan Kass. I'm the  
6 Deputy Commissioner for the Division of Environmental  
7 Health, at the New York City Department of Health and  
8 Mental Hygiene. And I'm joined here by Risa  
9 Weinstock, Executive Director from Animal Care &  
10 Control, and by my Assistant Commissioner, Marilyn  
11 Molina. On behalf of our Commissioner Mary Bassett  
12 thank you for the opportunity to testify today.  
13 Since I last testified on these bills in April, the  
14 Administration has been working closely with the  
15 Council and the Council staff to revise the  
16 legislation. And we want to thank them for a very  
17 productive process.

18 To put the legislation into context, I  
19 want to just review the Health Department's role with  
20 respect to animals. We oversee the sheltering system  
21 in the city administered by our contractor Animal  
22 Care & Control of New York City, which provides field  
23 rescue services, and accepts, cares for, and  
24 temporarily shelters abandoned and unwanted animals.  
25 The Department issues dog licenses, and also

2 administers the Animal Population Fund Spay and  
3 Neuter Programs, which funds spay and neuter services  
4 for dogs and cats owned by low-income New Yorkers.  
5 We receive and respond to reports of animals bites.  
6 We coordinate rabies testing and rabies prophylaxis  
7 when needed, and we investigate animal nuisance  
8 complaints.

9           The Department monitors both wildlife and  
10 domestic animals for diseases such as rabies that can  
11 impact human health, and issues permits for the  
12 exhibition of wild and exotic animals. Our  
13 regulatory work also includes currently permitting  
14 and inspecting animal healing establishments for  
15 compliance with sanitary standards, and basic care  
16 giving. These establishments include other non-  
17 profit shelters besides AC&C, boarding, grooming and  
18 training facilities, and pet shops that sell animals  
19 other than cats and dog.

20           Four bills are under consideration today.  
21 Collectively, these bill aim to reduce the population  
22 of stray abandoned and homeless animals, and to  
23 establish a standard of care for dogs and cats in pet  
24 shops. We appreciate your effort to promote safe and  
25 humane conditions for dogs and cats. The

2 Administration supports these bills, and we're here  
3 today to offer brief comments, and answer any  
4 questions and extend our offer to continue working  
5 with the Council on these important issues.

6 Intro 55 seeks to prohibit the sale of  
7 animals bred in puppy or kitten mills. By  
8 prohibiting pet shops from selling dogs and cats  
9 acquired from certain sources the intro establishes a  
10 standard of care for dogs and cats in pet stores.  
11 The Administration supports Intro 55's effort to  
12 influence the acquisition of care and sale of dogs  
13 and cats notably by discouraging their over-breeding.  
14 The requirements imposed on pet shops are  
15 significant, expanding the department's  
16 responsibilities to include periodic inspecting  
17 establishments that sell dogs and cats including  
18 extensive audits of store records and evaluation  
19 compliance with detailed standards of care. It will  
20 require funding to hire additional staff with  
21 veterinary health expertise, and more inspectors. We  
22 would develop new protocols for on-site inspections,  
23 and for the review of pet shop documents. The  
24 Department would need to modify its online permitting  
25 system to accommodate this new permit class, and to

2 adapt its inspectional software. We would work  
3 closely to engage and educate pet shops about these  
4 new requirements, and on how to comply with them.

5 We do not know yet how many dogs and cats  
6 are purchased in New York City through pet shops. We  
7 also do not know how many fewer dogs and cats would  
8 be sold if it became more difficult or expensive to  
9 acquire them through pet shops. We hope that overall  
10 the expanded regulation of pet shops would encourage  
11 New Yorkers to adopt from the open admission animal  
12 shelters run by Animal Care and Control.

13 Intro 136 would require pet shops to sell  
14 dog licenses, and to report information to the  
15 Department about all dogs sold. The Department  
16 supports efforts to expand dog licensure. Dog  
17 licensing is a key part of responsible pet ownership.  
18 Licensing is required by New York State Law, and is  
19 required in order to use one of the City's dog parks.  
20 As part of its comprehensive efforts to facilitate  
21 dog licensing, the Department has just launched a new  
22 online licensing system that enables third parties,  
23 including pet shops to maintain license inventories,  
24 and to issue the licenses at the time and place of  
25 sale. This system also offers a free lost dog finder

2 tool to help lost dogs reunite with their owners.  
3 Anyone can enter a New York City license number on  
4 our web page, and the owner will be emailed and  
5 called with the contact information of the person who  
6 has found the dog. I'm proud to report that the  
7 system was recently awarded the Best New Application  
8 Award by the Center for Digital Government. The  
9 Department fully endorses the law's licensing  
10 mandate, and we believe pet shops can readily comply  
11 with this requirement. License fees help support the  
12 City's animal care efforts, and provide funding for  
13 free spay and neuter services for the low and fixed-  
14 income New Yorkers, dogs and cats.

15 Intro 146 would require pet shops to  
16 microchip and register a dog or cat before releasing  
17 the animal. This mandate would be consistent with  
18 the requirement that the Health Department has at our  
19 animal shelters. Animal Care and Control microchips  
20 dogs and cats before they are adopted or returned to  
21 their owners. The Department supports this  
22 legislation, and believes it will help owners find  
23 their lost pets and reduce the population of lost  
24 animals in the shelter system.

2                   Finally, Intro 73 would amend the  
3 definition of pet shops in the Animal Abuse Registry  
4 Act, making the definition consistent with the other  
5 bills under consideration today. The Department  
6 supports this amendment. Thank you for the  
7 opportunity to testify today. I will be here to  
8 answer questions.

9                   CHAIRPERSON JOHNSON: Thank you, Mr.  
10 Kass.

11                   [Pause]

12                   RISA WEINSTOCK: Good morning, Chairman  
13 Johnson and members of the Health Committee. My name  
14 is Risa Weinstock. I'm the Executive Director and  
15 General Counsel of Animal Care & Control of New York  
16 City. Thank you for the opportunity to testify again  
17 on these bills, and I thank the Council for including  
18 the recommendations that we put forth in the previous  
19 hearing on these bills. AC&C supports the proposed  
20 local laws to amend the Administrative Code of New  
21 York City with regard to pet shops. The  
22 overpopulation of stray, homeless, and abandoned  
23 animals in New York City is daunting. Over 30,000  
24 animals come into our shelter system yearly. Nearly  
25 two-thirds of these are strays, meaning they have no

2 identifying information or tags, which could help  
3 AC&C make more timely decisions about the animals'  
4 outcomes. AC&C strongly supports the proposed laws  
5 mandating spay and neuter, licensing, and  
6 microchipping dogs and cats from pet shops. These  
7 measures can help reduce pet overpopulation in New  
8 York City as well as the number of animals that enter  
9 AC&C. And can positively impact our ability to seek  
10 placement for them outside the shelters sooner.

11 A brief background because I've said it  
12 many, many times before. AC&C was established in  
13 1995 as a 501(c)(3) not-for-profit organization  
14 dedicated to rescuing, caring for, and finding loving  
15 homes for homeless and abandoned animals throughout  
16 the five boroughs. We are unique in the animal  
17 welfare community of New York City because we are the  
18 only organization that annually takes in and cares  
19 for more than 30,000 animals through a policy of open  
20 admission. Meaning that each of AC&C's facilities  
21 accepts any animal that comes through its doors  
22 regardless of whether they are stray, abandoned, or  
23 surrendered by their owner. And regardless of the  
24 behavior they are exhibiting, the condition they are  
25 in, or their medical status. We receive animals of

2 all kinds at each location, but the intake is driven  
3 primarily by cats, dogs, and then rabbits.

4           Let me address Intro 136 and the  
5 Spay/Neuter Provision. On average, AC&C takes in 600  
6 animals weekly. That's more than 85 everyday. Many  
7 of these animals are unclaimed and there is never a  
8 shortage of dogs, cats, and rabbits available for  
9 adoption at AC&C. Every animal adopted for AC&C is  
10 required by law to be spayed or neutered barring any  
11 special circumstance. By requiring the same for  
12 animals sold in pet shops, AC&C is hopeful that the  
13 shelter intake number now over 25,000 cats and dogs  
14 since January through October 31, will start to  
15 decline. Without mandatory spay/neuter, pet shops  
16 will only continue to exacerbate the current  
17 overpopulation of animals in New York City and  
18 diminish the spay/neutering initiatives at AC&C and  
19 throughout the City.

20           With respect to dog licensing, AC&C  
21 supports the dog licensing requirement for pet shops.  
22 A license is one of the most effective sources of  
23 information that we rely on to help us move a dog out  
24 of the shelter more quickly, and back with his  
25 family. The licensing requirement will ensure a



2 quick and efficient way to identify a pet that is  
3 lost, and will also expedite the return to owner  
4 process. The city revenue derived from licensing of  
5 pet shops is another benefit that will provide AC&C  
6 additional resources to care for the city's stray and  
7 abandoned animals.

8           With respect to Intro 146 and  
9 microchipping, similar to our support of mandatory  
10 pet shop dog licensing, AC&C strongly supports this  
11 amendment to require pet shops to microchip a dog or  
12 cat. Just like a license, a microchip is very  
13 effective as a means for our staff to identify a lost  
14 pet. From January 1, 2014 through October 31, 2014,  
15 AC&C took in nearly 5,000 stray dogs, and nearly  
16 12,000 stray cats with no identifying information.  
17 By law, a stray dog or cat with no identifying  
18 information must be held a minimum of three days at  
19 the shelter. If each of these animals had a  
20 currently registered microchip, AC&C could make  
21 placement decisions much more quickly. Consequently,  
22 the licensing and microchip provisions could help  
23 reduce the shelter population and ensure that there  
24 are fewer stray animals in our care.

2           Finally, with respect to Intro 55 to  
3 regulate the sale of rabbits in pet shops, AC&C  
4 supports the proposed ban on the sale of rabbits in  
5 pet shops. About half of the rabbits surrendered to  
6 AC&C originate from pet shops. While this number is  
7 small relative to dogs and cats, approximately 100  
8 rabbits that were surrendered were originally  
9 purchased in a pet shop. Prohibiting their sale  
10 could significantly reduce their presence in the  
11 shelter. I just note that the total rabbit intake  
12 owner surrenders plus stray rabbits was 382 in 2013,  
13 and we're seeing similar intake results for 2014.

14           Currently, we are at maximum capacity for  
15 rabbits. Yet, there is not a growing demand for  
16 rabbit adoptions. More often, AC&C relies on the  
17 rescue community through our New Hope Program to find  
18 permanent placement for rabbits in our care.  
19 Accommodating the overflow of rabbits strains our  
20 resources, impacts other housing areas of the  
21 shelter, and adds to the challenge of managing the  
22 overall animal population.

23           In conclusion, AC&C welcomes the efforts  
24 of the City Council to help reduce the overwhelming  
25 number of abandoned and stray dogs, cats, and rabbit

2 through these amendments. The magnitude of this  
3 issue not only impacts AC&C. It impacts the health  
4 and welfare of the entire city. The proposed  
5 amendments promote responsible pet ownership, and  
6 community involving including the cooperation and  
7 participation of pet shops. AC&C has been licensing,  
8 microchipping, and sterilizing our adopted animals  
9 for nearly two decades. We welcome the support of  
10 City Council to require pet shops to do the same, and  
11 make a positive change in pet overpopulation in New  
12 York. Thank you for the opportunity to testify, and  
13 I'm happy to take any questions.

14 CHAIRPERSON JOHNSON: Thank you, Risa,  
15 for being here today, and for all of your work that  
16 you all do on a daily basis. My first question is to  
17 Deputy Commissioner Kass. How many additional staff  
18 do you believe DOHMH will have to hire to be able to  
19 inspect pet shops, and verify the information in  
20 permanent applications that will be regulated by  
21 Intro 55-A?

22 COMMISSIONER KASS: We are not entirely  
23 positive yet. We have been in discussions with the  
24 Office of Management and Budget about this. Once the  
25 final legislation takes shape, we'll formally

2 proposed a new needs post for this. It's not a small  
3 number. We estimate that on average an inspection, a  
4 routine inspection for a pet shop under the suite of  
5 proposals here would take a full day. And we expect  
6 to respond significant numbers of complaints. So we  
7 think it's going to be a fairly large number of  
8 staff. Probably on the order of seven people  
9 dedicated to this. That's in addition to those that  
10 we currently have that oversee the regulatory affairs  
11 for pet shops that do not sell dogs and cats.

12 CHAIRPERSON JOHNSON: And if a consumer  
13 believes that a pet shop is selling-- If this is  
14 enacted, and the consumer believes a pet shop is  
15 selling an animal or animals from a prohibited source  
16 or has an issue with the veracity of completeness of  
17 the information a pet shop provides about the animal  
18 offered for sale, how can the consumer report the  
19 expected violation? Will 311 take these complaints?  
20 Will pet shops be required to display notice about  
21 how a customer can register a complaint with the  
22 City, and what are your plans on following up on it  
23 and investigating such complaints that are made?

24 COMMISSIONER KASS: So the proposed  
25 legislation provides us with rule making authority,

2 and we'll have to evaluate what will have to be made  
3 in rules versus just as a matter of policy. We will  
4 certainly set up an 311 complaint process. There is  
5 one now for pet shops for other conditions. We would  
6 try to have-- We will try to set up scripts in the  
7 311 system that help us understand what precisely the  
8 complaint would be. So that we knew whether it was  
9 something that we could respond to with a letter, or  
10 would it require a full on inspection or a document  
11 request? But our intent would be, you know, to fully  
12 respond to consumer complaints about any number of  
13 things whether it's the condition of animals under  
14 the care of a pet shop. Whether it's failure to  
15 license or permit? Whether it's a suspicion of  
16 acquisition from an unapproved source, or it's a  
17 consumer complaint sort of post-purchase about the  
18 condition of animals.

19 CHAIRPERSON JOHNSON: Thank you. I want  
20 to recognize that we've been joined today by Council  
21 member Van Bramer, Council Member Mendez was here,  
22 and we are also joined-- They are both members of  
23 the committee, and we are also joined by Council  
24 Member Gentile, who has been a real leader on these  
25 issues. And was the original co-author of the Animal

2 Abuse Registry Act, and I appreciate that he is here  
3 today as well.

4 I have a question for you, Risa. Some  
5 opponents of mandatory spay and neuter say that it  
6 will result in potentially the extinction of some  
7 domestic pets. Could you comment on that if you find  
8 that to be credible?

9 RISA WEINSTOCK: The fact that we have  
10 30,000 animals coming in every year makes me doubt  
11 the validity of that statement.

12 CHAIRPERSON JOHNSON: How important is  
13 mandatory spay and neuter for controlling the pet  
14 population, overpopulation?

15 RISA WEINSTOCK: It's essential. For  
16 example, one cat can have a litter of 9, 10, 11, 12  
17 kittens. If that cat was altered, we would see a  
18 reduction. It takes a lot of effort for spay and  
19 neuter to have a significant impact. And so, the  
20 more members of the community that are required to  
21 help with that effort, the more improvement we're  
22 going to see.

23 CHAIRPERSON JOHNSON: And for  
24 Introduction 136-A, which would require dog license  
25 applications for dogs purchased in pet stores to

2 include information about where the dog was  
3 purchased. If a licensed dog came into AC&C, and you  
4 could tell that it has not been sterilized, had not  
5 been spayed or neutered, would you report that to  
6 DOHMH?

7 RISA WEINSTOCK: I think I'm going to  
8 refer that to Dan. You mean currently?

9 CHAIRPERSON JOHNSON: No, I'm talking  
10 about under the proposed bill if it's enacted.

11 RISA WEINSTOCK: Well, we would-- I  
12 suppose. Yes, that's a good idea to do that. We  
13 absolutely want to make sure that pet shops are being  
14 regulated, and being compliant. And, by the way,  
15 that a dog or cat would be altered.

16 COMMISSIONER KASS: I would just say that  
17 we welcome the reports. There will be a calendaring  
18 questions about when a dog was first purchased  
19 because this law is not obviously retroactive for  
20 spay and neuter for dogs that are sold before its  
21 effective date. So we would certainly investigate,  
22 but we would have to establish that the dog was  
23 actually sold by a pet shop subsequent to the  
24 effective date of the bill.

2 CHAIRPERSON JOHNSON: Dan, a lot of  
3 advocates are concerned about the specifics of  
4 implementation of these proposed bills. For their  
5 information and for ours as a Council, how can  
6 advocates out of experts, folks here at the Council  
7 that are concerned about the implementation make sure  
8 that they are included in the rule making process  
9 that DOHMH will undertake?

10 COMMISSIONER KASS: Well, I would say two  
11 things. First of all, if we are engaging in rule  
12 making that would be an absolutely open process. We  
13 will talk to people as we always do before rules get  
14 written. And then when they get published, there  
15 will be hearings and opportunity to submit written  
16 and oral testimony about it, and then it will be  
17 reconsidered. But I would also say that where we  
18 aren't doing rule making, these bills are fairly  
19 prescriptive, and they don't-- Many things don't  
20 require rule making. They simply require the  
21 development of an inspectional program and a system  
22 by which we inform pet shops about their obligations.  
23 We will certainly meet with the pet shops, with  
24 advocates, with other interested parties to make sure



2 that we're proposing procedures that are both  
3 implementable and observable.

4 CHAIRPERSON JOHNSON: Thank you. I want  
5 to mention that we've been joined by Council Member  
6 Cornegy and Council Member Barron, who are both  
7 members of this committee. I mention Council Member  
8 Mendez before, but she stepped out. And I want to  
9 see if any of my colleagues have any questions. Yes,  
10 Council Member Crowley.

11 COUNCIL MEMBER CROWLEY: Thank you, Chair  
12 Johnson. Pursuant to the regulations in this Bill  
13 136-A, the Department of Health and Mental Hygiene  
14 could have the ability to close down a pet shop if  
15 they continue to violate the different areas of the  
16 bill. You know, they could be misleading in many  
17 ways continuing to violate. At what point would the  
18 Department of Health say enough is enough? So you  
19 are a bad actor. You are not playing by the rules,  
20 and you can no longer sell pets in the city?

21 COMMISSIONER KASS: Sorry. I envision  
22 two kinds of scenarios for that kind of thing  
23 relative to what we do in other regulated businesses.  
24 The first is that where there are imminent hazards,  
25 and where there are such egregious conditions that

2 requires immediate action, we can pursue a closure  
3 order. But that like every other procedure has a due  
4 process component to it. For the most part, we don't  
5 envision that kind of thing being the case. The  
6 permit itself is really the mechanism by which we can  
7 hold businesses accountable for ongoing inconsistent  
8 compliance with the expectations and the letter of  
9 the law or our rules and regulations. That can be  
10 done in a variety of ways. Obviously, we issue  
11 violations.

12           Those get adjudicated, and where  
13 sustained they become part of a record that will be  
14 attached to a pet shop. There are fines that will be  
15 paid for those. Failure to pay fines would lead to  
16 the inability to renew a permit. Operating without a  
17 permit obviously is unacceptable, and not to be  
18 remedied rapidly. We would have the opportunity to  
19 shutter a facility. It's not something we would take  
20 lightly. But for a place that has many animals  
21 inside of it, we care deeply about the welfare of the  
22 animals within it. So the circumstances where permit  
23 violations may exist, but we don't want to sort of  
24 really cast animals out into the world. So we would  
25 basically evaluate the severity of conditions, and

2 take action accordingly. The bill authorizes us to  
3 seize animals where necessary, and that would be a  
4 duty and exercise under those kinds of conditions.

5 COUNCIL MEMBER CROWLEY: You could  
6 foresee a condition where you would possibly have to  
7 close down a shop right away?

8 CHAIRPERSON JOHNSON: Well, I think they  
9 can foresee-- First, let me say that based on what  
10 we understand to be the enforcement activity of New  
11 York State, we don't-- We're not aware of a large  
12 number of violations that relate specifically to  
13 animal welfare within the pet shop. I the harder  
14 components to comply with are the ones that there may  
15 be some resistance to. That would have to do with  
16 the acquisition of animals. And so, I don't think  
17 the acquisition would result in an immediate closure.  
18 That would be something that we would adjudicate, and  
19 try to establish a pattern of violations for.

20 COUNCIL MEMBER CROWLEY: The process of  
21 licensing the pets. Sorry, the dogs, would generate  
22 a significant amount of funds for the city?

