

Health

Testimony

of

Daniel Kass, MSPH

**Deputy Commissioner, Division of Environmental Health
New York City Department of Health and Mental Hygiene**

before the

New York City Council Committee on Health

On the

Proposed Regulation of Pet Shops

**November 24, 2014
250 Broadway, 16th Floor, Committee Room
New York City**

Good morning, Chairman Johnson and members of the Health Committee. My name is Daniel Kass, and I am the Deputy Commissioner for the Division of Environmental Health at the New York City Department of Health and Mental Hygiene. I am joined here today by Mario Merlino, the Department's Assistant Commissioner overseeing veterinary health. On behalf of Commissioner Bassett, thank you for the opportunity to testify today.

Since I last testified on these bills in April, the Administration has been working closely with the Council to revise the legislation; we want to thank the Council and its staff for a productive process.

To set the legislation into context, I want to quickly review the Health Department's role with respect to animals. The Department oversees the animal sheltering system - administered by its contractor, Animal Care and Control of New York City - which provides field rescue services and accepts, cares for, and temporarily shelters abandoned or unwanted animals. The Department issues dog licenses and also administers the Animal Population Fund spay-neuter programs, which fund spay and neuter services for dogs and cats owned by low-income New Yorkers. We receive and respond to reports of animal bites, coordinate rabies testing and rabies prophylaxis when needed, and investigate animal nuisance complaints. The Department monitors both wildlife and domestic animals for diseases, such as rabies, that can impact human health, and issues permits for the exhibition of wild and exotic animals. Our regulatory work also includes permitting and inspecting animal handling establishments for compliance with sanitary standards and basic caregiving. These establishments include: other non-profit animal shelters (besides AC&C); boarding, grooming, and training facilities; and pet shops that sell animals other than cats and dogs.

Four bills are under consideration today. Collectively, these bills aim to help reduce the population of stray, abandoned and homeless animals, and establish a standard of care for dogs and cats in pet shops. We appreciate your effort to promote safe and humane conditions for dogs and cats. The Administration supports these goals, and we are here today to offer brief comments, answer any questions, and extend our offer to continue working with the Council on these important issues.

Intro 55

Intro 55 seeks to prohibit the sale of animals bred in "puppy or kitten mills," by prohibiting pet shops from selling dogs and cats acquired from certain sources, and to establish a standard of care for dogs and cats in pet stores. The Administration supports Intro 55's effort to influence the acquisition, care and sale of dogs and cats, notably by discouraging their over-breeding. The requirements imposed on pet shops are significant.

Expanding the Department's responsibilities to include permitting and inspecting establishments that sell dogs and cats, including extensive audits of store records and evaluation of compliance with detailed standards of care, would require funding to hire additional staff with veterinary health expertise and more inspectors. We would develop new protocols for on-site inspections, and for review of pet shop documents. The Department would need to modify its online permitting system to accommodate this new permit class, and to adapt its inspectional software. We would also work to engage and educate pet shops about these new requirements, and how to comply.

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

Intro 136

Intro 136 would require pet shops to sell dog licenses and report information to the Department about all dogs sold. The Department supports efforts to expand dog licensure. Dog licensing is a key part of responsible pet ownership. Licensing is required by New York State law, and is required in order to use one of the City's dog parks.

As part of its comprehensive efforts to facilitate dog licensing, the Department has just launched a new online licensing system that enables third parties, including pet shops, to maintain license inventories and to issue the licenses at the time and place of sale. This system also offers a free lost dog finder tool to help lost dogs reunite with their owners. Anyone can enter a New York City license number on our webpage, and the owner will be emailed and called with the contact information of the person who has found the dog. I am proud to report that the system was recently awarded the Best New Application award by Center for Digital Government.

The Department fully endorses the law's licensing mandate, and we believe pet shops can readily comply with the requirement. License fees help support the City's animal care efforts, and provide funding for free spay and neuter services for low and fixed income New Yorkers' dogs and cats.

Intro 146

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

Intro 73

Intro 73 would amend the definition of pet shop in the Animal Abuse Registry Act, making the definition consistent with the other bills under consideration today. The Department supports this amendment.

Thank you for the opportunity to testify today. I would be happy to answer any questions.



LINDA B. ROSENTHAL
Assemblymember 67th District

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**Testimony of Assemblymember Linda B. Rosenthal before the New York City Council
Committee on Health on Int. No. 55-A of 2014 Regulating Pet Shops, Int. No. 73-A of 2014
Updating the Definition of "Pet Shop" within the Animal Abuse Registration Act, Int. No.
136-A of 2014 Spaying, Neutering and Licensing of Animals Sold in Pet Stores and Int. No.
146-A of 2014 Microchipping Animals Sold in Pet Shops**

November 24, 2014

Good morning. I am Assemblymember Linda B. Rosenthal and I represent the Upper West Side and parts of the Clinton/Hell's Kitchen neighborhoods in Manhattan. As a longtime champion for animal welfare and the prime sponsor of the State Law, Chapter 5 of the Laws of 2014 (Chapter 5), which provides New York City and other municipalities across the State the ability to regulate local sales of animals by pet dealers, I am pleased that the New York City Council is holding this hearing today.

While I, and many of those presenting testimony today, have been working on animal welfare issues for years, until very recently, they were largely considered as not serious or even fringe by the vast majority of legislators across the country and even many members of the public. It has taken years of education and advocacy to create what is nothing less than a sea change in attitudes when it comes to animal welfare and the law. The issues we are addressing at this hearing have emerged as the result of the tireless work of advocates, elected officials and animal lovers who for years have given voice to the voiceless animals who have suffered at the hands of humans in charge of them.