23 COMMISSIONER KASS: You mean from pet  
24 shops?

2 COUNCIL MEMBER CROWLEY: From the cost of  
3 the license.

4 COMMISSIONER KASS: I don't know that  
5 that's the case. Again, as I mentioned, we don't  
6 actually know the number of dogs that are sold  
7 through pet shops. I know that there are national  
8 estimates that about a quarter of dogs are acquired  
9 through pet shops. But we don't really know, and we  
10 won't know for a while in New York City what that  
11 really looks like. We also don't know the number of  
12 dogs acquired from pet shops that do end up getting  
13 licensed. So I can't comment yet on what the  
14 incremental number would be of licenses that would be  
15 issued as a result of these. You know, we were  
16 hoping to pursue it with the Council once the  
17 Governor hopefully signs the law that entitles New  
18 York City to modify the fees. And set its own fees  
19 for dog licensure. Until that happens, we don't  
20 expect any significant revenue to come from the  
21 licensure, from the current license fee.

22 COUNCIL MEMBER CROWLEY: My last question  
23 is for Risa. Each year how many animals, how many  
24 pets and cats, dogs and cats dogs does AC&C have to  
25 put down?

2                   RISA WEINSTOCK: Last year we had an  
3 intake of over 30,000. We also on our requests for  
4 euthanasia in most circumstances 99% of the time  
5 those are completely legitimate. So if you don't  
6 count an owner request for euthanasia, the number was  
7 a little over 5,000. This year our intake will be  
8 higher, and we expect that the euthanasia rate will  
9 probably be close to that, or maybe somewhere in the  
10 rage of 5,000 to 6,000. And that's the unfortunate  
11 reality having so many animals. So while 25,000 had  
12 a positive outcome, we look at our live release rate  
13 as well. And for cats it was-- Recently, it was  
14 about 78% of live release, and for dogs it was about  
15 84%. So we're averaging about 82%, and we are very  
16 hopeful that with that number of animals, it is, it's  
17 very upsetting. And it's not something that AC&C  
18 endorses. But we feel hopeful that out of 30,000  
19 animals if there are 5,000 or 6,000 animals left in  
20 the population that have to be euthanized because of  
21 health or behavior, we could make an impact. And  
22 legislation like this starts. It starts to address  
23 the challenge. The challenge is how many animals are  
24 coming in? And the other challenge is how do we get  
25 them out. But if we start to focus on reducing the

2 number of animals coming in through spay/neuter, for  
3 example, or eliminating rabbits in pet shops, I think  
4 we can-- We will start to see a change, which gives  
5 us additional resources to provide additional care to  
6 the animals that we have. And see a better live  
7 release rate in the future.

8 COUNCIL MEMBER CROWLEY: Do you have an  
9 estimate of how many of the animals that you have to  
10 put down have been mistreated in some way. Maybe  
11 have originated from a puppy mill? Why is it that  
12 they fall victims of sickness, and if you have any  
13 type of statistic on that, proof of it?

14 RISA WEINSTOCK: The statistics we have  
15 are the number of animals that were purchased in pet  
16 shops. And generally those animals are coming to us  
17 when they are a little older. And we don't spend a  
18 lot of time addressing who came from a puppy mill.  
19 But, we do spend a lot of time addressing the needs  
20 of that animal.

21 COUNCIL MEMBER CROWLEY: The basic  
22 question is if an animal appears to have a behavioral  
23 problem, can you attribute that to abuse?

24 RISA WEINSTOCK: A behavior is attributed  
25 to many things. We have a behavior assessment team.

2 If it's abuse, that's a cruelty issue, and we contact  
3 NYPD. They work with the ASPCA. That gets into  
4 cruelty, but what we're doing is when we see an  
5 animal-- And if we suspect that, we will do the  
6 right thin by that animal, but for the most part when  
7 we're looking at behavior, if we see some challenges,  
8 we're trying to address those challenges. And how  
9 can we turn that around so the animal can present  
10 better, and hopefully get adopted.

11 COUNCIL MEMBER CROWLEY: Great. No  
12 further questions.

13 CHAIRPERSON JOHNSON: Thank you, Council  
14 Member Crowley. Just one point I want to make after  
15 some of the questions that were just asked. 30,000  
16 animals is a tremendous number that is coming into  
17 AC&C every year. And 5,000 animals that are lost,  
18 put down, euthanized is devastating. It's an  
19 incredibly upsetting tragic number of animals that  
20 we're losing. But also being the eternal optimist, I  
21 feel slightly hopeful that in a city of over eight  
22 million people getting 5,000 New Yorkers who would  
23 love companionship. And to save the lives of a very  
24 lovable cat or dog or other type of animals that  
25 that's something that's doable. We just need to

2 educate folks, and also enact these measures so that  
3 that number isn't as high in the number of animals  
4 coming in. So I think we have to continue to promote  
5 adoption, and actually getting 5,000 good-hearted  
6 animal lovers to come in and adopt and save these  
7 lives is something that is imminently doable if we  
8 all work together. I want to turn it over to Council  
9 Member Rafael Espinal.

10 COUNCIL MEMBER ESPINAL: Thank you,  
11 Chairman Johnson. I just want to state that I am  
12 also a proud co-sponsor of all four bills. And in my  
13 time with the Assembly, I was also co-sponsor of the  
14 bill that was signed for the Governor. So I am very  
15 happy to be here, and thank you Council Members  
16 Crowley, and Johnson for bringing these bills to the  
17 table. I have a question in regards to  
18 microchipping. Who is qualified to microchip an  
19 animal?

20 RISA WEINSTOCK: We have trained staff in  
21 our Medical Department who will microchip an animal.

22 COUNCIL MEMBER ESPINAL: Okay. So when a  
23 pet shop-- So now that we're regulating pet shops to  
24 have microchip, too, to microchip the animal, do they  
25 microchip the animal before or after the purchase?



2 Before a consumer buys the dog, or after the consumer  
3 buys the dog?

4 RISA WEINSTOCK: Well, our practice is  
5 when an animal comes in, on intake we vaccinate them,  
6 and we take care of medical needs. But when an  
7 animal is adopted that the point where a microchip is  
8 inserted, and registered to that person who is  
9 adopting the animal. And a dog license is also  
10 created for the animal to be associated with that  
11 person who adopts.

12 COUNCIL MEMBER ESPINAL: Who keeps the  
13 registry of the microchipped animals?

14 RISA WEINSTOCK: AC&C keep records of the  
15 animals that are microchipped, and it's also through  
16 the company that we partner with who provide the  
17 microchips. So if an animal is microchipped, there  
18 will be a code number and you look it up, and it says  
19 registered to Home Again. And you call Home Again,  
20 and they go through their files to see. Because  
21 sometimes what responsible pet owners should do is if  
22 they move or if let's say they gave their pet away,  
23 they should-- That microchip needs to be updated.  
24 So what we do is we try to go through the chain to  
25

2 find who has information about who belongs to this  
3 pet.

4 COUNCIL MEMBER ESPINAL: That was going  
5 to be my other question. So how difficult would it  
6 be if let's say someone decides to give me their dog  
7 or cat, and I want to update that registry. How  
8 difficult would it be for me to do that?

9 RISA WEINSTOCK: It's very simple.

10 COUNCIL MEMBER ESPINAL: Okay. So what--

11 RISA WEINSTOCK: [interposing] It's a  
12 very simple process.

13 COUNCIL MEMBER ESPINAL: So where would I  
14 go? What's the process?

15 RISA WEINSTOCK: You can do it by phone?  
16 you can do it online. It's very easy.

17 COUNCIL MEMBER ESPINAL: Okay, good.  
18 Thank you.

19 CHAIRPERSON JOHNSON: Thank you very  
20 much, Council Member Espinal. Are there any other--?  
21 Yes, Council Member Gentile.

22 COUNCIL MEMBER GENTILE: So just to be  
23 clear, the pet shops have to go to you to microchip  
24 them before they sell a pet under this bill or is it--  
25 -?

2 RISA WEINSTOCK: No. This bill requires  
3 that pet shops--

4 COUNCIL MEMBER GENTILE: [interposing]  
5 Right.

6 RISA WEINSTOCK: --provide the  
7 microchipping.

8 COUNCIL MEMBER GENTILE: [interposing]  
9 Right, but they can do it-- They can do it on their  
10 own in the shop?

11 RISA WEINSTOCK: Yes.

12 COUNCIL MEMBER GENTILE: And so, that--  
13 They're using the same system that you're using, I  
14 would imagine, that would be required?

15 COMMISSIONER KASS: There is more than  
16 one system? A pet shop can enter into an agreement  
17 with any provider that they want, but there are  
18 common aspects to it. So, the purchaser would  
19 receive from the pet shop a certificate that  
20 basically indicating which organization, with which  
21 company the chip is registered. How to update  
22 address or ownership information going forward. But  
23 yes, the pet shop would be the one who would actually  
24 be inserting the microchip.

2 COUNCIL MEMBER GENTILE: Right, and would  
3 similar information that goes on the microchip go on  
4 the license that's now required before they sell a  
5 pet?

6 COMMISSIONER KASS: There are common  
7 elements. Certainly, the owner's name, the dog's  
8 name, breed. Basic information would be common to  
9 it, but it would be entered separately.

10 COUNCIL MEMBER GENTILE: Right, so you  
11 have actually two data sources to try and track an  
12 animal, your licensing system and the microchip?

13 RISA WEINSTOCK: Right.

14 COUNCIL MEMBER GENTILE: Okay. Thank  
15 you.

16 [Pause]

17 CHAIRPERSON JOHNSON: I think Council  
18 Member Gentile may have another question. [laughter]  
19 It's being formulated.

20 COUNCIL MEMBER GENTILE: I thought this  
21 might have been off the table, but I guess it's on  
22 the table right now. The law that we passed last  
23 year on the Animal Abuse Registry, which had an  
24 effective date, but has not been put into force yet.  
25 Has the Administration decided what agency will be

2 designated to enforce the Animal Abuse Registry Law,  
3 which is already law.

4                   COMMISSIONER KASS: That's a great  
5 question. The answer is no. To date, the  
6 Administration has not designated an agency. We're  
7 geared for that designation, but it's still under  
8 discussion. That's my understanding.

9                   COUNCIL MEMBER GENTILE: But if it's  
10 still under discussion in this past last year, and I  
11 think it was effective some time over the summer, and  
12 now we have four new bills that are likely to pass.  
13 And likely to be signed into law. You have this  
14 expanding responsibility here, and its taking you a  
15 year to come up with some kind of regulatory system  
16 for the Animal Abuse Registry. So, don't you think  
17 there is a lot on your plate? That we're adding a  
18 lot more, and you're not responding in a timely  
19 manner?

20                   COMMISSIONER KASS: Well, you know, I  
21 want to answer for the Health Department, and not the  
22 Mayor's Office on this question. The difference  
23 between these two is that the Animal Abuse Registry  
24 directed the Mayor's Office to designate an agency.  
25 That hasn't happened yet. This legislation, these

2 pieces of legislation direct us to engage in a  
3 practice that we are quite comfortable and  
4 knowledgeable about how to do it. We regulate lots  
5 of businesses. We develop inspectional programs. We  
6 do rule making. We inspect. So I don't foresee a  
7 delay other than the usual startup, which is a  
8 conversation we've been having with the staff of the  
9 committee in implementing these bills once they are  
10 passed, or if they are passed.

11 COUNCIL MEMBER GENTILE: So would you  
12 agree that if these four bills direct your agency to  
13 execute the law, and make into the rule making that  
14 it would make sense for your agency also to be the  
15 designated agency to handle the Animal Abuse  
16 Registry.

17 COMMISSIONER KASS: I don't think they  
18 are equivalent, and I want to just be straightforward  
19 with you about why I think they are different.  
20 Again, these bills would put the Health Department in  
21 a position of permitting, of inspecting, of  
22 developing inspectional program outreach to industry.  
23 It would direct us to develop data systems for the  
24 receipt of information from pet shops. It would put  
25 us in a role of-- A role that we are used to,

2 comfortable, and skilled at playing. That's distinct  
3 from the Animal Abuse Registry, which really calls  
4 for a different set of skills. It requires criminal  
5 investigation skills. It requires the development of  
6 a criminal registry. It requires a 24/7 ability to  
7 respond to checks against identify. That is not a  
8 typical function that we at the Health Department  
9 play, and I think those are some of the  
10 considerations the Administration is factoring in.

11 COUNCIL MEMBER GENTILE: Well, I would  
12 agree with you. Other than the fact that the  
13 investigation of it. You're taking adjudications  
14 that come from the court, and just implementing them  
15 and putting them in to the registry.

16 COMMISSIONER KASS: No, that's actually  
17 not the case. We don't receive information about  
18 criminal convictions from the court. There is no  
19 means by which we are able to--

20 COUNCIL MEMBER GENTILE: [interposing]  
21 Well, that's what the rule making was for.

22 COMMISSIONER KASS: The rule making  
23 directed us to-- or directed the city rather to  
24 receive information from an individual about their  
25 prior convictions to interview them, and to enter

2 them into a registry. The source of the information  
3 is actually the convicted person and not the courts.

4 COUNCIL MEMBER GENTILE: Okay. I'm not  
5 sure about that. I will check that, but what is your  
6 time table at this point? Can you give us and all of  
7 us here some time table? This is a law that is now  
8 the effective date has passed, and we still have no  
9 enforcement of this law.

10 COMMISSIONER KASS: All I can do is  
11 direct your question back to the Administration and  
12 ask it whether it intends to designate the agency.

13 COUNCIL MEMBER GENTILE: Have you been  
14 involved in these discussions about the Animal Abuse  
15 Registry Law?

16 COMMISSIONER KASS: We have been involved  
17 to the extent that we character what the  
18 responsibilities would be, the likely resources  
19 necessary, and the skill set that would have to be  
20 developed in an agency or at least adopted by an  
21 agency in order to be able to do it. That's the  
22 extent of our involvement.

23 COUNCIL MEMBER GENTILE: And when was the  
24 last involvement you've had this year with that--  
25 with the Administration?



2                   COMMISSIONER KASS: Probably the last  
3 direct conversation I had with the Administration  
4 about this other than in anticipation of this  
5 question at the hearing was back at the beginning of  
6 the summer.

7                   COUNCIL MEMBER GENTILE: The beginning of  
8 the summer?

9                   COMMISSIONER KASS: Yes.

10                  COUNCIL MEMBER GENTILE: Mr. Chairman, I  
11 just think we need to really, you know, move on this  
12 to-- The effective date has passed, and we really  
13 need to establish this. Especially in light of the  
14 fact that we are about to pass or likely to pass  
15 these four bills.

16                  CHAIRPERSON JOHNSON: I agree with you,  
17 Council Member Gentile. I think it's important to  
18 make this point, which is I hope is indisputable.  
19 You know, the abuse of animals is a real issue, and  
20 now with the advent of You Tube, we see some  
21 incredibly deeply upsetting behavior that takes  
22 place. And there was an article that the New York  
23 Times published about a month ago about animal abuse  
24 in New York City, and now these crimes can portend to  
25 larger crimes that are committed in our society.

2 Council Member Gentile and former Council Member  
3 Vallone shepherded this through, and we are past the  
4 effective date. And we have the ability to legislate  
5 which agency it goes to. We didn't do that. We put  
6 in the rule making process but if, in fact, the  
7 Administration and the Health Department doesn't come  
8 up with a plan forward on how to implement this, I  
9 think it's well within our purview, our authority,  
10 and it's our responsibility to ensure that this gets  
11 done. So, that's a conversation that the author of  
12 the bill I think would have to lead, and figuring  
13 that out. It's his legislation, and it's something  
14 that I know he cares deeply about, and has checked in  
15 on all year long. And so, we're almost to the end of  
16 2014. We will vote on a veto in January. So it's  
17 time to make this reality.

18 COMMISSIONER KASS: I understand, and I  
19 would only say this, which is I don't think there is  
20 any question that the Administration and that  
21 multiple departments care deeply about the abuse of  
22 animals. But since the New York Police Department  
23 has adopted the former role of the ASPCA in  
24 investigating and prosecuting animal abuse crimes,

2 the number of accused and investigations has really  
3 increased significantly. So the concern is there.

4 CHAIRPERSON JOHNSON: Thank you very much  
5 for your testimony today. Okay, up next is Michael  
6 Glass from the America's Pet Registry, Robert Likens  
7 from the Pet Industry Joint Advisory Council, PIJAC,  
8 and David Barton from City Pups. I want to just  
9 remind folks that we had a previous hearing on these  
10 bills. The hearing today, the purpose is to hear  
11 comments on the changes to the bills that were made.  
12 We're putting everyone on the clock for three  
13 minutes. People aren't going to be able to go past  
14 three minutes. Three minutes is it. You hit three  
15 minutes, you're done, and part of the reason is we  
16 only have this room until 1 o'clock. We're out at 1  
17 o'clock. There is no staying over 1 o'clock. So I  
18 want everyone to have the opportunity to testify  
19 today.

20 If you get up there, and someone has  
21 stated something that you plan on saying, you may  
22 skip that portion of your testimony. We won't mind,  
23 and you can submit it for the record. We're happy to  
24 have it as part of the official record for today's  
25 hearing. But it is important for us to stay on the

2 clock, and also allow everyone the opportunity to  
3 testify. I also want to mention that I have to leave  
4 in a few minutes to go to another committee hearing,  
5 the committee where I'm passing my first bill today.  
6 And Council Member Crowley is going to take over to  
7 chair this hearing when I leave. So you may sit  
8 down, and you may go in whatever order you would  
9 like. If you could please identify yourself for the  
10 record, and the sergeant will start the clock at  
11 three minutes. Thank you very much.

12 [Pause]

13 BOB LIKINS: Thank you, Mr. Chairman and  
14 thank you members of the Committee. My Name is Bob  
15 Likins. I'm the Government Affairs Director for the  
16 Pet Industry Joint Advisory Council. Peter Industry  
17 Joint Advisory Council greatly appreciates the  
18 opportunity to address New York City Council's  
19 Committee on Health on proposed legislation regarding  
20 the requirements surrounding animal sales or  
21 adoptions. As the world's largest pet trade  
22 association representing the interests of all  
23 segments of the pet industry throughout the United  
24 States, PIJAC counts among its thousands of members,  
25 associations, organizations, corporations, and

2 individuals across the United States involved in the  
3 commercial pet trade. More specifically, PIJAC  
4 represents manufacturers, distributors, and retailers  
5 throughout the State of New York. No one is more  
6 interested in the assurance of healthy and safe pets  
7 than PIJAC. Our members don't just care about  
8 animals, we care for them. Our association has long  
9 been recognized as a voice for the responsible pet  
10 trade, and we routinely advocate for legislative and  
11 regulatory proposals establishing government mandates  
12 where appropriate the public interest and welfare of  
13 pets.

14           We would first like to request that the  
15 Committee clarify the language in Bill No. 73-Alpha.  
16 I'm sorry, 73-A with regard to exempting pet shops  
17 posing shelter or rescue animals from the large  
18 requirement that they deny possession of animals to a  
19 convicted animal abuser. Many of the animals taken  
20 in by shelters and rescues have already been the  
21 victims of terrible neglect and abuse. These animals  
22 above all others deserve the added protection, and  
23 deserve not to be victimized again by an  
24 unintentional loophole that places them back into the  
25 hands of those who would do them harm. We would

2 request that the City Council add language clarifying  
3 that the responsibility for consultation of the  
4 registry and denial of adoption to anyone found to be  
5 on the registry would rest with the animal shelter or  
6 animal rescue organization offering the animal for  
7 adoption because the pet store is not involved in the  
8 transaction.

9           PIJAC strong opposes the mandatory  
10 spaying and neutering directed by Bill 136-A.  
11 Consensus on animal ownership is difficult to come by  
12 especially considering the positions of such separate  
13 groups as the American Kennel Club, the American  
14 Veterinary Medical Association, the ASPCA, and the  
15 Humane Society of the United States. In this case,  
16 however, these groups have all publicly stated their  
17 opposition to the mandatory spaying and neuter laws  
18 as mandatory sterilization does not achieve the  
19 stated goal of decreasing the number of unwanted and  
20 abandoned dogs and cats. Simply put, animals from  
21 responsible pet owners represent a small percentage  
22 of the shelter and rescue intake. The elimination of  
23 the four-month waiver of spay and neutering that 136-  
24 A eliminates means that it would for owners to comply  
25 with veterinary consensus that the earliest stage at

2 which it is appropriate to spay and neuter dogs is  
3 six to eight months depending on the breed and the  
4 individual animal. I would next like to speak to  
5 Bill 146-A. The proposed law under consideration  
6 would [bell]--

7 CHAIRPERSON JOHNSON: You can submit the  
8 rest of your testimony for the record.

9 BOB LIKINS: Thank you, sir.

10 CHAIRPERSON JOHNSON: Thank you.

11 [Pause]

12 MICHAEL GLASS: My name is Michael Glass.  
13 I represent America's Pet Registry, Incorporated.  
14 And for the record, if you please, we are accepted as  
15 a recognized registry by New York agi [sic] markets  
16 as a national kennel registry service. I submitted  
17 a brief cover page followed by a list of points that  
18 we would like to be addressed. Rather than reading  
19 that list of bullet points as you will hearing this  
20 in testimony from others later, I would like to share  
21 these thoughts. It's no secret that throughout the  
22 country these types of legislations are being passed.  
23 The bullets are similar in many cases. Similar to  
24 many of the bullet points you're going to hear today

2 and when reading the testimony that has been  
3 submitted.