Even with changing attitudes, however, introducing and passing strong legislation to protect animals continues to be a struggle. Passage of Chapter 5, popularly referred to as the "puppy mill bill," was no exception. My staff and I, and many of the advocates in this room and many more statewide who are not here today, struggled for more than a year over every single word contained in the final law, to ensure that it would provide municipalities with broad authority to crack down on the sale of animals from puppy mills, among other things.

Puppy mills are large-scale commercial breeders who place profit above generally accepted veterinary practice and the humane treatment of animals. The vast majority of puppy mill dogs are kept in filthy, overcrowded cages, are provided little if any medical care or exercise, are not socialized with humans or other animals; the breeding females are forced to give birth to litter after litter throughout the duration of their short and tortured lives. Sadly, the abuse does not end there.

Pet stores, unwittingly or not, are integral in promoting puppy mills. The vast majority of dogs offered for sale in pet stores across the country come from puppy mills. The dogs suffer from all

manner congenital defects, and their medical problems are usually latent, typically expensive, and sadly, often deadly. Chapter 5 was intended to help municipalities to protect animals and the unsuspecting public by taking steps to end the puppy mill to pet store pipeline. To that goal, it provides municipalities with a panoply of tools to regulate pet dealers and to ensure that animals sold or offered for sale are from reputable, non-puppy mill sources, among other things, including requiring sterilization of dogs or cats prior to their sale.

Int. No. 136-A will have a profound impact on the number of healthy animals that are needlessly euthanized in New York City. Though New York City has taken steps to reduce the number of animals it euthanizes each year, our goal is a no-kill future in which no healthy and adoptable animal is killed. Overcrowding in the City's municipal shelter system, in addition to contributing to the rapid spread of communicable yet easily treatable diseases, requires that otherwise healthy and adoptable animals be killed to make room for the ever-growing number of animals coming in each day. Requiring that each dog or cat be spayed or neutered by a licensed veterinarian prior to sale will not only contribute to a decline in the number of animals euthanized, it will also ease the burden on New York City Animal Care and Control, the City's animal shelter system, hopefully enabling it to better care for all the animals in its charge. Despite massive opposition to the spay and neuter requirements of Chapter 5, I fought hard to maintain that language in the final bill, understanding well its significance. I applaud the Council for taking this critically important and desperately-needed step to require mandatory spay and neuter in New York City and hope that other municipalities across the State will follow its lead.

Combined with mandatory spay and neuter programs, requiring that all dogs and cats be microchipped prior to sale will also help to reduce the number of stray and homeless animals. A functioning microchip increases substantially the likelihood that lost animals will be reunited with their owners. To that end, **Int. No. 146-A** is a common sense measure that should be implemented immediately.

Int. No. 73-A broadens the definition of pet shops, thus ensuring that the Council can require all pet shops, regardless of the kinds of animals they sell, to obtain a permit to operate under section 161.09 of the New York City Health Code. A past amendment to section 161.09, which requires pet shops to obtain permits, exempted from its requirements pet shops that exclusively sold dogs or cats. My intent in drafting Chapter 5 was to ensure that municipalities had the authority to require all pet shops to obtain licenses, the revenue from which could be used to fund enforcement of the new sections of law.

Finally, **Int. No. 55-A** makes strides toward ensuring that animals that are sold or offered for sale in New York City pet shops are from reputable, law-abiding sources. Importantly, **Int. No. 55-A** allows the New York City Department of Health and Mental Hygiene (DOHMH) to require all pet shops to obtain an operating permit before doing business in New York City. Requirements for licensure include the disclosure of comprehensive personal, financial and business information, information related to the source of all animals offered for sale and a certification that the business has not sold an animal from any prohibited source. A comprehensive permit system will enable DOHMH to track the source of all animals sold in New York City, which will ultimately, with strong future source regulations in place, prevent the sale of dogs from disreputable sources, such as puppy mills. My hope is that this fee will be used by the City to

fund animal-related enterprises, such as the enforcement of this section, municipal spay and neuter programs or the operation of ACC. Lastly, DOHMH is empowered to order any business not in compliance with the requirements of this section or operating without a license until such license is obtained or compliance is achieved.

Requiring that pet shops only sell animals from sources that are licensed by the United States Department of Agriculture, pursuant to 7 U.S.C. section 2131, and further, that these sources have not received the stated direct or indirect violations of federal law dealing with humane treatment of animals, access and inspection of premises and record keeping, to name a few, will ensure that pet shops are selling animals from sources that comply with at least the minimum standards of care required by federal law. Pet shops will be required to obtain from source dealers certification that the source dealer has never been convicted of an animal abuse crime and that they have not, within the last five years, been convicted of violating the minimum standards of care provided for in section 401 of New York State Agriculture and Markets Law. To be clear, Chapter 5 provided that existing State law was the floor and not the ceiling. Though I have been working on legislation to improve the statewide standards contained in section 401, with the authority granted it under Chapter 5, the City could have increased and improved upon those standards itself.

Int. No. 55's most significant accomplishment is its prohibition against pet shops purchasing animals from Class B brokers. The dark middlemen of the pet industry, brokers shroud the source of animals sold in mystery and prevent municipalities from protecting consumers and animals. This prohibition is critically needed to ensure that New York City can effectively implement the requirements of this section. Importantly, the prohibition does not run afoul of Chapter 5's prohibition against an essential ban on all sales of animals that are raised and maintained in a healthy and safe environment since, at a minimum, the source of animals sold by brokers cannot be confirmed.

These four bills represent a victory for animals and the people who love them even though the Council did not act to exercise the totality of the authority granted it by Chapter 5, in particular, with respect to tough source regulations. To be sure, much more needs to be done on the city, state and federal levels to address the serious ills created by puppy mills, both to the public and the innocent animals, but with committed partners working together on all levels of government, I am confident that we will continue to make great progress.

Council Members,

"How Much Is That Doggie In The Window?" For me, that doggie turned out to be upwards of \$35,000 in medical bills. Giardia, coccidia, fevers, hypoglycemia, ex-hepatic liver shunts, a stroke, two seizures, multiple bouts with pancreatitis and life ending hepatic encephalopathy. My vet often joked that I had earned an honorary degree in veterinary medicine over the course of Charlotte's 9-year life. She was a victim of irresponsible breeding practices that are standard in puppy mills, and I unknowingly contributed money to the industry.

I am here today to honor Charlotte and advocate for the approximately 2 million doggies sold annually in the window, many to New York City consumers. These purchasers are unintentionally supporting mills by funneling thousands of dollars per puppy back into the system and perpetuating a cruel and inhumane cycle. In the gleaming window, the puppies often appear energetic, happy, and coiffed to perfection. Little do passersby and prospective owners know the grim places from which the animals came and the deplorable conditions they suffer through.

I recently accompanied The Humane Society of the United States on a raid in Mississippi where over 170 dogs were rescued and vetted. The majority had never been touched by human hands... Seen the sunlight... Been on a walk... Or let out of their filthy, dilapidated metal cages. All were improperly nourished and showed obvious signs of mistreatment and neglect. Our pets become our companions. Our family. Our children. How could we let them suffer like this?

Along with all the members of Friends of Finn, I am urging the Council to consider this important animal welfare and consumer protection ordinance to prohibit pet store owners in New York City from purchasing puppies from mills just like the one in Mississippi, and prevent prospective owners from inadvertently partaking in the process.

Thank you in advance for your time and for your consideration of this important matter.

Sincerely,



Courtney Stroum Meagher

FRIENDS of FINN

 THE HUMANE SOCIETY
OF THE UNITED STATES



November 24, 2014

Honorable Chairman Johnson and members of the Health Committee,

On behalf of Friends of Finn (FOF) and the thousands of other New York City constituents who have unknowingly purchased puppy mill dogs from pet stores, I am writing in support of Proposed Intro. No. 55-A. Its purpose is to restrict the sale of commercially-bred puppies in pet stores.

Friends of Finn is a committee that is made up of next generation, New York City leaders dedicated to working to stop the inhumane treatment of dogs in puppy mills. The organization was formed shortly after I learned that I was deceived into believing that the puppy I purchased from a New York City pet store was from a responsible breeder. It was not until after I bought Finn that I discovered the truth. Finn had come from a puppy mill that had had countless Animal Welfare Act violations and had, at one point, housed 900 dogs in the same facility. I was shocked and dismayed to find out that the significant sum I paid for Finn had been used to fund such a cruel industry. Sadly, this is the case for countless New Yorkers.

In 2010, I visited an emergency shelter for dogs removed from a puppy mill in Mississippi, where I witnessed dogs who had suffered from unspeakable neglect. The trip marked the beginning of my involvement with the issue of puppy mills, leading to the formation of Friends of Finn. Lorenzo Borghese went undercover with an HSUS investigator in 2011 and caught sales staff at 11 New York City-area pet stores making misleading claims concerning the origin of their puppies. Georgina Bloomberg and I helped care for dogs removed from a puppy mill in 2012 in Jones County, North Carolina, where dogs had been found standing in several inches of feces, many of them severely injured and malnourished. The operators of that puppy mill were AKC dog breeders. They were eventually convicted of 38 counts of animal cruelty, but the conviction came too late for many of the dogs who had suffered in their care. In 2013, Breanna Schultz, Kimberly Ovitz, Lauren Grafer and I accompanied The HSUS as more than 60 dogs were rescued from a breeder in Sampson County, North Carolina. All of us are members of Friends of Finn.

This ordinance will not only help stop the cruelty of puppy mills by preventing pet store owners from purchasing from some of the worst mills and brokers in the country, but will also protect consumers from unknowingly purchasing dogs from these places and thus unwittingly helping to perpetuate this cruel industry.

I, along with all of the members of Friends of Finn thank the Council for considering this important animal welfare and consumer protection ordinance and urge your support for this measure.

Sincerely,

A handwritten signature in black ink that reads "Amanda Hearst". The signature is written in a cursive, flowing style with a large initial 'A'.

Amanda Hearst,
Chair and Founder
Friends of Finn

William Sacrey
230 Riverside Dr
New York, NY 10025

Good Morning Ladies and Gentlemen of the Committee on Health, and thank you for the opportunity to speak in support of the four bills under consideration.

I am Bill Sacrey, a resident of New York City. I am speaking in my individual capacity, although I support numerous animal welfare organizations. I am also a registered voter.

A special thanks to Assembly Person Rosenthal, and Council Person Crowley for their efforts to speak for the animals of NYC [, through these four bills].

I would like to begin my remarks with a moment of silence for all of the animals on the Animal Care & Control kill list this evening.

Unregulated sale of dogs bred commercially, and sold in NYC, must cease. We are introducing into our city, animals bred in the most inhumane situations, animals with potential health and socialization problems.

Pet Shop sales of non neutered / spayed dogs and cats, must end. We as a city, are bursting at the seams, with unwanted pets.

Everyday Animal Care and Control receives on average 95 to 100 dogs and cats with no magic wand or unlimited funds and facilities to manage those numbers. Your support for these four bills will help the AC&C's mission to be NO KILL, a reality.