4           The other similarity when introduced in  
5 many other types of legislation are typically those  
6 who support and those who may oppose. Sometimes  
7 there is a lot of support, and sometimes there is a  
8 lot of opposition, and everything in between. One  
9 common thread, however, regardless of the support or  
10 the opposition is everybody in this room I think can  
11 agree is that they have a passion for their opinion.  
12 Sometimes we have a passion that is so strong for  
13 that opinion that we forget to look to the other  
14 side. And that's where a lot of the answers can be  
15 found.

16           Today, I'm asking you, although this may  
17 sound redundant, is to hear us again. In this room  
18 you have the persons that oppose the bill. We're not  
19 here before you today to encourage you to discard the  
20 bill. We're here to hopefully see it into a workable  
21 bill that can be found accepted by all. Frequently,  
22 that doesn't happen, and from what I understand that  
23 has been shared by all the legislators that sometimes  
24 that's the source or the positive result that you may  
25 be looking for. If everybody opposes the bill, you



2 made it nil. But again, we would like for today to  
3 repeat that we would like to be heard, and the  
4 experts are in this room to share that information  
5 with you. Although I said I was not going to list  
6 any bullet points, I would like to raise attention to  
7 the mandatory spay or neuter. Although you may have  
8 overwhelming evidence that supports mandatory spay or  
9 neuter, there are many health risks, health concerns.  
10 Myself being a breeder of joint [sic] breed, cannot  
11 sell a puppy to someone that enacts mandatory spay or  
12 neuter at an early age. There is a lot of data, and  
13 many reports showing that. I shared a video with the  
14 Council Members regarding that. And that's it.  
15 Thank you.

16 CHAIRPERSON JOHNSON: Thank you for your  
17 testimony. Thanks for being here. I think there was  
18 another gentleman that came up and disappeared.  
19 There was the City Pups, David Barton. Okay.

20 [background conversation]

21 CHAIRPERSON JOHNSON: You can testify. I  
22 mean--

23 DAVID BARTON: [off mic] I'd like to ask  
24 some questions on the --

25 [Pause]

2 CHAIRPERSON JOHNSON: You can testify. I  
3 mean--

4 DAVID BARTON: [off mic] I have some  
5 questions on--

6 CHAIRPERSON JOHNSON: I can't make the  
7 guarantee that someone will answer, but you have the  
8 opportunity to testify. You have three minutes to  
9 testify, and you may say whatever you want.

10 DAVID BARTON: [off mic] I would like  
11 to--

12 CHAIRPERSON JOHNSON: You can go ahead  
13 and testify if you'd like.

14 [Pause]

15 CHAIRPERSON JOHNSON: If you could please  
16 turn the mic on. If you could identify yourself the  
17 record.

18 DAVID BARTON: Is it on? My name is  
19 David Barton from City Pups, and I was just curious  
20 if there was any statistics of how many, if our--  
21 How many pets are in shelters that do come from pet  
22 stores, and also are most of the dogs from shelters  
23 in the area? Do they come from this area, or do they  
24 come from other areas also? And that's it.

2 CHAIRPERSON JOHNSON: Is there anything  
3 else you wanted to testify on today?

4 DAVID BARTON: No.

5 CHAIRPERSON JOHNSON: Okay, thank you.  
6 Thank you for your testimony. I have a few  
7 questions. Okay, I'd like to-- I should have done  
8 this at the beginning. If I just may swear you all  
9 in. We're swearing everyone in. If you could please  
10 raise your right hand. Do you affirm to tell the  
11 truth, the whole truth, and nothing but the truth in  
12 your testimony before this committee, and to respond  
13 honestly to Council Member questions?

14 PANEL MEMBER: Thank you very much.

15 CHAIRPERSON JOHNSON: So this is for  
16 PIJAC. Does your membership uniformly agree with  
17 PIJAC's positions on these bills, and how did your  
18 organization decide what position to take on these  
19 bills? Did you consult with all your members? Was  
20 there a vote? How did you all come to take a  
21 position on these bills.

22 ROBERT LIKINS: Sir the-- We do take a  
23 census of our entire membership, but our positions  
24 are determined largely by a discussion agreement by a  
25 Legislative Committee from our Board of Directors.

2 [Pause]

3 COUNCIL MEMBER CROWLEY: Okay, in  
4 following up, how do you go about taking the census?  
5 How many members do you have in your organization  
6 that work in New York City?

7 ROBERT LIKINS: Ma'am, I don't have a  
8 count of the number of members we have in New York  
9 City. I'm sorry. I can find that information for  
10 you.

11 COUNCIL MEMBER CROWLEY: How do you take  
12 consensus amongst your membership?

13 ROBERT LIKINS: We do it by conducting  
14 surveys of the membership, and we do it by  
15 discussions with our full Board and with the  
16 Legislative Committee who is appointed to represent  
17 our broader membership.

18 COUNCIL MEMBER CROWLEY: And you did that  
19 regarding all four of these bills?

20 ROBERT LIKINS: Yes.

21 COUNCIL MEMBER CROWLEY: Remember you are  
22 sworn in to tell the truth.

23 ROBERT LIKINS: Yes, ma'am, our  
24 Legislative Committee is aware of all of the--

25

2 COUNCIL MEMBER CROWLEY: [interposing]  
3 No, no, no, consensus among your membership.

4 SERGEANT-AT-ARMS: Quiet, please.

5 COUNCIL MEMBER CROWLEY: Your membership?

6 ROBERT LIKINS: Ma'am, a lot of these  
7 positions have been longstanding and determined  
8 before I came into the organization. I couldn't  
9 speak to exactly how they were arrived to  
10 specifically.

11 COUNCIL MEMBER CROWLEY: Do you tell your  
12 membership and your Legislative Committee that they  
13 should oppose it before they went into meeting about  
14 the bill on the service. [sic]

15 ROBERT LIKINS: I'm sorry, ma'am, oppose  
16 which?

17 COUNCIL MEMBER CROWLEY: The bills,  
18 especially 55-A?

19 ROBERT LIKINS: Our membership and, of  
20 course, our Legislative Committee are well aware of  
21 PIJAC's position on these, our position, ma'am.

22 COUNCIL MEMBER CROWLEY: And who is on  
23 the Legislative Committee, and what is their  
24 affiliation?

2 ROBERT LIKINS: Ma'am, I don't have a  
3 list of the entire Legislative Committee here. You  
4 will see on the first page of our bill, we've got a--

5 COUNCIL MEMBER CROWLEY: [interposing]  
6 Are you on the Legislative Committee?

7 ROBERT LIKINS: I am not, ma'am. I'm an  
8 employee, not a member.

9 COUNCIL MEMBER CROWLEY: I find it hard  
10 to believe that you do not know who is on the  
11 Legislative Committee if you are coming to speak to a  
12 legislative body about a proposed bill that would  
13 affect your membership.

14 ROBERT LIKINS: Ma'am, I would be happy  
15 to get you the list of membership.

16 COUNCIL MEMBER CROWLEY: Who did you talk  
17 to before you came here today?

18 ROBERT LIKINS: With regard to this  
19 specifically I spoke to my President, our Executive  
20 Vice President and the Legislative Committee.

21 [Pause]

22 COUNCIL MEMBER CROWLEY: Right. I'm  
23 trying to figure out whom you spoke to on the  
24 Legislative Committee, and how you don't-- You know,  
25 you say you have a consensus, and the Legislative

2 Committee spoke with your membership, but it's not a  
3 matter of fact. It's just, you know, you come here  
4 today and not prepared to tell us who amongst your  
5 membership opposes the legislation.

6 ROBERT LIKINS: Ma'am, as a trade  
7 association, it's important that those discussions  
8 that while they happen within our membership, that  
9 the trade association-- Excuse me, the trade  
10 association speak with a unified voice.

11 COUNCIL MEMBER CROWLEY: Right. Would a  
12 broker provide animals from a questionable source?

13 ROBERT LIKINS: By questionable source,  
14 ma'am, you mean puppy mill as defined in the most--

15 COUNCIL MEMBER CROWLEY: [interposing]  
16 Right, by breeders that have been violating laws that  
17 are regulated by the USDA?

18 ROBERT LIKINS: No, ma'am, a licensed  
19 dealer, a licensed broker with a USDA license should  
20 not be sourcing from what the-- what your language  
21 as you previously referred to as puppy mills. They  
22 are required just as our breeders are USDA licensed  
23 to meet certain requirements. And, in fact, the  
24 brokers that we've got as members actually pay a

2 premium for animals that are raised in conditions and  
3 handled in conditions that exceed USDA requirements.

4 COUNCIL MEMBER CROWLEY: You say that the  
5 largest breeder no longer says it sells animals  
6 obtained from hobby breeders. But it sells animals  
7 from sources that meet all federal requirements?

8 ROBERT LIKINS: Could you repeat that,  
9 ma'am?

10 COUNCIL MEMBER CROWLEY: You say that  
11 your animals, you know, that come from the largest  
12 breeders, and selling that meet all federal  
13 requirements? You're saying that animals could come  
14 from breeders that aren't subject to the Animal  
15 Welfare Act?

16 ROBERT LIKINS: Animals could come from  
17 an unlicensed breeder if that breeder handles less  
18 than-- has less than five breeding females. If they--  
19 -

20 COUNCIL MEMBER CROWLEY: [interposing]  
21 Is that where the majority of your animals are coming  
22 from?

23 ROBERT LIKINS: No, ma'am. It would vary  
24 obviously from store to store depending on who they  
25 decided to source through. But as far as the brokers



2 are concerned, they source from a variety of places,  
3 whether it be from smaller hobby breeders, breeders  
4 that deal in things like giants that are not common  
5 to larger commercial breeders that would be USDA  
6 licensed.

7 [Pause]

8 COUNCIL MEMBER CROWLEY: Do you sell from  
9 breeders that have non-compliance on their inspection  
10 reports from the USDA?

11 ROBERT LIKINS: Ma'am, I don't sell dogs.

12 COUNCIL MEMBER CROWLEY: Right. I know,  
13 but I'm talking about your members?

14 ROBERT LIKINS: There are classes of  
15 violations within USDA. We do not dictate to our  
16 members, to any retail store what they may or may not  
17 do. We encourage them to follow best practices as  
18 well as obviously comply with the laws. But I--

19 COUNCIL MEMBER CROWLEY: [interposing] So  
20 you sell--

21 ROBERT LIKINS: --can't speak for the  
22 store, ma'am.

23 COUNCIL MEMBER CROWLEY: --puppies to pet  
24 shops that may be bred in puppy mills that are non-

2 compliant with USDA Regulations. You do not let pet  
3 stores know?

4 ROBERT LIKINS: Ma'am, I am--

5 COUNCIL MEMBER CROWLEY: [interposing]  
6 Because you said before that you could be aware of  
7 violations, but you do not let these pet stores know.

8 ROBERT LIKINS: Ma'am, I am not broker.  
9 I represent the--

10 COUNCIL MEMBER CROWLEY: I'm talking  
11 about your membership.

12 ROBERT LIKINS: Okay. But my membership  
13 is the stores as well. With regard to the brokers,  
14 the mandatory microchipping law that you've got  
15 proposed here, for example, most animals arrive to  
16 the pet store already microchipped. That is a  
17 standard practice for those brokers to ensure that  
18 they can track which breeder it came from. So that  
19 they can know if they are non-compliance issues, if  
20 there are violations. That's actually our only real  
21 sticking point with the Mandatory Microchip Law that  
22 you propose. We strongly support it. We would  
23 actually like to see it strengthened. Our only  
24 concern is--

2 COUNCIL MEMBER CROWLEY: [interposing]

3 And then don't you think that customers purchasing  
4 animals from pet stores have a right to know as much  
5 information about the breed, and how their particular  
6 puppy that they're purchasing was bred--

7 ROBERT LIKINS: [interposing] Yes,  
8 ma'am.

9 COUNCIL MEMBER CROWLEY: --and from  
10 where.

11 ROBERT LIKINS: Absolutely, we do, which  
12 his why using a broker is the best way to get that  
13 information because the broker actually tracks which  
14 specific breeder--

15 COUNCIL MEMBER CROWLEY: [interposing]  
16 Is it a broker or just another person in between the  
17 pet shop and the breeder?

18 ROBERT LIKINS: Ma'am, if the requirement  
19 is that the information be available to the consumer,  
20 then whether the broker provides the information or  
21 the breeder provides the information, it's the same  
22 information.

23 COUNCIL MEMBER CROWLEY: I think you  
24 answered one of my questions earlier that as a  
25 broker, you have the right to not disclose currently

2 information to pet shops about breeders that may be  
3 violation the U.S. Agricultural Laws.

4 ROBERT LIKINS: No, ma'am. I didn't say  
5 that. I did not--

6 COUNCIL MEMBER CROWLEY: [interposing]  
7 You do not have to. It is up to the breeder at this  
8 particular-- It's up to the broker at this  
9 particular point if this legislation is not to be  
10 passed.

11 ROBERT LIKINS: No, ma'am because it  
12 already requires that all animals being sold have  
13 their-- Have the information on the breeders  
14 provided. So that information has to come from both.

15 COUNCIL MEMBER CROWLEY: [interposing]  
16 But you still are brokering puppies that come from  
17 breeders that may have violations from USDA.

18 ROBERT LIKINS: Not violations that would  
19 preclude them being in business, or the USDA would  
20 have taken action on them. I--

21 COUNCIL MEMBER CROWLEY: [interposing]  
22 The consumer is not given that information when they  
23 are purchasing a dog from a pet shop.

24

25

2 ROBERT LIKINS: Ma'am, they're given the  
3 same information whether it comes through a broker or  
4 not.

5 COUNCIL MEMBER CROWLEY: Okay. I'm going  
6 to move onto America's Pet Registry, Michael Glass.  
7 Who founded America's Pet Registry?

8 MICHAEL GLASS: [off mic] APR-- Excuse  
9 me, APR was founded by a group of breeds,  
10 distributors, brokers in the Midwest to organize and  
11 make an additional support system for dog breeders  
12 throughout the United States.

13 COUNCIL MEMBER CROWLEY: Does APR have  
14 any financial relationship to any Class B dealers?

15 MICHAEL GLASS: A Class B dealer, the  
16 answer to that would be yes in part. A Class B  
17 dealer can also be a breeder. So if a breeder also  
18 employs themselves as a broker, they would be a Class  
19 B. So as a broker-- No, I apologize. As a broker  
20 we may assist in paperwork, in the paperwork process,  
21 but the direct relationship is with the breeder. So  
22 again, a Class B breeder-- I apologize. A Class B  
23 dealer may be a broker and a breeder.

24

25

2 COUNCIL MEMBER CROWLEY: Does APR have  
3 any financial relationship with any breeders that  
4 would be prohibited sources under Intro 55-A?

5 [Pause]

6 MICHAEL GLASS: I want to make sure I  
7 answer that question, and I understand it correctly.  
8 You want to know that if we have any financial  
9 relationships--

10 COUNCIL MEMBER CROWLEY: [interposing] If  
11 you deal with just breeders and not brokers, then  
12 they wouldn't be prohibited?

13 MICHAEL GLASS: Oh, no, we do deal with  
14 brokers also. However, the relationship there has to  
15 be an approval with the breeder in the event of the  
16 paperwork process needed. There would have to be an  
17 agreement with the broker and the breeder to deal  
18 with us. So that we can support and deliver--

19 COUNCIL MEMBER CROWLEY: [interposing] Do  
20 you have any relationship with breeders that would be  
21 prohibited in this bill?

22 MICHAEL GLASS: If this bill-- Again,  
23 forgive my ignorance. For some reason, and I'm sure  
24 this is a very simple question. For some reason, I

2 feel stupid because it's just not clicking. Do we  
3 have-- Rephrase that question, please.

4 COUNCIL MEMBER CROWLEY: Do you have  
5 brokers that are not dealers that would have  
6 breeders? [sic]

7 MICHAEL GLASS: I would have to look into  
8 that. I don't have that information at hand?

9 [Pause]

10 COUNCIL MEMBER CROWLEY: Do you deal with  
11 breeders that are in direct violation with the Animal  
12 Welfare Act?

13 MICHAEL GLASS: There could be cause that  
14 a breeder employs our company for paperwork, and that  
15 they may have violations. Yes. Again, there are  
16 different levels of a violation. We are not a  
17 governing entity in the event there is-- I  
18 apologize. We are not a governing entity to enforce  
19 the USDA. So if somebody isn't in compliance with  
20 USDA, it's not our--

21 COUNCIL MEMBER CROWLEY: [interposing] If  
22 somebody is not, and if somebody is not in compliance  
23 with the Animal Welfare Act and they are still a part  
24 of your registry, and they still have financial

2 relationships with them, it doesn't say a whole lot  
3 for America's Pet Registry.

4 MICHAEL GLASS: Well, that's a leading  
5 question, with all due respect.

6 COUNCIL MEMBER CROWLEY: I have no  
7 further questions of the panel.

8 CHAIRPERSON JOHNSON: Thank you, Council  
9 Member Crowley. Before our April hearing on  
10 Introduction No. 55, PIJAC posted on its website that  
11 its members should oppose the legislation as  
12 unnecessary that that, quote, "Breeders used by  
13 responsible pet stores in the city are thoroughly  
14 inspected by the USDA. No responsible pet store in  
15 the city would knowingly risk their reputation by  
16 providing unhealthy pets from questionable sources to  
17 the public. Would a responsible broker sell pets  
18 from a questionable source?" And what the PIJAC mean  
19 by questionable source?

20 ROBERT LIKINS: Sir, as I told the  
21 Councilwoman, I wasn't actually with the  
22 organization. So I can only offer conjecture. I  
23 believe what they were talking about with regard to  
24 responsible source is someone who handles the animals  
25 responsibly. Someone who is USDA compliant. Someone



2 who is treating the animals humanely, and caring for  
3 them in a healthy manner.

4 CHAIRPERSON JOHNSON: Would a broker  
5 provide animals from a questionable source?

6 ROBERT LIKINS: A broker should not  
7 provide animals from a questionable source, but here-  
8 -

9 CHAIRPERSON JOHNSON: [interposing] You  
10 do work brokers, right, PIJAC?

11 ROBERT LIKINS: We have brokers that are  
12 members, yes, sir.

13 CHAIRPERSON JOHNSON: And do you think  
14 any of them are questionable, or take animals from  
15 questionable sources?

16 ROBERT LIKINS: Sir, our membership that  
17 I have seen, and I've been out to visit them, I have  
18 not see that.

19 CHAIRPERSON JOHNSON: How you been to any  
20 places that are supposed puppy mills? Have you ever  
21 visited one?

22 ROBERT LIKINS: I don't-- I am going to  
23 say, no sir because I have not-- I'm not familiar  
24 with which particular breeders you're talking about.

2 CHAIRPERSON JOHNSON: I'm just asking  
3 generally. No, you have never been to a--?

4 ROBERT LIKINS: I have not been to  
5 anywhere that I would consider to be a puppy mill  
6 that had its animals in inhumane conditions.

7 CHAIRPERSON JOHNSON: Isn't it true that  
8 the law just... Broker long advertised that it's  
9 obtaining animals-- That it obtaining animas from  
10 so-called hobby breeder who are not required to hold  
11 USDA licenses, or be inspected by federal inspectors?  
12 Aren't those questionable sources? So if they don't  
13 have USDA license, and they're not inspected by  
14 federal inspectors, couldn't that be considered  
15 questionable?

16 ROBERT LIKINS: Sir, I can't speak to the  
17 specific statement because I'm not familiar with it,  
18 but with regard to hobby breeders, it's not possible  
19 to license them with USDA. Because a hobby breeder  
20 is someone who has less than five breeding animals.  
21 I believe that's actually what your law would  
22 encourage the stores to go directly to as a source  
23 for their animals.