Seize this opportunity to be courageous and show leadership on animal welfare. Opposition interests are well funded and powerful. I also know that these 4 bills are fall short of what's really needed

But they're a start.

When you go home this evening to your families, and to you own companion animals, please give a thought to those animals who will not be so lucky to see tomorrow, thorough no fault of their own. They will be killed, frozen, and disposed of, and yet another kill list will be in preparation. You can begin to change that, and show leadership for NYC by supporting these four bills.

Thank you for your time.



NATIONAL ANIMAL INTEREST ALLIANCE

Supporting the people who care for America's animals

NAIA Testimony on files **55 A, 73A, 136 A, and 146 A**, before the NY City Council November 24, 2014

Chair Corey Johnson, and council members: Maria del Carmen Arroyo, Rosie Mendez, Mathieu Eugene, Peter Koo, Jimmy Van Bramer, Inez Barron, Robert Cornegy, and Rafael Espinal.

For the record my name is Randie Blumhagen; and I am here today to speak on behalf of the National Animal Interest Alliance (NAIA) and for our NYC members regarding the animal welfare proposals you are considering today. Our members and board of directors are veterinarians, rescuers, shelter workers, breeders and pet enthusiasts, scientists and educators, people who work with animals and animal welfare issues as part of their daily lives. People on all sides of the issues you are considering care deeply about improving animal wellbeing and we thank you for taking up these often highly contentious issues. Hopefully our recommendations can aid in securing an outcome that avoids unintended consequences.

We wrote the council back in May about these issues, and thank you so much for the many changes you've already made. But there are still problems that need to be addressed, and that's what I want to talk to you about now.

First, we question the provision in these files that would exempt pet stores that allow animal shelters and rescues to "...use such pet shop's premises for the purpose of making animals available for adopt to be exempt from the requirements of the requirements of subdivision a and b of this section...": re your current ordinance 17-1605 :

Where issues of animal wellbeing are concerned, we urge you not to provide an exemption to any outlet large enough to fall under this law. While it may be the council's intent to reward pet stores that switch to the rescue/shelter model, such reward should not be given at the expense of the animals involved. The purpose of the underlying ordinance is to prevent abusers from acquiring more animals. That objective is worthy of support regardless of who is doing the selling or as the ordinance refers to it, transferring. *It's important to note that unless NYC differs significantly from major cities in neighboring states, the sellers transferring the highest number of dogs in the NYC marketplace are rescues and shelters, entities that are already exempt from many of the laws that pet stores and other small-scale sellers must abide by.*

Second, we thank you for adopting sourcing requirements for pet stores. One of the historic problems for the commercial pet industry and therefore the pets that come from that sector, has been the inability of consumers, animal welfare advocates and lawmakers to be able to distinguish good from bad breeders. This has allowed the bad actors to hide among the responsible breeders, harming animals and destroying the reputation of breeders who are doing a conscientious job in the process. The publication of USDA inspection reports online about 5 years ago dramatically changes this situation. Now anyone who is interested in animal wellbeing, from the consumer to animal welfare advocates – has the ability to assure themselves that a particular licensee is operating in an acceptable way. This new found transparency encourages everyone in the commercial sector to improve. Our request here is that you

recognize that class A and B licensees alike are subject to inspections and to publication of their inspection reports online. We therefore don't understand why 55 A prohibits pet stores from buying from class B dealers who must meet the same standards as A licensees. Further when they transport dogs to pet stores, they are also subject to humane transport regulations. Please understand that rescuers who routinely transport dogs to NYC from other states operate with absolutely no transport oversight.

Finally, we ask you to review the ordinance passed back in 2000 that requires pet stores to neuter pets before transferring them. Several veterinary studies conducted since the passage of that law confirm that neutering dogs at young ages shortens their life spans and contributes to other health problems. This new knowledge is having a dramatic impact on veterinary medicine and on ideas about how best to reduce unwanted pet births and promote responsible pet ownership. I have attached a reference list with the names and website addresses of several pertinent studies.

In closing I want to suggest that in order to solve a problem it must first be defined accurately. With that in mind, we feel that it's important to recognize that the biggest pet sellers in today's marketplace are rescues and shelters, entities that currently operate with little if any oversight or accountability. The most effective ordinances therefore are ones that hold similarly situated pet sellers – ones transferring more than 25 dogs per year – to the same standards.

Long Term Health Effects of Spaying and Neutering in Dogs

<http://www.naiaonline.org/uploads/WhitePapers/LongTermHealthEffectsOfSpayNeuterInDogs.pdf>

Golden Retriever Study Suggests Neutering Affects Dog Health

<http://www.naiaonline.org/uploads/WhitePapers/goldenRetStudySuggestsNeuteringAffectaDogHealth.pdf>

A Healthier Respect for Ovaries

<http://www.naiaonline.org/uploads/WhitePapers/gpmcfHealthierRespectForOvaries.pdf>

AVMA: Mandatory Spay/Neuter a Bad Idea

<http://www.naiaonline.org/uploads/WhitePapers/avmaMandatorySpayNeuterABadIdea.pdf>

NAIA Shelter Reporting Act (a bill that requires shelters and rescues to report their activities)

<http://www.naiaonline.org/pdfs/NAIAShelterReportingAct.pdf>



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November 24, 2014

Testimony Presented to the New York City Council

Good morning, Chairman Johnson and members of the Health Committee. My name is Melanie Kahn, Senior Director of the Puppy Mills campaign for The Humane Society of the United States.

Thank you for this opportunity to testify on Proposed Intro No. 55- A - In Relation to Regulating Pet Shops.

I am pleased to offer the following comments on behalf The HSUS regarding the restriction of the sale of puppy mill dogs in New York City pet stores.

The HSUS opposes the sale of puppies bred in inhumane conditions everywhere that they are sold, including in New York City pet shops.

• Puppy Mills and Pet Overpopulation

A puppy mill is an inhumane, commercial dog breeding facility. Dogs are typically kept in small, wire cages for their entire lives. They're given just enough food and water to stay alive. They're usually denied veterinary care. They're bred continuously and when they can no longer breed anymore, they're discarded or killed. As a result, for a female dog, the typical life-span in a puppy mill is 6 years old.

The Humane Society of the United States estimates that there are about 10,000 of these facilities in the country, pumping out about 2 million puppies a year for the pet trade—primarily for sale in pet stores. It's a disturbing figure and not only because of the high number of puppies being produced in this manner, but also because that is about how many dogs are being unnecessarily euthanized in our nation's shelters every year. Make no mistake about it—puppy mills significantly contribute to pet overpopulation everywhere—including in New York City.

As a result, more than 60 localities across the country have responded to this problem by passing bans or restrictions on sales of dogs in pet stores.

• Responsible breeders do not sell to pet shops

How do we know that pet stores get their puppies from puppy mills? It's very simple—responsible breeders do not sell their puppies to pet stores or to brokers because they care about where their puppies are going and want to control where their puppies are going. They will not

sell their puppies to anyone who shows up with cash. Additionally, The HSUS reviewed the Codes of Ethics for the National Breed Clubs representing all 178 dog breeds recognized by the AKC, and found that 96% of those National Clubs include statements to the effect that their breeders should not and/or do not sell to pet stores. Since responsible breeders will not sell to pet stores or to brokers, the only sources of puppies pet stores have are irresponsible breeders.

- **Prohibiting puppy brokers from selling to New York City pet stores can curb this problem**

Puppy brokers are middleman dealers who obtain puppies from puppy mills, and then transport and resell them. Brokers typically sell puppies to pet stores. Right now, there are 755 brokers licensed with the United States Department of Agriculture (USDA). Based on several studies conducted by The HSUS, it is apparent that the majority of pet stores source their puppies from large brokers—many of which are located in the Midwest. For example, the Hunte Corporation, located in Goodman, Missouri, ships about 80,000 puppies a year to pet stores.

For consumers, the benefit of prohibiting pet stores from purchasing from these brokers is significant. The use of puppy mill brokers often makes it difficult if not impossible for the public to know who a puppy's breeder actually was, since many pet stores will only disclose the broker information, if they provide any information at all.

- **Federal laws and regulations are insufficient to prevent the proliferation of dogs sourced from inhumane origins**

The pet industry argues that dogs sold in pet store are regulated by the USDA. Indeed, many pet stores use this designation as a false guarantee and security to consumers—which it is certainly not. Unfortunately, the federal Animal Welfare Act provides survival standards for dogs, not humane care standards. The USDA has repeatedly asserted that their regulations and standards are *minimum* requirements only (See 7 U.S.C. § 2143(A)(8). For example, the agency's own Animal Welfare Act Fact Sheet¹ states "*Although Federal requirements establish acceptable standards, they are not ideal. Regulated businesses are encouraged to exceed the specified minimum standards.*"

- **Conclusion**

The morals and values of New York City cannot be represented by allowing the unrestricted sale of puppy mill dogs – an industry so intrinsically linked to unnecessary animal and human suffering. New York City pet store customers should not be duped into unwittingly supporting the cruel puppy mill industry, and into buying puppies exposed to the unique set of physical and behavioral problems created by such a substandard upbringing. New York City residents should no longer have to accept the importing of puppies from brokers and from some of the worst puppy mills in the country while their tax dollars are spent sheltering and euthanizing healthy, homeless dogs.

¹ U.S. Department of Agriculture, Animal Plant and Health Inspection Service, "Fact Sheet: Animal Care. The Animal Welfare Act," in <http://ca-biomed.org/pdf/media-kit/oversight/USDAAWA.pdf> (accessed 5 Dec, 2013).

We thank the Council for considering this important animal welfare and consumer protection ordinance.

Sincerely,

Melanie Kahn

A handwritten signature in black ink that reads "Melanie Kahn". The signature is written in a cursive, flowing style.

Senior Director, Puppy Mills Campaign
The Humane Society of the United States



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November 24, 2014

**Testimony Presented to The New York City Council
Supporting Proposed Intro. No. 55-A**

Good Morning, Chairman Johnson, Council Member Crowley and members of the Health Committee. My name is Brian Shapiro. I am the New York State Director for The Humane Society of the United States, the nation's largest animal protection organization. Thank you for the opportunity to testify before you today.

I am pleased to offer the following comments on behalf of The HSUS regarding Proposed Intro. No. 55-A.

In all places where they are sold, the HSUS opposes the sale of puppies bred in inhumane conditions. This includes New York City pet shops.

• Most pet stores in New York City sell puppies from inhumane sources

The Humane Society of the United States conducted a hidden-camera investigation¹ which revealed that more than 100 New York state pet stores, including many in New York City, supply unsuspecting consumers with puppies from puppy mills.

Many web sites or employees of these stores implied or explicitly stated that the puppies come only from small-scale "private breeders"—not from notorious puppy mills—which is completely non-factual. When HSUS investigators filmed some of these breeding facilities they found hundreds of dogs confined to small cages.

For this particular investigation, we also studied the shipping documents for more than 100 pet stores in New York. We found that more than 4,500 puppies were shipped to New York during only a four month period of time from large-scale breeding and brokering operations in Arkansas, Iowa, Kansas, Minnesota, Missouri and Oklahoma.