24 CHAIRPERSON JOHNSON: The largest breeder  
25 no longer says it sells animals obtained from hobby

2 breeders. But it can sell animals from sources that  
3 quote "meet our federal requirements" unquote. Isn't  
4 that a way of saying that animals could come from  
5 breeders that aren't subject to the Animal Welfare  
6 Act.

7 ROBERT LIKINS: I can't speak to what  
8 they were trying to say, sir.

9 CHAIRPERSON JOHNSON: So, I have a  
10 question for Mr. Glass. Have these already been  
11 asked? Oh, these were already asked. Okay.

12 [Pause]

13 CHAIRPERSON JOHNSON: Is Petco a member  
14 of PIJAC?

15 ROBERT LIKINS: Yes, sir.

16 CHAIRPERSON JOHNSON: And do they agree  
17 with your position on this bill today, on these  
18 bills?

19 ROBERT LIKINS: I don't know with regard  
20 to their corporate policy, but I do know that they  
21 are members of ours and whatever our policies, and  
22 support PIJAC's efforts.

23 CHAIRPERSON JOHNSON: Do they support  
24 your efforts today testifying on this bill?

25 ROBERT LIKINS: Yes, sir.

2 CHAIRPERSON JOHNSON: Okay. Thank you  
3 very much for your testimony here today.

4 [Pause]

5 CHAIRPERSON JOHNSON: All right, next up  
6 is Michael Gill from We Love Rescue Pets, and a  
7 former member of this body, former Council Member Ed  
8 Wallace who is representing Pet Smart.

9 [Pause]

10 CHAIRPERSON JOHNSON: If you could raise  
11 your right hand. Do you affirm to tell the truth,  
12 the whole truth, and nothing but the truth in your  
13 testimony before this committee, and to respond  
14 honestly to Council Member questions?

15 PANEL: Yes.

16 CHAIRPERSON JOHNSON: Thank you very  
17 much. So you may begin in whatever order you would  
18 like. If you could just make sure the red light on  
19 the mic is on, and if you could identify yourself for  
20 the record.

21 ED WALLACE: My colleagues have been kind  
22 enough to let me go first. Let me just introduce  
23 Will Mack, Counsel to our Law Firm Greenberg Traurig  
24 of which I'm the Co-Chair in New York. We represent  
25 Pet Smart. I am always honored to be back in this

2 body, but I am particularly grateful for the openness  
3 and responsiveness that this committee has shown over  
4 the months that it has considered the bill. And  
5 specifically, I want to thank your counsel who have  
6 been terrifically energetic in informing us and  
7 letting us express our view. So, we are her to  
8 provide testimony primarily on Intros 55, 136, and  
9 146, as amended. Just to remind you, Pet Smart is  
10 the largest specialty pet retailer services solutions  
11 for the lifetime needs pets. Pet Smart is an  
12 industry leader in pet supplies, pet care, and active  
13 in the pet adoption space. But as we stated  
14 previously, they have a strong presence in New York.  
15 They create many jobs in New York, and they applaud  
16 the Council's efforts to protect animals, and to make  
17 New York City a safer place for our pets.

18           We do not that we do not sell-- Peat  
19 Smart does not sell cats or dogs. So in some  
20 respects these laws will not have the same impact on  
21 us as it might on others. Through an in-store pet  
22 adoption partnership with independent non-profit  
23 organizations, Pet Smart charities both here and in  
24 Canada have helped save the lives of more than  
25 400,000 homeless pets. And since 1994, they have

2 helped save the lives of six million pets. We  
3 appreciate the changes made to Intro 55, 136, and 146  
4 to allow these adoptions to continue to take place in  
5 our stores. Just as a side note for Intro 73, we do  
6 have some concerns only really about the practical  
7 effects, and how we can achieve the impact that you  
8 intend in a manner consistent with how the retail  
9 clerks in the stores are doing their jobs. So we  
10 understand the purpose, and we would probably look to  
11 the agency once it's designated to try to work  
12 through the rule making process. So that you get a  
13 practical and effective result, not merely one that's  
14 written on paper, but that isn't being enforced.

15 Chairman Johnson and the entire Committee  
16 we thank you for your attention to this issue, and we  
17 just want to reassure that we share you commitment to  
18 the wellbeing of pets, and look forward to continuing  
19 to work with the Committee and the Council to improve  
20 the quality of life for all New York City's residents  
21 large and small. And if you have any questions, I'll  
22 gladly answer them, but we are really here to support  
23 both those three bills.

24 CHAIRPERSON JOHNSON: Thank you very  
25 much. Mr. Gill.

2           MICHAEL GILL: Good morning. I want to  
3 first thank Chairman Johnson, Council Member Crowley,  
4 and members of the Committee for inviting me to speak  
5 here today on this important issue and overdue  
6 legislation. My name is Michael Gill. I've worked  
7 in the pet industry for more than 20 years and  
8 currently own and operate We Love Rescue Pets based  
9 in Media, Pennsylvania, formerly We Love Pets. For  
10 more than ten years our store has sold animals and  
11 puppies primarily supplied by brokers including the  
12 Hunte Corporation, the largest in the country. These  
13 brokers purchase puppies directly from breeders and  
14 sell them throughout the United States and other  
15 countries either online or through pet stores.  
16 Sadly, unknown to most pet stores, by the critical  
17 history it's concerning, and medications, treatments,  
18 and ailments of the animals prior to delivery. Often  
19 these issues are concealed within falsified vet  
20 records, and paperwork provided to the stores prior  
21 to delivery. This abusive practice overseen at the  
22 Hunte Corporation by Dr. Oxford, DVM To help you  
23 better understand, I have an example of Exhibit A of  
24 a puppy that an early exam summary which accompanied  
25 a puppy I purchased last years, and there are

2 thousands of other. All with the same heartbreaking  
3 ending, and each one signed off by Dr. Oxford.  
4 Before I continue, allow me to say a few words about  
5 Dr. Oxford, according to Hunte's records. Each week,  
6 he examines more than 1,000 incoming animals, 1,000  
7 outgoing animals and he receives all vet services  
8 more than 2,000 in-house animals including performing  
9 all surgeries with the animals that are housed at  
10 Hunte's facilities. If he worked 24/7, Dr. Oxford  
11 would only have 20 seconds with each animal, and  
12 obviously, this is impossible.

13           With regards to Exhibit A puppy that an  
14 exam summary shows as having this puppy re-examined  
15 upon arrival, Dr. Oxford on October 10, 2013, arrived  
16 at Hunte. This dog had not become for sale until  
17 nearly two months later on December 2, 2013, one  
18 listed for sale on their website with no issue of any  
19 ailments or treatments. When I purchased this puppy,  
20 I asked my sales associate Ray Rothman why the puppy  
21 had been held, and was told it was for size. I think  
22 proceeded with the purchase of the puppy, and it was  
23 invoiced again examined by Dr. Oxford on December 12.  
24 Upon delivery, the puppy was weak, showed no interest  
25 in food. Concerned, I asked the drivers how the



2 puppy had behaved in transit, and I was told it was  
3 fine, ate well, and he was probably nervous. Not  
4 satisfied with their answers I asked specifically if  
5 the puppy was being treated for any illness. They  
6 said no. With 48 hours the puppy had to be taken to  
7 the veterinary hospital. Upon examination, the puppy  
8 not only had pneumonia, but had scarred lungs from  
9 long-term pneumonia. Because the dog was also not  
10 eating, we were concerned with having been given  
11 medications. When I called Hunte to inquire, my  
12 sales person assured me this puppy had been given no  
13 medications. The following week the drivers arrived  
14 with another shipment of dogs. I asked about  
15 medications. At that point I was told they had been  
16 given an injectable medication to give the puppy in  
17 route during delivery. When I reviewed the  
18 accompanied paperwork, once again Dr. Oxford  
19 conducted the exam on December 8 and found the dog  
20 healthy with no mention of past care treatments and  
21 medications or instructions to send any sick animal  
22 to us. In fact, [bell]--

23 [Pause]

24 [background conversation]

25

2 CHAIRPERSON JOHNSON: Thank you for your  
3 testimony. I have questions for you. So if you need  
4 to elaborate on what you weren't able to mention in  
5 your opening statement, you can get to those in some  
6 of the questions. So Mr. Wallace, I wanted to ask  
7 some questions about Pet Smart. Is it fair to say  
8 that Pet Smart is the second largest pet store chain  
9 in the country?

10 ED WALLACE: Yes.

11 CHAIRPERSON JOHNSON: Is Pet Smart a  
12 member of PIJAC?

13 ED WALLACE: Yes, they are.

14 CHAIRPERSON JOHNSON: Would you  
15 characterize Pet Smart's position on these bills as  
16 distinct from PIJAC's.

17 ED WALLACE: Council Member, I'm going to  
18 leave it to you to infer from judging the two  
19 testimonies, the difference, if any, between us. I  
20 appreciate the question, and what you're intending to  
21 show. But I think it's not our role on behalf of Pet  
22 Smart to fight or not fight with them. I think the  
23 testimony stands for itself.

24 CHAIRPERSON JOHNSON: Thank you very  
25 much. For Mr. Gill from We Love Pets. Is there

2 anything about brokers that's been said in today's  
3 hearing that is contradicted by your experience as a  
4 pet shop owner?

5           MICHAEL GILL: I think the biggest thing  
6 would be the term USDA inspected or hobby breeder or  
7 whatever I think sometimes gets misconstrued on both  
8 ends. The biggest problem with the broker that I  
9 noticed that PIJAC saying about how they tried to  
10 sell or the broker was trying to sell animals from  
11 breeders that were in compliance or whatever. The  
12 brokers actually do the complete opposite. Their  
13 main goal is to deceive the pet store to the point  
14 where they are given falsified records about who the  
15 breeder really is. They also instruct breeders to  
16 break up their operations to have less than a certain  
17 amount of breeding females, but have under the same  
18 address. So if all four of you were to live at the  
19 same address, you would each register your dog  
20 separately to sell to the broker. So that it is seen  
21 as if you are small time operation. When in a sense  
22 you're not, you're commercial kind of hiding below  
23 the radar.

24           CHAIRPERSON JOHNSON: Thank you. I'm  
25 going to turn it over to Council Member Crowley, and

2 then I'm going to have some further questions as  
3 well.

4 COUNCIL MEMBER CROWLEY: Okay, Mr. Gill,  
5 how can a veterinarian inspect a dog in ten seconds.

6 MICHAEL GILL: They can't and to be quite  
7 honest with you, I had several confrontations with  
8 Hunte Corporation, which is the largest broker in the  
9 country with both their head Veterinarian Dr. Oxford  
10 and with Andrew Hunte, the owner of the company,  
11 about how this was possible. And after a while, the  
12 way it was explained to me was that below Dr. Oxford  
13 there were others who do the examinations, and that  
14 the health records and exam sheets that are  
15 preapproved the signatures on them are basically what  
16 is done is overseen, and he is okaying that that work  
17 was done. So basically, you have no idea if the  
18 animal has even been checked at all.

19 COUNCIL MEMBER CROWLEY: And do you run  
20 like a pet shop called We Love Pets?

21 MICHAEL GILL: Basically for 11 years, we  
22 sold 20,000 puppies between both of our stores. We  
23 were We Love Pets. This December that just passed,  
24 we had an incident with the broker where we became  
25 almost like the first pet store mini-shelter. And

2 this year, we will adopt and rescue about 5,000  
3 animals with one location. We had to downsize  
4 locations to fit all the animals.

5 COUNCIL MEMBER CROWLEY: Where are your  
6 locations?

7 MICHAEL GILL: In Media, Pennsylvania.

8 COUNCIL MEMBER CROWLEY: Okay, and do any  
9 of your pets come to New York?

10 MICHAEL GILL: We have had animals that  
11 have come to New York. However, we d-- All of our  
12 animals are owner's surrenders or rescues, or from  
13 shelters, and are already spayed and neutered when we  
14 adopt them out. And they are microchipped, licensed  
15 and everything if they have to be.

16 COUNCIL MEMBER CROWLEY: And how reliable  
17 do you feel that USDA is in inspecting these types of  
18 large scale breeders such as Hunts, or actually the  
19 breeders that give their dogs to that program?

20 MICHAEL GILL: We were the only store in  
21 the country that for over a decade pulled every  
22 inspection report on every breeder we ever purchased  
23 from. So we have a library of records and inspection  
24 reports on thousands of breeders. To go through them  
25 to see what is acceptable by the USDA and was not

2 acceptable, I would just say that if you knew your  
3 best friend was living in a chicken hutch with his  
4 eyes sealed shut from wiring poking him, and with  
5 expired medication to treat them, and they are given  
6 a free pass in order to make changes lat, I would say  
7 no. The problem is that the breeders that we  
8 thought, we were trying to screen out that were not  
9 mills and going through the brokers for some of that  
10 information that it was deliberate-- We were  
11 deliberately given information that was false. So we  
12 had no way of knowing which was what. So the  
13 investigation had to be done all on our own. So all  
14 the stores in New York if they're relying on the  
15 information they're getting directly from the broker,  
16 you might as well rub a magic lamp.

17 COUNCIL MEMBER CROWLEY: Do you think the  
18 stores of New York do investigations like you've done  
19 investigations?

20 MICHAEL GILL: I can't speak for everyone  
21 in the country. I can say that I was told many,  
22 many, many times by both Hunte Corporation and Lanbar  
23 [sic] who was the second largest broker, who has  
24 since closed, that our point of inspection and giving  
25 them the no list of puppy mills and the yes list of

2 breeders we felt were good, was a waste of time. And  
3 we should only be going by inspection reports, and by  
4 who passes. But, unfortunately, the USDA thinks  
5 somebody passes when they're not home to answer the  
6 door.

7 COUNCIL MEMBER CROWLEY: How many sick  
8 pets have you purchased over the years from what you  
9 believe to be puppy mills?

10 MICHAEL GILL: Both me and my staff and  
11 Media Veterinary Hospital and Old Marple [sic]  
12 Veterinary Hospital, which were the two veterinary  
13 hospitals that we use, used to have an ongoing thing  
14 where we could track if an animal came into us,  
15 within two weeks it was probably 70 to 80% likely to  
16 break with many ailments upon delivery that were  
17 hidden because there animals were-- Nothing was ever  
18 disclosed to us. If the animal was at our facility  
19 for more two weeks, it was a complete turnaround  
20 where less than 20% of the animals would go home and  
21 have a cold, worms, running nose, and things like  
22 that. But if it was directly upon coming in, it  
23 would be 70 to 80%.

24 COUNCIL MEMBER CROWLEY: I have some  
25 questions for Mr. Wallace. Now, Pet Smart is a part

2 of PIJAC as stated earlier, and PIJAC when they  
3 testified, I believe they said that Pet Smart agreed  
4 with their stance on these bills.

5 ED WALLACE: I didn't actually hear that.  
6 I don't recall hearing that.

7 COUNCIL MEMBER CROWLEY: Well, Pet Smart  
8 adopts pets out?

9 ED WALLACE: We sponsor a not-for-profit  
10 program, and the legislation as currently drafted, I  
11 think accommodates the idea that for these high  
12 quality not-for-profits that are facilitating the  
13 adoption of pets, in conjunction with the store but  
14 not through the store and not through the cash  
15 register of the store.

16 WILLIAM MACK: Certainly not through the  
17 cash register.

18 ED WALLACE: Right.

19 WILLIAM MACK: We allow these not-for-  
20 profits to take space in the store temporarily for  
21 the right.

22 CHAIRPERSON JOHNSON: You have to  
23 identify yourself for the record.

24 WILLIAM MACK: I'm sorry. I'm William  
25 Mack of Greenberg Traurig. We allow these high



2 quality non-profits to take space in the store on a  
3 temporary basis in order to conduct these adoptions.

4 COUNCIL MEMBER CROWLEY: And how many  
5 stores do you have in New York?

6 WILLIAM MACK: In New York there are  
7 five stores, in New York City.

8 COUNCIL MEMBER CROWLEY: And over the  
9 years, you've saved the lives of millions of pets?

10 WILLIAM MACK: Yes, that's true,  
11 nationally. Not just in New York.

12 COUNCIL MEMBER CROWLEY: And you support  
13 all four of these intros.

14 ED WALLACE: We support three that we've  
15 commented on. With respect to the checking of the  
16 Abused Register, we always are looking at the Abuse  
17 Register. It's a good idea. I think we have  
18 practical concerns and only practical concerns to  
19 assure that an entry level associate, retail  
20 associate is capable of confronting somebody with the  
21 information that would be in the registry being sure  
22 it's accurate, being sure that if that person who is  
23 an animal abuser is at all difficult when they're  
24 told they can't but. And I think just to say it for  
25 the record, and again I think there's a rule making

2 process that will come that may be able to sort some  
3 of this out.

4           We don't sell dogs, cats, or rabbits. So  
5 in some sense all the testimony we've heard today,  
6 frankly this doesn't have any impact on us either  
7 way. So it's easy for us, frankly, to support those  
8 bills that do address those issues. With this one,  
9 we just hope that the agency that is enforcing it  
10 kind of gets it right, to certainly dogs, cats, and  
11 rabbits, and maybe some other mammals that seems  
12 easier to enforce than when you get down to smaller  
13 fish, reptiles, and such where we're just concerned  
14 that as a practical matter an associate sales person-  
15 - I don't be ageist, but maybe young and new to the  
16 workforce confronting somebody who is on a registry.  
17 I think that needs some thought in the regulatory  
18 process.

19           COUNCIL MEMBER CROWLEY: Can you put a  
20 price tag on how much you're giving in the source of  
21 helping to adopt out pets every year, Pet Smart?

22           ED WALLACE: First of all, I would  
23 paraphrase Master Card and say when you're finding a  
24 home for a pet it's priceless. But I don't have any

2 statistic here, but if you wanted one we could  
3 certainly get back to you on it.

4 COUNCIL MEMBER CROWLEY: So these bills  
5 could possibly reduce the number of pets that come  
6 into Pet Smart that then to--

7 ED WALLACE: [interposing] Yes, and  
8 absolutely, and while we're eager and happy to do the  
9 charitable good works that we do, I note just so the  
10 record is clear, this is done through Pet Smart  
11 Charities, which is the companion charity to the  
12 corporation. But in the space of the stores. So  
13 we're happy to do it, but the smaller the problem the  
14 better.

15 COUNCIL MEMBER CROWLEY: Okay. No  
16 further questions. Thank you.

17 CHAIRPERSON JOHNSON: Thank you, Mr.--

18 ED WALLACE: [interposing] I want to  
19 clarify something for the record because of the  
20 wonders of email. Apparently, we are not a PIJAC  
21 member. So they're watching on your podcast. So  
22 obviously we disagree with what PIJAC was saying  
23 [laughter] with respect to us.

24 CHAIRPERSON JOHNSON: Thank you for your  
25 clarity, Mr. Wallace. I have a couple further

2 questions for Mr. Gill. Mr. Gill, in your experience  
3 how reliable is an Interstate Health Inspection  
4 Certificate when it's supplied by a broker?

5           MICHAEL GILL: An Interstate Health  
6 Certificate supplied by a broker is simply a pre-  
7 printed certificate with every animal that you are  
8 getting shipped to you with their either microchip or  
9 ID number and sex. If they are old enough for a  
10 rabies vaccine that will be noted, but there is not a  
11 single thing on that that says anything either past  
12 or present that the animal has. So really, it  
13 doesn't-- It says that the veterinarian who examined  
14 the animal at the time of the shipment is deemed  
15 healthy. However, it doesn't say if there was any  
16 issue prior to shipment, and the fact that they are,  
17 quite frankly, all falsified by these brokers that  
18 there is really no way to go by what they say.

19           CHAIRPERSON JOHNSON: So I think you just  
20 answered my final question, which was given your  
21 experience with brokers, do you actually believe  
22 brokers' representations about the-- that the source  
23 of their pets are reliable.

24           MICHAEL GILL: If I sold electronics, I  
25 wouldn't have driven up here today. I came up here

2 because as a pet store owner, it is my responsibility  
3 to take stand when there is something wrong. The  
4 broker aspect of the pet industry is a complete  
5 nightmare for the animal and for the consumer, and  
6 for the pet store. It has caused and facilitated a  
7 relationship that has basically broken down any kind  
8 of communication between humane groups like the ASPCA  
9 and pet stores where we should be working together  
10 rather than against each other. And brokers,  
11 speaking quite honestly, lie so horribly and could  
12 care less. And I know that for a fact because they  
13 killed over-- Pretty much over ten of our dogs  
14 roughly at Christmas because they wanted to save a  
15 buck, and didn't want to communicate the truth to us.