Many of the 100 stores whose puppy transport records were examined were found to be buying puppies from suppliers with known Animal Welfare Act violations, including some with citations for filthy conditions, lack of adequate space, underweight breeding animals, dogs found in the freezing cold or high heat without adequate weather protection, or sick or injured dogs in need of

veterinary care.

¹ Can be found at:

http://www.humanesociety.org/news/news/2011/11/ny_puppy_mill_110911.html#.UvkvXWJdWAg

- **The commercial pet industry fails to provide pet stores with humanely raised dogs**

From Amy Cirincione, owner of Feed Bag Pet Store in Cutchogue, NY: *"I have found that there is no way for me to sell puppies from my retail establishment that does not contribute to the suffering of both the parent dogs and the puppies bred from them. Reputable breeders with high standards of care do not sell their puppies to ANY pet stores for resale. Puppy mills are the only option for pet stores wishing to make a profit selling puppies. I do not sell animals in my store because it is impossible to do so without contributing to this barbaric trade."*²

- **Pet stores can flourish without selling puppies**

There are about 9,000 pet stores in the country—6,000 of which do not sell puppies. In New York City alone, there are 180 stores that have signed The HSUS' pledge not to sell puppies in their stores. This demonstrates that despite pet industry claims, stores can operate without selling puppies. Owners simply have to be willing to change their business model and The HSUS has an entire program dedicated to helping business owners do just that.

Through our Puppy Friendly Pet Store Program³ we have worked directly with pet shops that have stopped selling dogs from puppy mills and instead use their space to adopt out homeless dogs from their stores. We have found that in many cases, these pet stores have become even more financially successful because of all of the good-will generated from the community. People want to support those businesses that are becoming solutions to the problem.

Not only does this stop the proliferation of puppy mill dogs, but it also gives homeless dogs another chance at finding a forever home. Similarly, we have found that pet shops who switch to a humane business model, refusing to sell dogs acquired from inhumane sources, have been very successful and are proud to have rejected the unnecessary cruelty of puppy mills.

- **Conclusion**

As the State Director for The Humane Society of the United States, and speaking for our members and supporters in New York City, I ask you to please support Proposed Int. No. 55-A. Thank you for your time and for your consideration of this important animal welfare and consumer protection issue.

Sincerely,

Brian Shapiro

Brian Shapiro, New York State Director
The Humane Society of the United States

² Cirincione, Amy, "Opinion: Feed Bag Owner Says She Will Not Sell Animals in Her Store," *North Fork Patch*, 29 Jun. 2011, <http://northfork.patch.com/groups/politics-and-elections/p/opinion-feed-bag-owner-says-she-will-not-sell-animalscbb9519ddc> (accessed 6 Dec. 2013)

³ http://www.humanesociety.org/issues/puppy_mills/facts/puppy_friendly_pet_stores.html#.UqI-ZxXTnVQ

**Testimony of Deborah A. Howard
on behalf of the
Companion Animal Protection Society, Inc. (CAPS)
concerning Int. Nos. 55, 73, 136 and 146
before the City Council of the City of New York, City Hall
November 24, 2014**

Introductory Remarks

Good Morning. I am Deborah Howard, Founder and President of the Companion Animal Protection Society (CAPS), a national nonprofit that investigates the pet shop and puppy mill industry.

Overview

CAPS submitted compelling evidence at the April 30, 2014 hearing, including a comprehensive spreadsheet which demonstrated that almost all NYC retail pet shops purchase puppies from commercial breeding facilities with USDA violations. CAPS reiterates its strong support for the proposed ordinances, especially draft ordinance Int. 55.

Today I will briefly comment upon the subsequent revisions to draft ordinance Int. 55 and respond to some of the inaccurate comments advanced by the pet industry. I will focus on the justification for the language prohibiting “brokers” in Chapter 17, Section 1702.

Brokers and Breeders

With dog brokers, there is limited accountability. This is contrary to the public policy intent of Int. 55. Brokers often never see the breeding facilities from which they purchase puppies and kittens. Large-scale brokers, such as The Hunte Corporation in Goodman, Missouri, often use booking agents who pick up puppies from numerous breeders and then transport them to the Hunte facility. Some breeders bring their animals and those from other breeding facilities in their area directly to brokers. The use of a broker results in the concealment of records concerning origin, health, and USDA violations of the breeder. Certificates of Veterinary Inspections (CVIs), which are interstate health certificates that a broker’s veterinarian must file in the states of origin and destination, show only the broker’s name as the consignor. There is no way of knowing the breeder sources for the puppies and kittens listed on this federal document. In addition, brokers sometimes buy animals from unlicensed breeders who are allegedly exempt from USDA licensing. Therefore, there are no USDA inspection reports to verify the conditions at these facilities. All of these elements essentially defraud the consumer by hiding the often cruel suffering inherent in the commercial breeding of puppies and kittens as commodities.

Direct Accountability

If a law requires pet shops to purchase directly from breeders, then there is direct accountability for the animals sold in the pet shop. When a pet shop buys directly from the breeder, then the breeder’s name and address will show up on the CVI. Direct purchases by pet shops also prevents commingling of puppies by the brokers during transport, which can lead to increased risk of illness and even identification issues. CAPS has received consumer complaints about pet shop puppies who were identified as the wrong sex, the wrong breed or were in fact from a breeder other than the one stated on store documents. **Int. 55 will allow more responsible breeders without violations to operate and will not shut down industries or take away jobs, especially in New York City. The only ones who**



TESTIMONY BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON HEALTH
ON BEHALF OF PETSMART, INC.
NOVEMBER 24, 2014 10:00AM

My name is Edward C. Wallace, I am Co-Chair of the New York office of Greenberg Traurig and we represent PetSmart, Inc. (“PetSmart”). I would like to thank the Chairman and the New York City Council Committee on Health (the “Committee”) for giving us the opportunity to provide testimony today regarding Int. 55, 136 and 146 (as amended).

PetSmart is the largest specialty pet retailer of services and solutions for the lifetime needs of pets. PetSmart is an industry leader in pet supplies, pet care information, and is active in the pet adoption space. As I stated in the previous hearings on these bills, PetSmart has a strong presence in New York City. PetSmart provides good jobs for New Yorkers; in their 5 New York City Stores in Brooklyn, Manhattan and Staten Island, PetSmart employs 210 experienced associates. PetSmart applauds the Council’s efforts to protect animals and make New York City a safer place for all pets.

We note that PetSmart does not sell dogs or cats. Through an in-store pet adoption partnership with independent nonprofit organizations, PetSmart Charities® and PetSmart Charities® of Canada, PetSmart helps to save the lives of more than 400,000 homeless pets each year. Since 1994, they have helped save the lives of nearly 6 million pets. We commend the Council’s efforts to ensure that these activities can continue to take place in a safe environment. We appreciate the changes made to Int. 55, 136 and 146 to allow these adoptions to continue to take place in our stores.

Chairman Johnson, and the entire Committee, I thank you for your attention to this important issue. In closing, I want you know that PetSmart is constantly working to determine ways in which it can improve its practices, all in the best interest of pets. At PetSmart, nothing is more important to us than the safety of the pets in our care. We share the Committee’s commitment to the wellbeing of pets and we look forward to continuing to work with the Committee and the Council to improve the quality of life of all of the City’s residents—large and small.

Good Morning. I want to first thank Chairman Johnson, Council Member Crowley, and the members of the committee for inviting me to speak here today on this important and overdue legislation.

My name is Michael Gill. I have worked in the pet industry for more than 20 years and currently own and operate We Love Rescue Pets, based in Media Pennsylvania (formerly We Love Pets).

For more than 10 years, our store has sold animals and puppies primarily supplied by brokers including Hunte Corporation, the largest broker in the Country. These brokers purchase puppies directly from breeders then sell them throughout the United States and other countries, either online or through pet stores.

Sadly, unknown to the pet stores, are the critical histories concerning any medications, treatments, and ailments of the animals prior to their delivery. Often these issues are concealed within falsified veterinary records and paperwork provided to the stores prior to delivery.

This abusive practice is overseen at the Hunte Corporation by Dr. Oxford DVM.

To help you better understand, I have with me an example (Exhibit A) of a Puppy Veterinary Exam Summary which accompanied a puppy I purchased last year. And, I have thousands of others; all with the same heartbreaking ending, and each one signed off by Dr. Oxford

Before I continue, allow me to say a few words about Dr. Oxford. According to Hunte's records, each week Dr. Oxford examines more than 1,000 incoming animals; another 1,000 outgoing animals; and oversees all veterinary services for more than 2,000 animals – including performing all surgeries while these animals are housed at Hunte's facility. If he worked 24/7, Dr. Oxford would still have only 20 seconds with each animal. Obviously this is impossible.

With regard to Exhibit A- Puppy Veterinary Health Exam Summary shows a Havanese mix puppy which was examined upon its arrival at Hunte by Dr. Oxford on October 10, 2013. This dog did not become available for sale until nearly two months later on December, 2, 2013. When listed for sale on Hunte's website, there was no mention of any ailments or treatments.

When I purchased this puppy, I asked my sales associate, Ray Rothman, why the animal had been held and was told it was "for size." I then proceeded with the purchase and the puppy was invoiced and again examined by Dr. Oxford on December 12, 2013, prior to shipment.

Upon delivery, the puppy was weak and showed no interest in food. Concerned, I asked the drivers how the puppy had behaved in transit. They told me he was fine, ate well, and he was "probably nervous." Not satisfied with their answers, I then asked specifically if the puppy was being treated for any type of illness. Again, they said no.

Within 48 hours, that puppy had to be taken to the Veterinary hospital.

The examination showed the puppy not only had pneumonia, but also had scarred lungs from long-term pneumonia. Because the dog was also not eating, we were concerned if he had been given any medications. When I called Hunte to inquire, my sales person assured me the puppy was not on any medications.

The following week the drivers arrived with another shipment of dogs. Again, I asked about medications and at that point was told the drivers had been provided with an injectable medication to give the puppies en route to their delivery. When I reviewed the accompanying paperwork, once again Dr. Oxford had conducted an examination on December 8, 2013, and found the dog healthy with no mention of the past care, treatments and medications, or instructions to send any sick animals to us.

In fact, the health record (Exhibit B) and Certificate of Veterinary Inspection had no mention of any illness, treatments and medication, or instructions.

As it turned out, many of the animals shipped between November 24 and December 24 would break with symptoms of Parvo Virus, Upper Respiratory Infection, and Giardia within 48 hours of arrival. My repeated attempts to obtain information or an explanation from Hunte led nowhere, despite pleading with them as animals suffered and some died from Hunte's negligence and torture-like practices.

By the end of the Christmas holiday, more than eight animals were dead; as we scrambled with our veterinarian to save as many as we could, we quickly incurred more than \$25,000.00 in veterinary bills.

The Hunte Corporation's deliberate attempt to hide ailments and medical histories has been the single worst experience in the 20-plus years I have worked with animals.

When asked, Hunte staff assured me there were no Parvo issues at Hunte, or at any other stores, "they just weren't seeing it." I was to later learn, directly from Dr. Oxford, that Hunte's policy allows for a certain number of Parvo cases each week that is deemed acceptable to be considered "not seeing it."