16 CHAIRPERSON JOHNSON: Thank you, Mr.  
17 Gill, for driving up here today from Pennsylvania--

18 MICHAEL GILL: [interposing] Thank you.

19 CHAIRPERSON JOHNSON: --to testify. Your  
20 testimony is very, very helpful. Thank you, Mr.  
21 Wallace, for being here.

22 ED WALLACE: Thank you.

23 CHAIRPERSON JOHNSON: Thank you very  
24 much. Our next panel, and again, we have an hour and  
25 15 minutes, and a lot of people to hear from. Sheila

2 Goffe, Ann Ledez, Dr. Linda Jacobson, Randie  
3 Blumhagen, and Bob Yarnall.

4 [Pause]

5 [background conversation]

6 CHAIRPERSON JOHNSON: Mr. Yarnall, yes,  
7 you can take that chair, and you guys can just go in  
8 order. Hopefully, make room for each other when  
9 you're going to testify. You may star with whoever  
10 you would like. You have three minutes on the clock.  
11 Please identify yourself for the record. And let me  
12 please swear you in. Will you please raise your  
13 right hand, all five of you. Do you affirm to tell  
14 the truth, the whole truth, and nothing but the truth  
15 in your testimony before this committee, and to  
16 respond honestly to all Council Member questions?

17 SHEILA GOFFE: I do.

18 CHAIRPERSON JOHNSON: Thank you very  
19 much. You may begin.

20 SHEILA GOFFE: I'll begin since I was the  
21 first mentioned. Mr. Chairman and members of New  
22 York City Council Committee on Health. My name is  
23 Sheila Goffe and I'm Director--

24 CHAIRPERSON JOHNSON: Come closer.

25

2                   SHEILA GOFFE: Is that better. Okay, I'm  
3 the Director of Government Relations for the American  
4 Kennel Club. As you may know, the American Kennel  
5 Club is a not-for-profit organization that has been  
6 devoted to the advancement and wellbeing of dogs for  
7 more than 130 years. We're headquartered here in  
8 Manhattan. Together with our more than 5,000 dog  
9 clubs throughout the country including 20 in New York  
10 City, the AKC works actively to promote responsible  
11 dog ownership, advocate for the pure bred dog as a  
12 family and working companion. Advance the health and  
13 wellbeing of all dogs, and protect the rights of  
14 responsible dog owners.

15                   We're here today because we love dogs.  
16 Probably everybody in this room is here for that very  
17 same reason. Everything the AKC does is focused  
18 towards protecting the health and wellbeing of dogs,  
19 and promoting responsible dog ownership. On behalf  
20 of the American Kennel Club, and our local New York  
21 City dog clubs, we would like to thank you for the  
22 many changes that you've made to Introductions 136,  
23 55 and 146 that protect responsible hobbyists,  
24 breeders, and pet owners in the city. In particular,  
25 we want to thank you for listening to our concerns

2 regarding the initial definition of pet shop in these  
3 measures. Many of these changes have improved the  
4 bills, and we believe will protect both dogs and the  
5 rights of responsible dog owners in New York City.  
6 However, we also have some concerns on several items,  
7 and we respectfully ask for additional changes.

8           As currently written, Introduction 136-A  
9 mandates that dogs sold by pet shops in certain areas  
10 [sic] must be sterilized before being transferred to  
11 their new homes. This measure removes previous  
12 exemptions to this policy, which were designed to  
13 protect the health of a dog. This proposal is  
14 extremely disturbing because it will negatively  
15 impact the long-term health and wellbeing of dogs in  
16 New York City. It deprives dog owners and future dog  
17 owners of the opportunity to make the best possible  
18 healthcare decisions for their pets, and has the  
19 effect of mandating major sterilization surgeries on  
20 pets at a very young age. In some cases as young as  
21 eight weeks old.

22           We are also very concerned that this  
23 proposal mandates juvenile spay and neutering  
24 policies when recent scientific evidence increasingly  
25 indicates that these procedures may result in serious



2 long-term harm to the health of the pet. Recent  
3 scientific studies have found that spaying and  
4 neutering when a dog is too young can lead to cancers  
5 such as osteosarcoma, hemangiosarcoma, and  
6 lymphosarcoma, to hip dysplasia, ligament damage, and  
7 to shorter life spans. It can even result in chronic  
8 incontinence, which people may say hey that's not so  
9 important, but consider this. A large number of the  
10 animals that end up in shelters come there because of  
11 host-training problems. [bell]

12 CHAIRPERSON JOHNSON: Thank you for your  
13 testimony. Well, you can submit the rest of it for  
14 the record.

15 SHEILA GOFFE: Okay, thank you.

16 CHAIRPERSON JOHNSON: Thank you very  
17 much.

18 [Pause]

19 DR. LINDA JACOBSON: Hi, my name is Dr.  
20 Linda Jacobson. I am here representing the American  
21 Veterinary Medical Association, the New York State  
22 Veterinary Medical Society, of which I was President  
23 in 2012, and myself as a practitioner in Brooklyn,  
24 New York. With respect to time, thank you, thank  
25 you, thank you. [laughs] I would like to

2 respectfully start my testimony by really defining  
3 the words "spay" and "neuter." A spay refers to the  
4 surgical removal of the ovaries and the uterus in a  
5 female animal. For our species, humans, we used the  
6 words "total hysterectomy". I am sure that we all  
7 know someone or perhaps one of us have had this  
8 surgery and know what is involved in terms of  
9 hospitalization, anesthesia, surgery, recuperation  
10 and pain control to name a few.

11           Imagine this procedure being done on a  
12 six-month-old baby girl or a one to two-year-old  
13 female child. Similarly, a neuter is the surgical  
14 removal of the testicles in a male animal. It is,  
15 therefore, a castration. Imagine the same for a baby  
16 boy, or a one to two-year-old baby girl. A boy.  
17 Sorry. These procedures are complex, and I am  
18 relieved to see the current proposal requiring that  
19 licensed veterinarians do these procedures. However,  
20 I am concerned, and in my societies that I am  
21 representing that New York City is mandating these  
22 surgeries for pets purchased from pet shops. My  
23 reasons are twofold.

24           First, it is becoming increasingly more  
25 evident that early or pediatric spaying of female

2 dogs can adversely affect the health and longevity of  
3 these pets. Studies done by Dr. David Mortars and his  
4 team at the Center for Exceptional Longevity Studies  
5 and Joe P. Murphy Cancer Foundation at Purdue  
6 University in Indiana show a direct correlation  
7 between exceptional longevity and the longer a female  
8 dog has her ovaries. The risk of cancer is decreased  
9 as well.

10                   Secondly, when a potential owner  
11 purchases a pet from a pet shop, it is done as an  
12 emotional investment for an individual or a family so  
13 as to care for this pet and in return receive the  
14 love and joy that this pet can give. The individual  
15 or family would hope that this pet would live a long  
16 and healthy life. They would also seek preventive  
17 medical care from a veterinarian to ensure the good  
18 health of this animal. It is during this  
19 professional relationship that the decision should be  
20 made as to the timing of the spaying or neutering.  
21 Paraphrasing Dr. Waters, elective spaying of female  
22 dogs should be individualized to optimize each dog's  
23 chance of achieving healthy longevity. It is  
24 possible if the spaying or neutering, the mandatory  
25 spaying or neutering of pets is enacted, we are

2 curtailing the life of these animals as well as  
3 increasing health costs for the owners. Owners will  
4 do these surgeries anyway because a female in heat  
5 will discharge blood all over there house. That is a  
6 mess, and now when he becomes intact can demonstrate  
7 signs of marking, peeing all over the place, as well  
8 as aggressive behaviors towards other dogs and the  
9 tendency to run away.

10 While the AVMA and the New York State  
11 Veterinary Medical Society group [bell] agreed that  
12 dog and cat-- Thank you. [laughs]

13 CHAIRPERSON JOHNSON: Thank you for your  
14 testimony.

15 DR. LINDA JACOBSON: Any questions?

16 [Pause]

17 ANN LEDEZ: Chairman and members of the  
18 New York City Council Committee on Health. Good  
19 morning. My name is Ann Ledez [sp?], and I'm  
20 Director of Responsible Dog Owners of New York. I  
21 live in Staten Island, and I'm here this morning in  
22 opposition to the provisions in Introduction 136,  
23 which would require that pets sold in pet shops to be  
24 spayed and neutered prior to transfer. But first, I  
25 would like to thank the Committee for changes in the

2 definition of pet shop from anyone who transfers one  
3 pet to those that transfer more than 25. This is a  
4 significant improvement. But with all due respect I  
5 believe there is still an inaccurate definition of  
6 pet store, as many breeders can sell more than 25  
7 pets in a year. And I just want to interject that  
8 recently Ten Ten Wings [sic] talked about the Great  
9 Dane that had 19 puppies in one litter. So, you  
10 know, things have to be put into perspective.

11 I am also extremely concerned about the  
12 detrimental health impacts about early spay and  
13 neuter. It is known to have health on dogs. I am  
14 submitting copies of documentation that presents  
15 factual information with regard to the many numerous  
16 health problems that can occur when early neutering  
17 and spaying is inflicted upon them. Although early  
18 neutering and spaying seems to be the number one  
19 preventative to counteract overpopulation in the USA,  
20 this practice is actually against the law in Sweden.  
21 And it is very uncommon practice in progressive  
22 Western European countries where there is no animal  
23 over-population problem.

24 Rather than going into all the  
25 documentation, I would just like to focus on Staten

2 Island where I live. There is a holding shelter, but  
3 there is no actual shelter for the borough. I  
4 understand the situation isn't unique. It isn't  
5 unique to Staten Island, but even so, I cannot see  
6 stray animals roaming on the street on a daily basis.  
7 In my daily travels around New York City, I see very  
8 few pet shops. I find it hard to believe that pet  
9 sold in pet shops are from breeders that are causing  
10 a huge over-breeding population in New York City. If  
11 there is a pet population issue in New York City, why  
12 aren't we focusing on the resource and study of the  
13 problems, and enforcing the animal laws we have. I  
14 see absolutely no enforcement of animal control or  
15 pain unrelated laws in the city. Thankfully, we know  
16 enforcement of animal control or pain unrelated laws  
17 in the city. Thankfully, these dogs are extremely  
18 rare. That is one good thing because if I see one,  
19 my only recourse is to put it in my car and drive it  
20 to the holding shelter.

21 Well, let me just go on to why more  
22 people don't license. Because people are not checked  
23 for licensing. With regard to overpopulation in  
24 shelters, why don't we have laws preventing dogs  
25 being brought into our New York State shelters from

2 other states? While strict regulations on pet shops  
3 and breeders are continually being proposed, the fact  
4 remains all of the rescues in shelters, which are  
5 importing dogs into the City from outside are totally  
6 exempt from these restrictions. If we have an  
7 overpopulation problem in New York, why are we  
8 importing dogs from outside the City? New York has  
9 enough issues. It's not our job to worry about other  
10 cities, other state's issues, and fixing other dog  
11 problem is certainly isn't something I want my New  
12 York taxes to paying for. [bell] Okay.

13 CHAIRPERSON JOHNSON: Thank you very  
14 much.

15 [Pause]

16 RANDIE BLUMHAGEN: Good morning, Council  
17 Members--

18 CHAIRPERSON JOHNSON: If you could,  
19 please speak closer to the mic.

20 RANDIE BLUMHAGEN: Sorry.

21 CHAIRPERSON JOHNSON: Can you get closer?  
22 Yep. There you go.

23 RANDIE BLUMHAGEN: Good morning, Chairman  
24 Johnson and fellow Council Members. Thank you very  
25 much for inviting us and allowing us to speak today.

2 For the record, my name is Randie Blumhagen. I'm  
3 here today to speak on behalf of the National Animal  
4 Interest Alliance, NAIA, and for our New York City  
5 members regarding the animal welfare proposals we are  
6 considering here today. Our members and Board of  
7 Directors are veterinarians, rescuers, shelter  
8 workers, breeders, pet enthusiasts, scientists, and  
9 educators. All people who work with animals and  
10 animal welfare issues as part of their daily lives.  
11 People on all sides of the issues you are considering  
12 care deeply about improving animal wellbeing, and we  
13 thank you for taking up this awfully highly  
14 contentious issues. Hopefully, our recommendations  
15 can aid in securing an outcome that avoids unintended  
16 consequences.

17 We wrote to you back in May about these  
18 issues, and thank you so much. Thank you so much for  
19 the many changes you have already made. But there  
20 are still some problems that need to be addressed,  
21 and that's what I want to talk to you about now.  
22 Where issues of animal wellbeing are concerned, we  
23 urge you not to provide an exemption to any outlet  
24 large enough to fall under this law. While it may be  
25 the Council's intent to reward pet stores that switch



2 to the shelter rescue model, such rewards should not  
3 be given at the expense of the animals involved. The  
4 purpose of the underlying ordinance is to prevent  
5 abusers from acquiring more animals. That objective  
6 is worthy of support regardless of who is doing the  
7 selling or as the ordinance refers to it,  
8 transferring. It is important to note that unless  
9 New York City differs significantly from major cities  
10 and neighboring states, the sellers transferring the  
11 highest number of dogs in the New York City  
12 marketplace are rescues and shelters. And to these  
13 that are already exempt from many of the laws that  
14 pet stores and other small scale sellers must abide  
15 by. I might be wrong, and please correct me, but I  
16 believe there are 17 pet stores in New York City.  
17 That's 30,000, and like I said--

18 CHAIRPERSON JOHNSON: [interposing] I  
19 believe they sell more than that.

20 RANDIE BLUMHAGEN: I'm sorry?

21 CHAIRPERSON JOHNSON: I think there are a  
22 lot more than that? I think.

23 RANDIE BLUMHAGEN: Okay, and like I said--

24 -

25 COUNCIL MEMBER: [off mic] 18.

2 RANDIE BLUMHAGEN: 18?

3 [background conversation]

4 CHAIRPERSON JOHNSON: Just keep  
5 testifying. Go ahead. That way you will be able to  
6 say everything you want to say.

7 RANDIE BLUMHAGEN: Finally, we ask you to  
8 review an ordinance passed back in 2000 that requires  
9 pet stores to neuter pets before transferring them.  
10 Several veterinary studies conducted since the  
11 passage of the law confirm that neutering dogs at  
12 young ages shortens their life spans and contributes  
13 to other health problem. This new knowledge is a  
14 dramatic-- Is having a dramatic impact on the  
15 veterinary medicine and ideas of how best to reduce  
16 unwanted pet burdens, and promote responsible pet  
17 ownership. I have attached a list of sources and  
18 resource that you can review at your leisure. The  
19 most effective ordinances, therefore, are ones that  
20 hold similarly situated pet sellers when transferring  
21 more than 25 pets per year [bell] to the same  
22 standards.

23 CHAIRPERSON JOHNSON: Thank you very  
24 much. Mr. Yarnall.

25

2                   BOB YARNALL: Hi, my name is Bob Yarnall,  
3 and I'm with the American Canine Association. Much  
4 of our testimony has already been said. We also  
5 oppose the early spaying and neutering of pets for  
6 the foresaid reasons. We do applaud you and others  
7 for putting forth a bill to address a problematic  
8 issue. One of the fastest growing sectors of the  
9 society of the industry nationwide is now the rescue  
10 shelters. They're going into malls all over the  
11 country. They're exempt from the lemon laws of the  
12 state, and it's something that we think you really  
13 also need to address in these bills. If you look at  
14 the 990 forms of the amounts of money that's being  
15 made by these rescues is in the millions, by their  
16 own reporting on the 990 forms. And they are far  
17 outstripping sometimes by tenfold what the stores are  
18 making. And this came up with the Committee in New  
19 Jersey going over with the Monmouth County Humane  
20 Society, and the millions that they were making. And  
21 they have taken over the pet shop place in the  
22 Raceway Mall there in Freehold. This is a trend that  
23 we now see nationwide. It's not pet stores going  
24 into malls, it's the shelters, the non-profit  
25 shelters going in and charging them the mandatory

2 donation fees. So we feel that they should have the  
3 same responsibilities as the pet stores, and dealing  
4 with the same type of regulatory laws. We hope you  
5 will consider that. Thank you very much.

6 CHAIRPERSON JOHNSON: Thank you very  
7 much. Thank you to all of you for being here today.  
8 Thank you. I'm going to call up the next panel just  
9 because we have to get through. Okay, up next is  
10 Melanie Lynn Kahn, Brian Shapiro, Deborah Howard, and  
11 Jane Hoffman. Melanie Lynn Kahn, Brian Shapiro,  
12 Deborah Howard, and Jane Hoffman.

13 [Pause]

14 CLERK: Okay, raise your right hand.

15 CHAIRPERSON JOHNSON: If you could,  
16 please raise your right hand. Do you affirm to tell  
17 the truth, the whole truth, and nothing but the truth  
18 in your testimony before this committee, and to  
19 respond honestly to Council Member questions?

20 JANE HOFFMAN: We do.

21 CHAIRPERSON JOHNSON: Thank you very  
22 much.

23 JANE HOFFMAN: Hi, my name is Jane  
24 Hoffman. I would like to thank the Committee for the  
25 opportunity to testify. I'm the President of the

2 Mayor's Alliance for New York City's Animals. It is  
3 one of the largest and longest running coalitions of  
4 animal rescue groups and shelters in the country. We  
5 have over 150 animal rescue groups and shelters. I'm  
6 going to skip over some of the stuff you guys already  
7 know as you asked. But my sentiment here is that we  
8 have made amazing progress in New York City with  
9 respect to adoption and spay and neuter. But that  
10 has come at tremendous cost from the animal rescue  
11 and shelter community including animal care and  
12 control. And frankly, it's time, it's past time for  
13 the pet industry to become part of the solution to  
14 pet overpopulation, and ending unnecessary euthanasia  
15 at our city shelters, and now part of the problem.  
16 We have approve of and fully support, since it's one  
17 of our core objectives of our strategic plan for  
18 spaying and neutering. We approve of microchipping.  
19 We approving of dog licensing at pet stores, and we  
20 fully support the 55-A.

21 I would also just like to say that all of  
22 the animal rescue groups and shelters that belong to  
23 the Alliance -again 150 of them including Animal Care  
24 and Control -- either by law or voluntarily already  
25 spay and neuter every pet they put out for adoption.

2 They microchip almost every single pet, and I welcome  
3 a requirement for them to have to do that. They try  
4 to the best of their ability to get the dogs  
5 licensed, but they are vaccinated, they are spayed  
6 and neutered. They are microchipped, and they are  
7 put up for adoption, and they do a great job. I  
8 really resent any implication that they are not  
9 already pulling their weight and then some.

10           The other thing I would like to do is to  
11 thank Petco and Pet Smart for the adoption centers in  
12 their stores. We also do our mega adoption events  
13 with Petco. They make a tremendous difference in  
14 what we're doing in New York City, and since then--  
15 Let me just put it that in 2003, since 2003, we've  
16 saved more than a quarter million lives in New York  
17 City. That's tremendous progress, but we should not  
18 be carrying this burden by ourselves. So, for all of  
19 these reasons, I respectfully ask that the Committee  
20 to help us sustain and continue the animal welfare  
21 community's life saving work, and we support all of  
22 these four bills, 55-A, 73-A, 136-A, and 146-A.  
23 Thank you.

24           CHAIRPERSON JOHNSON: Thank you, Jane,  
25 for being here and for all you do.

2                   MELANIE KAHN: Good morning, Chair. [off  
3 mic] Good morning, Chairman Johnson and members of  
4 the Health Committee. My name is Melanie Kahn. I'm  
5 the Senior Director of the Puppy Mills Campaign for  
6 the Humane Society of the United States. And we  
7 would like to thank you for the opportunity to  
8 testify on proposed ordinance 55-A. I am pleased to  
9 offer the following comments no behalf of the Human  
10 Society of the United States.

11                   As you know, the HSUS opposes the sale of  
12 puppies bred in inhumane conditions everywhere that  
13 they are sold including right here in New York City  
14 pet shops. To be clear, a puppy mill is an inhumane  
15 commercial dog breeding operation where dogs are  
16 typically kept in small wire cages for their entire  
17 lives. They are given just enough food and water to  
18 stay alive. They are typically denied veterinary  
19 care. They are bred continuously , and when they can  
20 no longer breed any more, they are usually discarded  
21 or killed. For perspective, for a female dog that  
22 typically happens at about six years old.

23                   The Human Society of the United States  
24 estimates that there are about 10,000 of these  
25 facilities in the country pumping out about two

2 million dogs a year for the pet trade primarily for  
3 sale in pet stores. And just to give you an idea,  
4 this is about how many dogs are unnecessarily  
5 euthanized in our nation's shelter every year. So it  
6 is very clear that puppy mills are significantly  
7 contributing to pet overpopulation in our country,  
8 including here in New York City.

9           As a result, more than 60 localities  
10 across the United States have responded by addressing  
11 this problem by passing bans or restrictions on sales  
12 of dogs and cats in pet stores. Let's be clear.  
13 Prohibiting puppy brokers from selling to New York  
14 City pet stores can curb this problem significantly.  
15 Class B dealers also known as puppy brokers are  
16 middleman dealers who obtain puppies from puppy  
17 mills, and then transport and resell them all over  
18 the country. Based on several studies, and  
19 investigations conducted by the HSUS, it is apparent  
20 that the majority of pet stores source their puppies  
21 from large brokers. Many of which are located in the  
22 Midwest part of this country. For consumers, the  
23 benefit of prohibiting pet stores from purchasing  
24 from these brokers is significant. The use of puppy  
25 mill brokers often makes it difficult, if not



2 impossible, for the public to know who a puppy's  
3 breeder actually was. And since many pet stores will  
4 only disclose the broker information, if they provide  
5 the information at all, the actual source of the  
6 puppy is completely obscured. We thank the  
7 ordinance-- the Council for considering this  
8 incredibly important ordinance today.

9 CHAIRPERSON JOHNSON: Thank you very  
10 much.

11 BRIAN SHAPIRO: Good morning Chairman  
12 Johnson, Council Member Crowley, and members of the  
13 Health Committee. My name is Brian Shapiro. I'm the  
14 New York State Director for the Human Society of the  
15 United States, the nation's largest animal protection  
16 organization. I am very pleased to offer the  
17 following comments on behalf of the HSUS regarding  
18 our support for 55-A. As Melanie mentioned, in all  
19 places where puppies are sold, the HSUS opposes the  
20 sale of puppies bred in inhumane conditions. This  
21 obviously includes New York City pet shops. Most pet  
22 stores in New York City do sell puppies from inhumane  
23 sources. But we have conducted an investigation and  
24 various investigations. One in particular looking  
25 100 New York State pet stores and many in New York

2 City. The employees at these pet stores stated quite  
3 clearly that the puppies only came from small scale  
4 private breeders, and not from the notorious puppy  
5 mills, which is completely nonfactual. When The HSUS  
6 investigators filmed some of these breeding  
7 facilities, you can imagine the conditions were  
8 absolutely horrendous. And we heard testimony  
9 earlier today attesting to such conditions.

10           During this particular investigation,  
11 transport records were looked at, and in many of the  
12 stores that were buying puppies from these suppliers  
13 were known to have Animal Welfare Act violations, and  
14 that's no secret. Many of us are very well aware of  
15 that, and the industry itself knows that. We have  
16 found that pet shops that switch to a human business  
17 model that refuse to sell dogs acquired from inhumane  
18 sources have been very successful and are proud to  
19 rejected the unnecessary cruelty of puppy mills. And  
20 as the State Director for the HSUS speaking for the  
21 members and supporters, I ask you to please support  
22 55-A, and we support it. I have to also echo the  
23 sentiments express by Jane Hoffman to try to  
24 obfuscate this issue by looking at the rescue groups

2 in the shelters. It serves no constructive purpose  
3 whatsoever. Thank you.

4 CHAIRPERSON JOHNSON: Thank you, Mr.  
5 Shapiro.

6 [Pause]

7 DEBORAH HOWARD: Good afternoon. I'm  
8 Deborah Howard, founder and President of the  
9 Companion Animal Protection Society, a national non-  
10 profit that investigates the pet shop and puppy mill  
11 industry. CAPS submitted compelling evidence of the  
12 April 30th hearing including a comprehensive  
13 spreadsheet, which demonstrated that almost all of  
14 New York City retail pet shops purchase puppies from  
15 commercial breeding facilities with USDA violations.  
16 CAPS reiterates its support for all of the proposed  
17 ordinances, especially Ordinance 55. With dog  
18 workers, there is limited accountability. This is  
19 contrary to the public policy intent of Ordinance 55.  
20 Brokers often never see the breeding facilities from  
21 which they purchase puppies and kittens. If a law  
22 requires pet shops to purchase directly from  
23 breeders, then there is a direct accountability for  
24 animals sold in the pet shop. When a pet shop buys  
25 directly from the breeder, then the breeder's name

2 and address will show up on the Certificate of  
3 Veterinary Inspection. Direct purchases by pet shops  
4 also prevents co-mingling of puppies by the brokers  
5 during transport, which can lead to increased risk of  
6 illness, and even identification issues. Ordinance  
7 55 will allow more responsible breeders without  
8 violations to operate, and will not shut down  
9 industries, or take away jobs especially in New York  
10 City.

11           Why is CAPS so familiar with the  
12 brokerage industry in particular the Hunte  
13 Corporation? A six-month undercover employment  
14 investigation by CAPS, a CAPS investigator revealed  
15 that Hunte used a booking agents to select puppies  
16 and kittens from breeders, and deliver these animals  
17 to the Hunte facility. In fact, we have two  
18 documentaries on our website for you to view. I'll  
19 give you an example of what we uncovered. A  
20 federally accredited vet's name was rubber stamped on  
21 the Certificates of Veterinary Inspection. A kennel  
22 worker was examining some of the animals, and the  
23 owner of a flea market in Texas came up every week to  
24 pick up his own dogs and do his own vet exams of  
25 these animals for the purpose of Certificates of

2 Veterinary Inspection. I thank the City Council, the  
3 sponsoring Council members, and the Council  
4 legislative staff for their hard work and dedication,  
5 and for recognizing that a retail pet shop ordinance  
6 is necessary for New York City. We support the  
7 policy initiatives behind the proposed ordinances,  
8 and the ordinances as drafted. And I want to add  
9 that we do support all the findings of the Human  
10 Society of the United States because we have  
11 conducted our own undercover investigations of pet  
12 shops on New York City, and have uncovered the same  
13 findings as them.

14 CHAIRPERSON JOHNSON: Thank you, Ms.  
15 Howard, for being here. Thank you all for being  
16 here, and for your testimony today.

17 BRIAN SHAPIRO: Thank you, sir.

18 CHAIRPERSON JOHNSON: So next up we are  
19 going to have Assembly Member Linda B. Rosenthal,  
20 Joel Bhuiyan from NYCLASS, Christine Mott from the  
21 New York City Bar Association, and Sandra De Feo from  
22 the Human Society of New York.

23 [Pause]

24 [background conversation]

25

2 CHAIRPERSON JOHNSON: So, I want to thank  
3 you all for being here today. I want to particularly  
4 recognize and thank Assemblywoman Linda Rosenthal,  
5 who is a very close friend of mine. But she is also  
6 just the biggest champion in the State of New York  
7 for animals, for humane legislation. And there is  
8 not a bigger champion in Albany. It doesn't exist.  
9 No one is going to find one. She is sitting here in  
10 front of us. [applause] And we all need to be  
11 grateful for her tireless advocacy day in and day  
12 out. And because of her legislation, she allowed  
13 Council Member Crowley, who had been wanting to do  
14 things for years in the city for us to be able to  
15 have our hearing earlier this year, and have it  
16 today. So I want to just thank her, and recognize  
17 her, and ask her to kick us off today.

18 ASSEMBLY MEMBER ROSENTHAL: Okay. Thank  
19 you so much.

20 CHAIRPERSON JOHNSON: Oh, let me swear  
21 you in.

22 ASSEMBLY MEMBER ROSENTHAL: I've got to  
23 be sworn in.

24 CHAIRPERSON JOHNSON: Raise your right  
25 hand. Do you affirm to tell the truth, the whole

2 truth, and nothing but the truth in your testimony  
3 before this committee, and to respond honestly to all  
4 Council Member questions?

5 ASSEMBLY MEMBER ROSENTHAL: Yes.

6 CHAIRPERSON JOHNSON: Thank you.

7 ASSEMBLY MEMBER ROSENTHAL: I don't think  
8 I've ever been sworn in before except to take my oath  
9 of office as an Assembly Member. So, it's great to  
10 be here. Thank you, Corey, for your kind words. My  
11 two cats came from AC&C, and I'm very happy living on  
12 the Upper West Side. Thank you, and the same for  
13 Council Member Crowley for all of your hard work over  
14 the years on animal issues. So I represent the Upper  
15 West Side, parts of Clinton, Hells Kitchen and  
16 neighborhoods in Manhattan. As a long-time champion  
17 for animal welfare and the prime sponsor of the State  
18 Law. Which is Chapter 5 of the Law of 2014, which  
19 provides New York City and other municipalities  
20 across the State the ability to regulate local sales  
21 of animals by pet dealers. I am pleased that the  
22 City Council is holding this hearing today.

23 While I and many of those presenting  
24 testimony today have been working on animal welfare  
25 issues for years, until very recently they were

2 largely considered as not serious or even fringe by  
3 the vast majority of legislators across the county.  
4 And even many members of the public. It's taken  
5 years of education and advocacy to create what is  
6 nothing less than to see change in attitudes when it  
7 comes to animal welfare and the law. The issues we  
8 are addressing at this hearing have emerged as the  
9 result of the tireless work of advocates, elected  
10 officials, and animal lovers who for years have given  
11 voice to the voiceless animals who have suffered at  
12 the hands of humans in charge of them.

13           Even with changing attitudes, however,  
14 introducing and passing strong legislation to protect  
15 animals continues to be a struggle. Passage of  
16 Chapter 5 popularly referred to as the Puppy Mill  
17 Bill is no exception. My staff and I and many of the  
18 advocates in this room, and many more statewide who  
19 are not here today struggled for more than a year  
20 over every single word contained in the final law.  
21 To ensure that it would provide municipalities with  
22 broader authority to crack down on sales of animals  
23 from puppy mills, among other things.

24           Puppy mills are large scale commercial  
25 breeders who place profit above generally accepted



2 veterinary practice and the humane treatment of  
3 animals. The vast majority of puppy mill dogs are  
4 kept in filthy, over-crowded cages. Are provided  
5 little, if any, medical care, or exercise, are not  
6 socialized with humans or other animals. The  
7 breeding females are forced to give birth to litter  
8 after litter throughout the duration of their short  
9 and tortured lives. Sadly, the abuse does not end  
10 there. Pet stores unwittingly or not are integral in  
11 promoting puppy mills. The vast majority of dogs  
12 offered for sale in pet stores across the country  
13 come from puppy mills. The dogs suffer from all  
14 manner of congenital defects, and their medical  
15 problems are usually latent, typically expensive, and  
16 sad often deadly.

17 Chapter 5 was intended to help  
18 municipalities to protect animals and the  
19 unsuspecting public by taking steps to end the puppy  
20 mill to pet store pipeline. To that goal, it  
21 provides municipalities with a panoply of tools to  
22 regulate pet dealers and to ensure that animals sold  
23 or offered for sale are from reputable non-puppy mill  
24 sources among other things. Including requiring  
25 sterilization of dogs or cats prior to their sale.

2           Into No. 136-A will have a profound  
3 impact on a number of healthy animals that are  
4 needlessly euthanized in New York City. Though New  
5 York City has taken steps to reduce the number of  
6 animals it euthanizes each year, our goal is a no  
7 kill future in which no healthy and adoptable animal  
8 is killed. Overcrowding in the City's municipal  
9 shelter system in addition to contributing to the  
10 rapid spread of communicable yet easily treatable  
11 diseases, requires that otherwise healthy and  
12 adoptable animals be killed to make room for the  
13 ever-growing number of animals coming in each day.  
14 Requiring that each dog or cat be spayed or neutered  
15 by a licensed veterinarian prior to sale will not  
16 only contribute to a decline in the number of animals  
17 euthanized, it will also ease the burden on New York  
18 City Animal Care and Control, the City's animal  
19 shelter system. Hopefully, enabling it to better  
20 care for all the animals in its charge.

21           Despite massive opposition to the spay  
22 and neuter requirements of Chapter 5, I fought hard  
23 to maintain that language in the final bill  
24 understanding well its significance. And actually,  
25 around ten, more than ten years ago, it was the law

2 in New York City that animals sold in pet stores be  
3 spayed or neutered prior to sale. But then, the  
4 State came and preempted the City's ability, and that  
5 stopped that. But that was already in place years  
6 ago. So I applaud the Council for taking the  
7 critically important and desperately needed step to  
8 require mandatory spay and neuter in New York City.  
9 And I hope that other municipalities across the state  
10 will follow its lead.

11 Combined with mandatory spay and neuter  
12 programs requiring that all dogs and cats be  
13 microchipped prior to sale, would also help to reduce  
14 the number of stray and homeless animals. A  
15 functioning microchip increases substantially the  
16 likelihood that lost animals will be reunited with  
17 their owners. To that end, Intro No. 146-A is a  
18 common sense measure that should be implemented  
19 immediately. And I know we have all seen  
20 heartwarming stories about people who are reunited  
21 with their lost animals even years later because they  
22 were microchipped.

23 Intro No. 73-A broadens the definition of  
24 pet shops thus ensuring that the Council can require  
25 all pet shops regardless of the kinds of animals it

2 sells to obtain a permit to operate under Section  
3 161.09 of the City Health Code. My intent in  
4 drafting Chapter 5 was to ensure that municipalities  
5 have the authority to require all pet shops to obtain  
6 licenses the revenue from which could be used to fund  
7 enforcement of the new sections of law.

8           Finally, Intro No. 55-A makes strides  
9 toward ensuring that animals that are sold or offered  
10 for sale in New York City pet shops are from  
11 reputable law abiding sources. Importantly, Intro.  
12 No. 55-A allows New York City Department of Health  
13 and Mental Hygiene to require all pet shops to obtain  
14 an operating permit before doing business in New York  
15 City. Requirements for licensure include the  
16 disclosure of comprehensive personal financial and  
17 business information. Information related to the  
18 source of all animals offered for sale, and  
19 certification that the business has not sold an  
20 animal from any prohibited source. A comprehensive  
21 permit system will enable DOHMH to track the source  
22 of all animals sold in the city, which will  
23 ultimately with strong future source regulations in  
24 place prevent the sale of dogs from disreputable  
25 sources such as puppy mills. My hope is that this

2 fee will be used by the City to fund animal related  
3 enterprises such as enforcement of this section,  
4 municipal spay and neuter programs, or the operation  
5 of AC&C. Lastly, DOHMH is empowered to order any  
6 business not in compliance with the requirements of  
7 this section or operating without a license, until  
8 such license is obtained or compliance is achieved.

9           Requiring that pet shops only sell  
10 animals from sources that are licensed by the U.S.  
11 Department of Agriculture, and further that these  
12 sources have not received the stated direct or  
13 indirect violations of federal law dealing with the  
14 humane treatment of animals, accessing inspection of  
15 premises and recordkeeping, to name a few, will  
16 ensure that pet shops are selling animals from  
17 sources that comply with at least the minimum  
18 standards of care required by federal law. Pet shops  
19 will be required to obtain from source dealer  
20 certification that the source dealer has never been  
21 convicted of an animal abuse crime, that they have  
22 not within the last five years been convicted of  
23 violating minimum standards of care provided for in  
24 Section 401 of New York State Ag Markets Law. To be  
25 clear, Chapter 5 provided that existing state law was

2 the floor and not the ceiling. While I have been  
3 working on legislation to improve the statewide  
4 standards contained in Section 401, with the  
5 authority granted it under Chapter 5, the City could  
6 have increased and improved upon those standards  
7 itself.

8 Intro No. 55's most significant  
9 accomplishment is its prohibition against pet shops  
10 purchasing animals from Class B brokers. The dark  
11 middlemen of the pet industry, brokers shroud the  
12 source of animal sold in mystery preventing  
13 municipalities from protecting consumers and animals.  
14 This prohibition is critically needed to ensure that  
15 New York City can effectively implement the  
16 requirements of this section. Importantly, the  
17 prohibition does not run afoul of Chapter 5's  
18 prohibition against an essential ban on all sales of  
19 animals that are raised and maintained in healthy and  
20 safe environments since at a minimum the source of  
21 animals sold by brokers cannot be confirmed.

22 These four bills represent a victory for  
23 animals and people who love them even though the  
24 Council did not act to exercise the totality of the  
25 authority granted it by Chapter 5, in particular with

2 respect to tough source regulations. To be sure,  
3 more needs to be done in the City, State, and Federal  
4 levels to address the serious ills created by puppy  
5 mills both to the innocent animals and to the public.  
6 But with committed partners working together on all  
7 levels of government, I am confident that we will  
8 continue to make great progress. Thank you very  
9 much.

10 CHAIRPERSON JOHNSON: Thank you very  
11 much, Linda, for being here. Whoever wants to go  
12 next may go next.

13 [Pause]

14 CHRISTINE MOTT: Well, good afternoon.  
15 My name is Christine Mott, and I'm here on behalf of  
16 the New York City Bar Association's Animal Law  
17 Committee, which I chair. I want to thank you for  
18 the opportunity to testify. And just for your  
19 reference, our full report is on each of the three  
20 bills that we have submitted testimony on are  
21 attached to my own testimony. I'm here testifying in  
22 support of Intro 55-A, 136-A, and 146-A.

23 With respect to 55-A, we support this  
24 bill. The ability of the city to prohibit the sale  
25 of dogs and cats sourced from the worst offending

2 puppy and kitten mills. And to require pet shops to  
3 disclose to consumers information on the source and  
4 background of the animals offered for sale by these  
5 pet stores will ultimately result in a greater public  
6 demand for animals bred in compliance with more  
7 humane standards, as well as increase adoption of the  
8 city's homeless animals. We also support a ban on  
9 the sale of rabbits by the pet stores. Rabbits are  
10 the third most commonly surrendered animal in city  
11 shelters. They are difficult to identify by sex at a  
12 young age, can reproduce in great numbers in short  
13 periods of time. And are commonly sold in pairs by  
14 pet stores. As a result, we have unwanted rabbits  
15 frequently being dumped in city shelters and parks.

16 We have a number of recommendations to  
17 strengthen 55-A. First, we want to recommend that  
18 pet shops be prohibited from charging a fee to  
19 consumers or prospective consumers with respect to  
20 obtaining copies of the most recent USDA inspection  
21 reports. We think that such a fee could deter  
22 consumers from obtaining information that they would  
23 otherwise be entitled to under this bill, and we also  
24 feel that such a fee should be borne as a cost of



2 doing business by pet stores and not passed onto the  
3 consumer.

4           Next, we note that as many animals sold  
5 in pet stores are obtained from out-of-state sources,  
6 we recommend that they will be expanded to require  
7 that the source of animals obtained by pet stores  
8 certify that they have not been convicted of a  
9 violation of any minimum standard of animal care  
10 contained in any local, state, or federal law in any  
11 jurisdiction in which it operates, and not just the  
12 New York State Animal Cruelty Laws.

13           We also recommend a requirement that pet  
14 shops certify compliance with the City's Animal Abuse  
15 Registry and including with respect to the owner,  
16 operator or employer or agent of any such pet store.  
17 And that the department be prohibited from issuing or  
18 renewing a permit to any pet store that is unable to  
19 comply. [sic] We also recommend that pet stores be  
20 prohibited from selling dogs or cats to Class B  
21 dealers, or any other person or entity for the  
22 purpose of animal research or testing. And we also  
23 recommend that pet stores be prohibited for selling  
24 animals to any person that fails to satisfy the  
25 criteria of Section 1702 of the bill, which is the

2 minimum criteria established for the sources that pet  
3 stores may buy dogs or cats from.

4           Lastly, we just want to note that the  
5 proposed minimum standards of care contained in the  
6 bill are a codification of those contained in State  
7 law, which are already to City pet stores and,  
8 therefore, we encourage you to pass enhanced  
9 standards. [bell].

10           CHAIRPERSON JOHNSON: Thank you very  
11 much, Ms. Mott.

12           SANDRA DE FEO: Hi, my name is Sandra De  
13 Feo. I'm the Executive Director at the Human Society  
14 of New York. We were founded in 1904, and we have a  
15 hospital and an adoption center. We're open seven  
16 days a week. We have almost 200 animals under our  
17 roof. We are very-- I would like to say, first of  
18 all, thank you so much to the New York City Council  
19 Health Committee for this opportunity to testify, and  
20 also thank, of course, Corey Johnson and Elizabeth  
21 Crowley. I think what I would like to say is we are  
22 very supportive of 55-A, 146-A, 136-A, and 73-A, but  
23 I think what I could really add to at this hearing,  
24 which is very important is spaying and neutering. I

2 heard some people say some things before I just could  
3 not believe.

4           It's imperative to spay and neuter  
5 animals, and the reason it is, is every single day--  
6 and I've got ten veterinarians, and if I had known, I  
7 would have had them here today--to say that every  
8 single day we are saving some animal's life who is  
9 not spayed or neutered. They come in. They don't  
10 have any money. Their animal wasn't spayed. It's  
11 going to die from Pyometra, and male dogs have a  
12 problem where their prostate enlarges, and they get  
13 internal abscesses. I mean it's just horrible, and  
14 if any of these people saw these things every single  
15 day that we get to see, then they would feel that  
16 way. We do 5,000 spay or neuters a year. And more,  
17 really, but that's like a number I can pick up off  
18 the top of my head. So it's really important to pass  
19 the spay and neuter aspect of this. It's really  
20 important to microchip animals because microchipping  
21 can be the only way someone is, as Linda Rosenthal  
22 explained.

23           I think HSUS, Linda Rosenthal, everyone  
24 has explained all these things over and over and they  
25 have made very good points, and you all get them.

2 I'm just backing them up on that. And, the other  
3 thing that I think that is really important is  
4 licensing. We have no idea how many animals there  
5 are in this city. We need to license the animals,  
6 and I think doing that-- We do it at the Humane  
7 Society of New York. Every single animal is  
8 microchipped, and licensed, spayed or neutered,  
9 vaccinated. We want to be responsible pet owners.  
10 We want to help animals to get homes, and the way we  
11 do that is we all stand up and be good citizens and  
12 help other animals. So I think that is basically all  
13 I need to say, but I just want to make sure that  
14 everyone knows how important spaying and neutering  
15 is. And I'm really, really for getting this back to  
16 the pet shops. Because we originally had it, and now  
17 we need it again. Okay. Thank you so much,  
18 everyone.

19 CHAIRPERSON JOHNSON: Thank you, Ms. De  
20 Feo.

21 JOEL BHUIYAN: Hi. Good afternoon. My  
22 name is Joel Bhuiyan. I'm testifying on behalf of  
23 NYCLASS OR NY CLASS. We want to thank the Health  
24 Committee for the opportunity to testify on Intros  
25 55-A, 73-A, 146-A, and 146-A. NYCLASS is a 501(c)(4)

2 a non-profit animal advocacy organization committed  
3 to ending the inhuman New York City horse carriage  
4 industry. And we recently expanded our animal  
5 protection issues for which we advocate to include  
6 that in puppy mills regulating the breeding practices  
7 of pet dealers that sell to New York City shops and  
8 increasing the funding of animal care and control  
9 among others. Founded in 2008, by a coalition of  
10 prominent animal lovers and business leaders, NYCLASS  
11 has grown to over 110,000 supporters with activist  
12 chapters in all five boroughs.

13 I'll be brief. NYCLASS supports Intros.  
14 55-A, 73-A, 136-A, and 146-A. Collectively, this  
15 package of legislation will protect animals from the  
16 horrors of cruel and abusive puppy mills. And  
17 protect consumers from unwittingly supporting  
18 unscrupulous breeders. It is time to stop puppy mill  
19 pipelines in New York City, which contributes to pet  
20 overpopulation and over crowding in our city's  
21 taxpayer funded animal shelter system.

22 I would like to applaud Chairman Johnson  
23 and Council Member Crowley for their commitment to  
24 building a more humane New York City for animals and  
25 consumers. And we encourage the members of the

2 Committee on Health to approve all four pieces of  
3 legislation. And we look forward to working with the  
4 City Council to make sure they become law. Thank  
5 you.

6 CHAIRPERSON JOHNSON: Thank you all for  
7 testifying and being here today, and a special thanks  
8 again to my friend and colleague Linda Rosenthal.  
9 Thank you. Next up we're going to have Natalie  
10 Reeves from Big Apple Bunnies, Emily McCoy from PETA,  
11 Vivian Barna from All About Rabbits Rescue New York,  
12 and Marilyn Galfin [sp?] from New Yorkers Against  
13 Puppy Mills.

14 [background conversation]

15 [Pause]

16 CHAIRPERSON JOHNSON: So you may begin in  
17 whatever order you'd like. You will be on the clock,  
18 and I have to swear you in. Do you affirm-- If you  
19 could please raise your right hand. Do you affirm to  
20 tell the truth, the whole truth, and nothing but the  
21 truth in your testimony before this committee, and  
22 respond honestly to all Council Member questions?

23 PANEL MEMBERS: We do.

24 CHAIRPERSON JOHNSON: Thank you very  
25 much. Whoever wants to begin, may begin. Three

2 minutes on the clock. Thank you. Please identify  
3 yourself.

4 VIVIAN BARNA: Greetings everyone. My  
5 name is Vivian Barna, and I run All About Rabbits  
6 Rescue, a 501(c)(3) organization based in Queens, New  
7 York. My appreciation and thanks to the City Council  
8 members for 55-A and for their hard work in proposing  
9 that rabbit sales be banned in New York City. My  
10 testimony is based on interacting with hundreds of  
11 rabbit owners, rabbit adopters, owner surrenders, the  
12 general public, and my volunteer experience at Animal  
13 Care and Control. The vast gap between public  
14 perception of the rabbit versus proper rabbit care  
15 and what it actually entails make the rabbit an  
16 unsuitable pet for the general public. Conversely,  
17 the general public is unsuited for pet rabbits.

18 Petco and Pet Smart acknowledged this and  
19 ceased rabbit sales. In 2012, Tractor-Trailer Supply  
20 also ceased rabbit sales. These companies realized  
21 that they could no longer continue the lie that  
22 rabbits are easy starter pets whose care is simply  
23 water and pellets in an undersigned starter cage. I  
24 believe it's time to stop the lie, and block pet  
25 shops from making a buck off the backs and lives of

2 rabbits leaving the shelter, taxpayers, and rescues  
3 holding the bag.

4           New York City shelter rabbit intake  
5 numbers are increasing every year. About five years  
6 ago, when I was caretaking the rabbits, there were  
7 approximately four to eight rabbits to take care of  
8 everyday. Today, there are 35 to 45 every day, and  
9 they have actually crept into the small dog room.  
10 That's about an approximate 700% increase. At a rate  
11 of 700% increase in five years from now, what will  
12 the numbers be? The numbers will be well over 2,000  
13 in 2019 according to my math. We won't be able to  
14 bring home all these rabbits fast enough as we are  
15 not able to do that even today with our numbers that  
16 we have. Even at today's numbers rescues are over-  
17 burdened, and do not have the financial staff and the  
18 housing resources. We can't handle the numbers.

19           Now is the time to be proactive, to  
20 prevent New York City from euthanizing rabbits, and  
21 spending more and more taxpayer dollars to house  
22 homeless rabbits. Furthermore, ACC rabbit numbers do  
23 not accurately reflect rabbit abandonment and owner  
24 surrenders. Much of the public doesn't know that  
25 they can bring their rabbits to ACC. I talk to them



2 on a daily basis, and I don't actually tell them  
3 about ACC if I can avoid it. If they did, ACC  
4 numbers right now would be about 300 I figure. As  
5 far as the statistic, I heard that ACC reported that  
6 they had records that a hundred of the 380 rabbits  
7 brought in last year were from pet shops. We all  
8 know that the people lie, and they say that the  
9 rabbit was a stray. I speak to these people. They  
10 do not want to pay for the vet care for the rabbits,  
11 and they certainly don't want to pay for the  
12 surrender fee at ACC. So sometimes I direct those  
13 people to ACC if I have to. It's better than dumping  
14 them on the street or worse.

15           Rabbits arrive at ACC in terrible shape.  
16 Some starved, some with broken legs, some abused and  
17 neglected. Reports of children stepping on or  
18 dropping [bell] the rabbit are common.

19           CHAIRPERSON JOHNSON: Thank you, Vivian,  
20 for your testimony.

21           VIVIAN BARNA: Thank you.

22           CHAIRPERSON JOHNSON: You can submit the  
23 rest of it for the record.

24           MARILYN GALFIN: I'm on. Hi, my name is  
25 Marilyn with the New Yorkers against Puppy Mills. We

2 are not an official organization. We are just a  
3 group of concerned individuals who have come together  
4 to do peaceful protest and outreach to educate people  
5 about the puppy mill/pet store connection.  
6 Hopefully, I'll be saying what's-- You know, I have  
7 some-- First of all, I really thank you all for  
8 attempting to do something finally for these animals.  
9 If this is the proper place, hopefully I'm allowed to  
10 add other suggestions? This is the--

11 CHAIRPERSON JOHNSON: [interposing] Yes.

12 MARILYN GALFIN: --proper platform for  
13 that. Okay. First, of all the whole model on  
14 relationship to domestic dogs and cats is not  
15 working. And part of the problem with the puppy  
16 mills that comes in, too, is that how can we have a  
17 system in place where we make it easy for anyone to  
18 breed, anyone to sell, anyone to buy, and anyone to  
19 dump. So we have a problem right there. Okay, I  
20 have to say also I just feel ironically as we're  
21 sitting here speaking right now more puppies than  
22 ever are being pumped out and sold for the holidays  
23 in these pet stores. This is absolutely appalling.  
24 The very idea of mass production of live, feeling  
25 creatures for profit. What kind of insane business

2 model is this? How can we allow a business that  
3 includes such things as puppy auctions? What kind of  
4 insane business model is one that includes when a  
5 breeding female in a mill that can no longer produce  
6 puppies that are supplied to a pet store, she can be  
7 legally shot dead. And this is legal? This whole  
8 industry is appalling. And then the other thing is  
9 we try to curb it on this end with loopholes. Which  
10 means we are going to have to tag it on the Internet  
11 as well. The way to make any of this work is going  
12 to be everything coming together including Internet  
13 sales, backyard breeders, people on the Internet.  
14 This has to be attacked from every angle. But first  
15 of all, I'm even surprised that the stores are even  
16 allowed to be operating at this point, when we're not  
17 even talking about the mills. When the business  
18 practices include lying to the consumers. The whole  
19 industry is based on lies, deception, manipulation,  
20 exploitation, and greed. We have presented to  
21 Council Corey with something we call the Puppy  
22 Disclosure Act, which people are sort of talking  
23 about. And that is the public needs to know before  
24 they buy the dog everything related to where the dog  
25 is front, so on and so forth. It should also

2 include, and this is part of the problem, it's the  
3 illusion that's created. And this is that people  
4 need to know that AKC, which pet stores talk about  
5 all the time oh, AKC, AKC, AKC. The public needs to  
6 know it means nothing. It doesn't indicate anything  
7 about proper care or health of the animal. That he  
8 Animal Welfare Act is anything but humane. People  
9 think AKC means something. They think it's a status  
10 symbol. So the truth needs to be told to deglamorize  
11 this AKC concept, and people need to understand this  
12 industry and what it's about. And the Puppy  
13 Disclosure, what I've said, and the people have to  
14 know beforehand everything, every aspect.

15           Now, definitely support the rescues being  
16 in there because this model has been used in other  
17 places, and it's been very, very successful. There  
18 would be no reason at all not to do it except the  
19 stores are greedy, and that's the whole bottom line  
20 is making their money off the backs of breeding  
21 females. [bell] [groans] Okay. Much more to come,  
22 and I will send this to you in the email with other  
23 suggestions, which include mandatory screening. I  
24 can't understand how this was left out.

25           CHAIRPERSON JOHNSON: Thank you, Marilyn.

2 MARILYN GALFIN: Thank you.

3 CHAIRPERSON JOHNSON: Marilyn is my  
4 neighborhood. So I see her in front of my building  
5 all the time.

6 MARILYN GALFIN: At least now you've seen  
7 me a little more well dressed. I'm not in my sweat  
8 pants.

9 CHAIRPERSON JOHNSON: She catches me in  
10 my sweat pants. [laughter] You may proceed.

11 SERGEANT-AT-ARMS: Quiet, please.

12 EMILY MC COY: Thank you committee  
13 members for considering four proposed amendments to  
14 the New York City Administrative Code in relation to  
15 pet shops. My name is Emily McCoy, and I represent  
16 PETA, the world's largest animal rights organization  
17 with more than three million members and supporters.  
18 Some 90,000 of which are proud New Yorkers. While we  
19 oppose changes to the language of proposed  
20 Introductions No. 55-A and 136-A, which were heard by  
21 the committee on April 30, 2014, and would have  
22 prohibited the sale of puppies and kittens by the  
23 mills. And also require the sterilization of small  
24 animals such as rabbits sold for profit, we support  
25 the four measures that are being heard today,

2 Introductions 55-A, 73-A, 136-A, and 146-A. Intro  
3 No. 73 proposes to update the definition of pet shop  
4 within the Animal Abuse Registration Act by better  
5 defining the term, and including the consideration of  
6 the lives of all animals. PETA Frequently fields  
7 disturbing complaints about pet shops that keep and  
8 sell sick and injured animals of all shapes and  
9 sizes, and species to unsuspecting customers. They  
10 deprive many animals of the basic necessities of  
11 life, including vital species-specific necessities  
12 and desperately needed veterinary care. And leave  
13 unsalable animals confined and isolated in back rooms  
14 hidden from public view. The pet industry is  
15 notorious for taking shortcuts at the expense of  
16 animals whose sale it depends on. In addition to the  
17 substandard, deplorable, and factory farm like  
18 conditions in which dogs, cats, rabbits, birds,  
19 guinea pigs, chinchillas, rats, mice and so many  
20 other animals are bred, raised, shipped, and sold.  
21 Each animal purchased from a pet shop goes to a home  
22 that could have gone to an animal in a shelter, which  
23 means it's a death sentence for the shelter animal.

24 Introduction No. 146 proposes requiring  
25 pet shops to identify the animals they sell by having

2 them implemented with identification microchips by  
3 licensed veterinarians. Microchips help to reunite  
4 beloved animals, animal companions with the friends  
5 or guardians. Help track animals with congenital  
6 defects back to a broker, breeder, puppy mill, et  
7 cetera, encourages responsible guardianship,  
8 eventually reducing the number of animals take into  
9 area shelters. Identify the owners of animals  
10 maintained in violation of animal protection laws,  
11 and dangerous dog regulations and more.

12 Introduction 136-A would require pet  
13 shops to sterilize animals and require purchasers to  
14 buy a valid animal license before ownership was  
15 transferred. The overpopulation of dogs and cats in  
16 the U.S. results in six to eight million of them  
17 euthanized in animal shelters every year. Often  
18 because no homes exist for them. A 2013 report  
19 states that 25% of dogs entering animal shelters were  
20 pure bred produced by breeders and sold at pet  
21 stores. Sterilizing dogs and cats before sale would  
22 save the lives of countless animals in New York.  
23 Small animals such as rabbits were covered by the  
24 requirements in a previous of the introduction, and

2 we urge that those requirements be reinstated in the  
3 measure.

4           Innumerable rabbits are sold, given away  
5 [bell] or abandoned every year resulting in death  
6 from neglect as well as euthanasia in homes and  
7 overwhelmed animal shelters. These animals are  
8 prolific breeders, and have special needs that are  
9 rarely met in inexperienced and uneducated home. So  
10 sterilization before sale would have saved countless  
11 lives.

12           CHAIRPERSON JOHNSON: Thank you very  
13 much.

14           EMILY MC COY: The last paragraph is in  
15 the paper from me.

16           CHAIRPERSON JOHNSON: Thank you.

17           EMILY MC COY: Thanks.

18           CHAIRPERSON JOHNSON: Thank you.

19           NATALIE REEVES: Hi, there. My name is  
20 Natalie Reeves. I'm an attorney. I'm an animal  
21 advocate and I'm here on behalf of Big Apple Bunnies,  
22 which is the rabbit advocacy group that I founded.  
23 When I was back before you guys in April I testified  
24 regarding the package, and I told you that the dream  
25 would be for you to take Intro 55 and add a ban to



2 rabbits. At that time, Intro 55 did not address  
3 rabbits at all, and some of the other bills did. And  
4 I've got to thank you from the bottom of my heart on  
5 behalf of the rabbits. You guys did exactly what  
6 myself and other rabbit lovers asked you to do, and  
7 we are very, very grateful.

8 Ms. Weinstock from AC&C earlier today  
9 testified as to the numbers of rabbits that are taken  
10 into AC&C every year. She said that the AC&C is at  
11 maximum capacity for rabbits. That's absolutely  
12 true. But that didn't take into account that there  
13 are also countless rabbits, hundreds that we know  
14 about that are abandoned each year in city parks.  
15 Now, most of these rabbits aren't rescued because  
16 most of them get eviscerated by dogs, cats, raccoon,  
17 hawks, and killed by parasites before they can be  
18 rescued. But unlike AC&C, which may be the front  
19 line for dogs and cats, rabbits often go directly to  
20 rescue groups without going through the shelter.

21 So the numbers are enormous, and with  
22 dogs and cats there is not really a holiday that  
23 somebody testifies-- Excuse me. Somebody testified  
24 that there are a lot of puppies sold during the  
25 Christmas holiday, but for rabbits they're tied with

2 Easter. And there are huge number of Easter sales.  
3 So by banning them, you're going to be saving many,  
4 many lives, and we are very appreciative. We also  
5 noticed that not many people given the number of  
6 people we've had testifying today have spoken on  
7 behalf of rabbits. Rabbits don't get the attention  
8 of the well-funded organizations most of the time.  
9 There aren't many of us who frankly think about  
10 rabbits. So for that reason, we're very grateful  
11 that you're going to do what-- Or, what we hope that  
12 you will do what Los Angeles and San Francisco and  
13 Chicago and other cities have done, which is ban the  
14 sale of rabbits. Thanks very much.

15 CHAIRPERSON JOHNSON: Thank you, Ms.  
16 Reeves. We care about all of our four-legged  
17 friends. So we are happy to be addressing rabbits as  
18 well. Thank you very much.

19 NATALIE REEVES: Thank you.

20 CHAIRPERSON JOHNSON: Next up, we have a  
21 panel of four folks from the ASCPA, Cori Menkin,  
22 Michelle Villagomez, Bill Ketzner, and Matt  
23 Bershadker.

24 [background discussion]

2 CHAIRPERSON JOHNSON: Thank you. You can  
3 begin in whatever order you would like. I am going  
4 to swear you in. If you could please raise your  
5 right hand. Do you affirm to tell the truth, the  
6 whole truth, and nothing but the truth in your  
7 testimony before this committee, and to respond  
8 honestly to all Council Member questions?

9 PANEL MEMBER: We do.

10 CHAIRPERSON JOHNSON: Thank you very  
11 much. You may begin.

12 MATT BERSHADKER: Good morning or good  
13 afternoon.

14 COUNCIL MEMBER: [off mic] You have to  
15 turn on your mic.

16 MATT BERSHADKER: Yes, I've got it. Good  
17 afternoon. My name is Matt Bershadker, and I'm the  
18 President and CEO of the ASPCA, the nation's animal  
19 welfare organization. I'd like to thank Chairman  
20 Johnson and members of the Health Committee for the  
21 opportunity to testify in support of Intro 55-A. The  
22 provisions of this bill when taken together would  
23 achieve two important goals. First, Intro 55-A would  
24 prevent some of the country's worst breeders from  
25 selling puppies to New York City pet stores. Second,

2 it will increase transparency about the origin of  
3 puppies that do enter the city for resale. Affording  
4 prospective buyers with the ability to make informed  
5 choices. The ASPCA applauds the City Council for  
6 taking this action to improve animal welfare, promote  
7 public health, and to protect New York City  
8 consumers.

9           Prior to being appointed as CEO, I served  
10 as the Senior Vice President of the Anti-Cruelty  
11 Group overseeing programs that confront cruelty  
12 across the country including our puppy mill campaign.  
13 The data we've amassed reveals that the problems in  
14 the commercial breeding industry are severe and  
15 systemic. And not merely the result of a few bad  
16 actors. Many commercial breeders rely by design on  
17 inhumane practices to serve their primary objective  
18 of increasing profit. In 2010, I launched our Field  
19 Investigations and Response Team, which provides  
20 expert investigative animal handling and sheltering  
21 support to municipal, state, and federal agencies  
22 during large scale dog fighting, animal hoarding, and  
23 puppy mill cases. This team has seen first hand the  
24 suffering of abused animals, and knows all too well  
25 the enormous financial and emotional cost incurred

2 with the rescuing and re-homing of animals seized in  
3 large scale cruelty cases.

4           I oversaw the development of the ASPCA  
5 Behavioral Rehabilitation Center, a facility  
6 dedicated to treating dogs who suffer from severe  
7 behavioral problems, including victims of puppy  
8 mills. Forcing dogs to live in severe confinement,  
9 isolated from social interaction with people has  
10 devastating behavior consequences for a species that  
11 is by its nature highly social. Adult breeding dogs  
12 in puppy mills usually have very limited contact with  
13 people and few if any experiences outside of their  
14 cages. After years of abuse, dogs who are rescued  
15 often exhibit fearful responses to normal, everyday  
16 situations like being petted or the feel of a collar  
17 around their neck. These types of experiences can  
18 cause panic, catatonia, and even defensive  
19 aggression. Without intensive behavioral  
20 rehabilitation many dogs rescued from puppy mills are  
21 not adoptable. So they languish in shelters or face  
22 euthanasia.

23           Given our experience with addressing the  
24 aftermath and damage inflicted on dogs by puppy  
25 mills, we believe in trying to prevent this form of

2 cruelty. The ASPCA has spearheaded legislation in  
3 states like Pennsylvania and Missouri resulting in  
4 some of the country's most stringent standards of  
5 care for dogs in commercial breeding facilities. The  
6 ASPCA has dedicated countless resources to the goal  
7 of eliminating puppy mill cruelty. While no  
8 legislative measure the Council can enact on this  
9 issue will solve the problem overnight, the ASPCA  
10 believes that Intro 55-A is a critical step in the  
11 right direction. On behalf of those animals and the  
12 ASPCA, I urge you to vote in favor of 55-A. Thank  
13 you.

14 CHAIRPERSON JOHNSON: Thank you very  
15 much.

16 CORI MENKIN: Good afternoon. I'm Cori  
17 Menkin, Senior Director of the Puppy Mills Campaign  
18 at the ASPCA. Thank you Chairman Johnson and  
19 committee members for the opportunity to testify  
20 today. I oversee the ASPCA's Puppy Mill work, which  
21 includes our No Pet Stores Puppies Campaign. The  
22 campaign's website provides over 17,000 photos taken  
23 by USDA inspectors during routine inspections of USDA  
24 licensed breeders. That represents more than 600  
25 licensed breeding facilities or about 35% of the USDA

2 licensed breeders. They document violations of the  
3 Federal Animal Welfare Act, as well as conditions  
4 that legal, but that we consider inhumane. This is a  
5 clear indication that the problems documented in the  
6 photos are systemic, not merely the result of a few  
7 bad actors. It's also important to note that the  
8 photographs are only representative of those  
9 facilities that were both inspected and photographed  
10 by USDA. Not every facility is inspected every year,  
11 and not every inspection is photographed. Based on  
12 USDA's own inspection reports, we know that at any  
13 given time about one-fifth of the industry is in  
14 direct violation of the federal law. The common use  
15 of Class B dealers by the breeder and pet store  
16 industries is also problematic. These middle men  
17 make it possible for some of the worst breeders in  
18 the country to get their puppies to pet stores  
19 without having to risk opening their kennel doors to  
20 consumers or disclosing the conditions of their  
21 facilities to pet stores.

22                   We have researched Class B dealers  
23 extensively with particular attention to the largest  
24 broker in the country, the Hunte Corporation in  
25 Goodman, Missouri. Aside from the fact that Hunte

2 sources puppies from puppy mills as documented in the  
3 photos attached to my testimony, we have been able to  
4 produce reliable data that indicates that Hunte is  
5 not adequately performing legally required data  
6 checks on its puppies prior to shipping then  
7 interstate commerce. Every puppy shipped must be  
8 accompanied by a Certificate of Veterinary Inspection  
9 indicating that it has been examined by a licensed  
10 vet prior to shipment and found to be healthy. This  
11 exam is critical to ensure that puppies are not  
12 shipped with communicable diseases or other ailments  
13 that may cause harm to the public, other animals, or  
14 the dogs themselves.

15           A close review of certificates accompany  
16 dogs exported out of Missouri by Hunte in January of  
17 this year indicates that three Hunte staff vets  
18 attested to having examined over 1,700 puppies in  
19 just eight days. One vet claimed that he examined  
20 695 dogs in a single day giving him just .69 seconds  
21 to examine each dog before approving it for shipment.  
22 A second Hunte vet claimed that she examined 572 dogs  
23 in one day giving her just .84 seconds with each dog.  
24 And the third staff vet claimed that he examined 640  
25 dogs in one day giving him just .75 seconds for each



2 dog. Of the 1,700 puppies exported by Hunte in  
3 January, we know that at least 111 of them ended up  
4 in New York City pet stores.

5           It is evident from this data that the  
6 puppies are either not being examined at all or  
7 simply being grand stamped by a vet before loaded  
8 onto trucks and sent to pet stores across the  
9 country. This information seriously calls into  
10 question the integrity of the Hunte Corporation and  
11 of the Class B dealer system overall. We estimate  
12 that Hunte ships about 70,000 puppies in interstate  
13 commerce annually with 1,200 to 1,500 of them coming  
14 into New York City pet stores. That's 1,200 to 1,500  
15 puppies being marketed to New Yorkers without having  
16 been adequately checked by a vet, and without any  
17 assurance that the information about them is  
18 reliable. The evidence is fact based, and it is  
19 clear there are big problems in the commercial  
20 breeding industry [bell] and with the brokering  
21 system. [laughs]

22           CHAIRPERSON JOHNSON: Thank you, Cori.

23           MICHELLE VILLAGOMEZ: Good afternoon,  
24 everyone. I'm Michelle Villagomez, New York City  
25 Legislative Director for the ASPCA. I'm going to

2 jump around in my testimony a little bit for the sake  
3 of time. The ASPCA supports Intro 55-A, 136-A, 146-A  
4 and 73-A. We think that taken together this  
5 legislative package will address many of the problems  
6 created by the State Preemption, which kept New York  
7 City from adequately protecting animals and  
8 consumers. Consumers, taxpayers, and the shelter  
9 system as well as other not-for-profit partners  
10 typically absorb the cost associated with unwanted  
11 pet store dogs. I'm going to address one thing that  
12 was brought up earlier. People said that the ASPCA  
13 is opposed to mandatory spaying and neutering.  
14 That's not necessarily the case when we're talking  
15 about commercial entities. So we do support it in  
16 this case. As people mentioned a law going back to  
17 2001 required pet stores to spay and neuter their  
18 animals upon on sale. That same law made that same  
19 request of shelters and the shelter community has  
20 complied.

21 With regards to Intro 55-A, I just want  
22 to piggyback on some things that my colleague Cori  
23 mentioned. It's going to ensure that dogs and cats  
24 offered for sale are not sourced from breeders who  
25 fail to meet even the most basic care standards.

2 It's going to increase transparency for both the pet  
3 stores, and the consumer. Statistically, at any give  
4 time at least 15 to 20% of Class A dealers have  
5 significant violations of the federal law. I have  
6 attached some photos to the testimony showing some  
7 common violations. It's one thing to talk about it,  
8 but it's another thing to see it. So when you have  
9 time please look through the photos. They really do  
10 leave an impact.

11 Not all of the violations of the Animal  
12 Welfare Act are even documented by inspectors. With  
13 only 120 inspectors to oversee 7,000 licensed  
14 entities, USDA inspectors are stretched thin.  
15 Without constant oversight, there is no way for us to  
16 know just how pervasive the abuses within the  
17 industry may be. The Class A provisions in Intro 55-  
18 A will keep puppies from some of the worst breeders  
19 out of the pet stores. The prohibition on Class B  
20 dealers is also critical in order to make this  
21 legislation its most effective. Brokers are not  
22 required to disclose to pet stores information about  
23 the breeders they source from.

24 So there is little to no opportunity for  
25 pet stores to scrutinize those breeders to ensure

2 that the puppies come from legally sound sources.  
3 Pet stores simply indicate to the brokers what breeds  
4 of puppy they want and how many. They have little to  
5 no access to information about the original sources  
6 of those puppies. When pet stores use Class B  
7 dealers as a puppy source, the transparency that is  
8 critical for consumers disappears. Under state law,  
9 a pet store is not required to investigate or even  
10 know the breeders of the puppies. They are only  
11 required to disclose the animal's source a/k/a the  
12 broker.

13           If the pet store is unable or chooses not  
14 to obtain accurate information about the breeder,  
15 then the consumer will not be able to obtain the  
16 information either. This coupled with the fact that  
17 information provided by brokers may be inaccurate or  
18 misleading shows why class B dealers should not be a  
19 permissible source for local pet stores that sell  
20 puppies. So I am just going to reiterate that the  
21 ASPCA is supportive of this package. As people have  
22 said, spaying and neutering is the most important key  
23 way to control overpopulation. Microchipping is  
24 important, and we've worked with the City long and  
25 hard [bell] to increase dog licenses and compliance.

2 So we're really excited about that as well. Thank  
3 you, Michelle. Bill.

4 CHAIRPERSON JOHNSON: Thank you.

5 BILL KETZER: Mr. Chairman and Council  
6 Members Crowley, thank you very much for the  
7 opportunity to speak to you today about 55-A. I'm  
8 not going to give you my entire testimony. I'm the  
9 ASPCA's State Legislative Director for the Northeast  
10 Region of the United States. I was the ASPCA's  
11 Principal Lobbyist at the State level, and was a  
12 primary coordinator in New York for the Coalition of  
13 Municipal and Legal Welfare Interests that champion  
14 Assembly Member Rosenthal's legislation repealing the  
15 preemption on local pet dealer laws. So the purpose  
16 of my testimony here is going to be to talk about--  
17 to support the need for the portions of the bill that  
18 establish a regulatory program for the retail pet  
19 sellers at that level. And also to provide some  
20 historical context in terms of what the State Pet  
21 Dealer Licensing Inspection Program does or doesn't  
22 do. However, given the time and also that that  
23 information is going to be readily available in my  
24 written testimony, I would just like to thank you for  
25 taking the time to hear everyone's opinions today.

2 Of course, we are all just a phone call away, should  
3 you desire any information. Thank you very much.

4 CHAIRPERSON JOHNSON: Thank you very much  
5 to the ASPCA for all of your help, hard work and what  
6 you do on a very regular basis. The photos are  
7 devastating. It is hear breaking to see what is  
8 going on. Thank you for bringing it to light. We  
9 are going to try to get our last panel in very  
10 quickly. Thank you very much. Okay, last panel.  
11 This is it. Another committee has to come in.  
12 Gordon Strum, Roxanne Delgado, Monica Wright, and  
13 William Sutton. Okay, we have to speed it up.

14 [background conversation]

15 [Pause]

16 CHAIRPERSON JOHNSON: Okay. Someone who  
17 is up there may start because we have to go. There  
18 is another committee that needs this room. I have to  
19 swear you in. I'm sorry. Please raise your right  
20 hand. Do you affirm to tell the truth, the whole  
21 truth, and nothing but the truth in your testimony  
22 before this committee, and to answer all Council  
23 Member questions honestly?

24 ROXANNE DELGADO: Yes, I do.

2 CHAIRPERSON JOHNSON: Thank you very  
3 much. You may begin.

4 ROXANNE DELGADO: Thank you. Hopefully  
5 the end of pets in windows sold as property will  
6 arrive one day soon. Hopefully, this bill leads  
7 heads in the right direction to address the issue  
8 that has been neglected too long. This affects me  
9 directly in my community in the Bronx. Not only have  
10 I borne the financial burden of rescuing pets dumped  
11 on the streets, but also the emotional pain of taking  
12 them to AC&C shelters. Yes, I have tried placing  
13 them in no-kill shelters, but they are often full to  
14 capacity. The breeders and pet dealers are profiting  
15 off the misery of all pets in this city while those  
16 with little resources are emotionally and financially  
17 drained rescuing just a few of many strays on our  
18 streets because we don't have a shelter in the Bronx.  
19 Every pet that is killed, kills a shelter pet's  
20 chance of a forever home. Worst of all, anyone can  
21 buy a pet and often it's on impulse. After the  
22 novelty wears off, the pet is dumped and added to a  
23 large pool of homeless pets. It's not only a pet,  
24 it's a lack of respect for a living being. It  
25 promotes animal abuse as they are viewed as items

2 sold on the front of windows. It also reinforces  
3 racism and low self-esteem by promoting a pure breed  
4 as superior to others. In fact, mutts are better  
5 since they are not in-bred with genetic defects as  
6 those pure breeds. There is nothing better than  
7 sharing your home with a mutt. Adopt those mutts,  
8 and save a life. The above testimony is based on  
9 real life experience. Thank you.

10 CHAIRPERSON JOHNSON: Thank you. What's  
11 your name?

12 ROXANNE DELGADO: Roxanne. I'm sorry.

13 CHAIRPERSON JOHNSON: You are not by  
14 yourself. Roxanne and--?

15 COURTNEY STOMAR: Courtney Stomar. [sp?]

16 CHAIRPERSON JOHNSON: I'm sorry. What's  
17 your full name?

18 ROXANNE DELGADO: Delgado.

19 CHAIRPERSON JOHNSON: Thank you, Roxanne.

20 ROXANNE DELGADO: Thank you.

21 CHAIRPERSON JOHNSON: Thank you very much  
22 for your testimony.

23 ROXANNE DELGADO: Thank you for your  
24 time.



2 COURTNEY STOMAR: Council members, my  
3 name is Courtney Stomar. I'm here today on behalf of  
4 myself and as a committee member of Friends of Finn.  
5 Friends of Finn is a committee made up of next  
6 generation leaders dedicated to ending the inhumane  
7 treatment of dogs in puppy mills. How much is that  
8 doggie in the window? For me, that doggie turned out  
9 to be upwards of \$35,000 in medical bills. Giardia,  
10 Coccidia, fevers, hypoglycemia, exophytic liver  
11 shunts, a stroke, two seizures, multiple bouts with  
12 pancreatitis, and life ending hepatic encephalopathy.  
13 I have often joked that I have earned an honorary  
14 degree in veterinary medicine over the course of  
15 Charlotte's nine-year life. She was a victim of  
16 irresponsible breeding practices that are standard in  
17 puppy mills, and I unknowingly contributed money to  
18 the industry. I am here today to honor Charlotte and  
19 advocate for the approximately two million doggies  
20 sold annually in the window, many to New York City  
21 consumers. These purchasers are unintentionally  
22 supporting mills by funneling thousands of dollars  
23 per puppy back into the system, and perpetuating a  
24 cruel and inhumane cycle. In the gleaming window,  
25 the puppies often appear energetic, happy, and

2 coiffed to perfection. Little do passers-by and  
3 perspective owners know the grim places from which  
4 the animals came, and the deplorable conditions they  
5 suffer through.

6 I recently accompanied the Humane Society  
7 of the United States on their way to Mississippi  
8 where over 170 dogs were rescued and vetted. The  
9 majority had never been touched by human hands, seen  
10 the sunlight, been on a walk, or let out of their  
11 filthy dilapidated metal cages. All were improperly  
12 nourished, and showed obvious signs of mistreatment  
13 and neglect. Our pets become our companions, our  
14 family, our children. How could we let them suffer  
15 like this. Along with all the members of Friends of  
16 Finn, I am urging the Council to consider this  
17 important animal welfare and consumer protection  
18 ordinance to prohibit pet store owners in New York  
19 City from purchasing puppies from mills just like the  
20 one in Mississippi. And prevent prospective owners  
21 from inadvertently partaking in the process. Thank  
22 you in advance for your time and consideration of  
23 this important matter. Lastly, I have presented a  
24 letter from Amanda Hurst, the Founder of Friends of  
25 Finn who was unable to be here today.

2 CHAIRPERSON JOHNSON: Thank you very  
3 much, Courtney. You may proceed.

4 GORDON STROM: Good morning. I would say  
5 it's afternoon now. I'm going to conserve my  
6 thoughts. Most of what I wanted to say has been  
7 spoken about and articulated much better than I could  
8 do it. I'm a resident of New York City. I support  
9 numerous animal welfare organizations many of which  
10 are here. I'm also a registered voter. I just want  
11 to say a special thanks to Assemblyperson Rosenthal,  
12 Councilperson Crowley and Johnson for your  
13 groundbreaking work here. Improving the welfare of  
14 animals in New York City is a huge task, and your  
15 support of these four bills will really make a  
16 difference. Thank you.

17 MONICA WRIGHT: Good morning. My name is  
18 Monica Wright. I'm here to submit testimony on  
19 behalf of my employers and friends, Melissa Milne  
20 [sp?]and Dave Dezinko [sp?], who unfortunately are  
21 not able to be here today. Many times-- Melissa's  
22 testimony is as follow:

23 Many times I walk by Le Petit Puppy  
24 always thinking it was an upscale pet store. On  
25 August 7, 2011, my boyfriend Dave and I decided to go

2 in. My eyes met this little puppy in the back of the  
3 store, crated and all by herself. There was no doubt  
4 in my mind that Le Petit Puppy was a reputable pet  
5 store located in the West Village and offering dogs  
6 for thousands of dollars. I would soon learn that I  
7 could not have been more wrong. The pet store  
8 employees assured us, that they only buy puppies from  
9 private breeders, and that our little Bee was a  
10 designer dog at the price of \$3,000. They said the  
11 dog had papers, and that she was from a champion line  
12 of Bulldog and Beagle often claiming that she  
13 wouldn't shed. I remember them saying Hugh Jackman  
14 has her older brother, which I thought was strange as  
15 they pointed out an image of him on their wall. On a  
16 side note, I repeatedly asked for those papers  
17 showing lineage. Yet, to this day, they have never  
18 been given to me.

19 Le Petit Puppy removed the little puppy  
20 from the crate so we could play with her, and she was  
21 very lethargic. It stood out to me. So I commented  
22 thinking the young curious puppy would have much more  
23 energy. The shop employee told me that she was  
24 exhausted from playing with other puppies. Within  
25 just 72 hours we learned this was the furthest thing

2 from the truth. I wanted to bring her home right  
3 away, but Dave thought it best we slept on it. Le  
4 Petit Puppy immediately offered a discount for us to  
5 take her home that day in lieu of waiting. They  
6 reduced her value immediately and without hesitation.  
7 The feeling of this sleazy sales tactic was over  
8 shadowed by my love for this little puppy. I have  
9 now had many times to reflect on this experience. In  
10 hindsight, I was a soft target. I was full of  
11 excitement for this little animal with big eyes, and  
12 big floppy ears. I didn't do any research on Le  
13 Petit Puppy. I trusted them, believing them to be  
14 honest and ethical, but they were not. The next day,  
15 August 8, we brought our new puppy home, but she was  
16 motionless. I had dogs growing up, and they were  
17 very active so I knew something was wrong. Over the  
18 next 72 hours after her not eating much, having loose  
19 stools and vomiting notwithstanding the lethargy, we  
20 raced to Greenwich Village Animal Hospital. I will  
21 never forget the moment her vet, Dr. Tracy Sane  
22 showed me the x-rays of her lungs, which were full of  
23 infection. She was diagnosed with pneumonia and had  
24 had it for some time indicating that she was sick  
25 while under the care of the pet store, and perhaps

2 even before her arrival there. Bee endured an  
3 intensive medical treatment plan, which entailed us  
4 going to the vet hospital multiple times over the  
5 course-- Multiple times that day-- Sorry. Multiple  
6 times for over 15 nebulization treatments. Soon  
7 after, Bee's health took a turn for the worse when  
8 she started convulsing. We rushed her back to our  
9 vet where she was directed to another hospital that  
10 put her in total isolation where she underwent 24-  
11 hour care for five full days. The vet bills amounted  
12 to more than \$5,000. Her condition was grave, and we  
13 were told that she may not make it. This puppy we  
14 just brought home was now fighting for breath and  
15 fighting for life. The breeder in this case had a  
16 broker's license. They were not-- [bell] They were  
17 a broker, and they had violations at the time.

18 CHAIRPERSON JOHNSON: Thank you for being  
19 here to testify.

20 MONICA WRIGHT: Thank you.

21 CHAIRPERSON JOHNSON: Thank you all for  
22 waiting and being patient. Thank you to everyone for  
23 being here today. This hearing is adjourned.

24 [gavel]

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1 COMMITTEE ON HEALTH

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date November 29, 2014