What happened to us in December 2013, along with a series of events involving Hunte, has led to us turning our store into the first pet store to be a rescue, owner surrender, adoption facility for all companion animals.

Finally, I have brought with me a third example (Exhibit C), that further confirms the complete disregard for the animal's well-being in order to make a profit: an actual guidebook created and distributed by Hunte to educate and enlighten breeders on practices which will allow them to evade regulations and avoid scrutiny from federal, state and local regulators; as well as so-called animal rights "activists and extremists." In addition, this guidebook encourages stores and the pet industry to fight against legislation aimed at preventing inhumane practices set in motion by the brokers – legislation like intro 55-A.

It is apparent; Hunte directly assists breeders in getting puppies to the market, even if it means evading regulations. One particularly deceitful practice is the encouragement of breeders to break up their businesses into smaller operations so it appears they are only "hobby breeders" which have only four or fewer breeding female dogs. This makes them exempt from USDA regulations, a practice confirmed to me by Mr. Andrew Hunte himself, owner of the Hunte Corporation.

Clearly, there must be more oversight to protect the pet shop owners, pet lovers, and these helpless and innocent animals.

We should begin by:

- * Streamlining the claims process: the claims process for animals with ailments is overly complicated and laden with unreasonable restrictions. This forces stores to incur costs related to returns of animals with ailments after being sold, leaving the store unable to be reimbursed.
- * Focusing on the brokers: Broker staff too often covers up ailments with falsified paperwork to shield them from the public, and government agencies.
- * Enhance oversight: We need to enhance our efforts to investigate breeders and their practices by pulling inspection reports and compiling data, just as our store had independently done for over 10 years.
- * Tighten Exemptions: No longer allow breeders to become exempt by requiring a license or inspection for the low number of dogs sold. Too often "exempt" breeders have multiple names yet operate out of the same address allowing them to stay below the radar.

Let me be clear, although the focus of my testimony has been on Hunte, which is the industry leader and has the largest market share in the Country, the practices I discussed exist across the industry. I have attempted to work with many brokers in addition to Hunte, all resulting in similarly horrible results. Therefore, until this legislation is passed and brokers are no longer allowed to deceive pet store owners and consumers, the horrendous circumstances will remain.

Let me assure you, I am not an activist or an extremist. If I sold electronics or clothing I would not be here today. I am here to speak for these living, voiceless and indeed helpless animals. As someone who has sold nearly 20,000 puppies over the past 11 years, I am here because I believe as a pet store owner it is my responsibility to make sure these animals get justice and things are done the right way. By protecting the brokers, the current system does not allow the pet stores a fair chance to operate and provide humanely raised and handled animals.

Thank you. I welcome your questions.

For more info or any questions, please contact us at:

We Love Rescue Pets

523 Baltimore Pike, Media, Pa 19063

610-891-2727



WE LOVE ANIMALS AND WE VOTE!

November 24, 2014

Good Morning. My name is Joel M. Bhuiyan and I am testifying on behalf of NYCLASS. We thank the Health Committee for the opportunity to testify on Intro 55A, Intro 73A, Intro 136A and Intro 146A.

NYCLASS is a 501(c) 4 non-profit animal advocacy organization committed to ending the inhumane NYC carriage horse industry. We have recently expanded the animal protection issues for which we advocate to include banning puppy mills, regulating the breeding practices of pet dealers that sell to New York City shops, and increasing the funding to Animal Care and Control, among others. Founded in 2008 by a coalition of prominent animal lovers and business leaders, NYCLASS has grown to over 110,000 supporters with activist chapters in all five boroughs.

NYCLASS supports Intros 55A, 73A, 136A and 146A. Collectively, this package of legislation will protect animals from the horrors of cruel and abusive puppy mills, and protect consumers from unwittingly supporting unscrupulous breeders. It is time to stop the puppy mill pipeline to New York City, which contributes to pet overpopulation and overcrowding in our city's tax-payer funded animal shelter system.

Intro 55A prohibits NYC pet stores from obtaining dogs and cats from sources that are not licensed by the USDA, prohibits the sale of animals obtained from Class B dealers/brokers, and prohibits sales from licensed breeders if their inspection reports indicate noncompliance. It increases transparency by requiring pet stores to provide information to consumers about the breeders' USDA record, violation history, the animal's health and medical treatment, and the source and condition of their animals. This puts the city in line with current state law, while providing consumers transparency of where their pet came from and how they were treated.

Intro 73A changes the definition of pet shop in the Animal Abuse Registration Act to include pet shops that sell cats and dogs. This change of definition will ensure that those convicted of animal abuse in NYC are not permitted to purchase cats and dogs.

Intro 136A amends the Animal Shelter and Sterilization Act to prohibit the sale of any dog or cat in any pet store unless such animal has been spayed or neutered. The bill prohibits pet shops from releasing a dog to a NYC resident unless the customer completes a dog license application. This will help control overpopulation and ensure that dogs are licensed in accordance with NYC law. Additionally, increased licensing compliance will bring in much needed funding for animal care and control services.

Intro 146A amends the Animal Shelter and Sterilization Act to prohibit a pet shop from releasing a cat or dog to a purchaser until it has been implanted with a microchip that is registered with the purchaser's contact information. It would require pet stores to maintain records of date of sale and microchip registration for ten years. Micro chipping is the single most effective method of reuniting lost animals with their guardians, and by doing so would alleviate overcrowding in in the city's shelter system.

NYCLASS applauds Council Members Crowley and Johnson for their commitment to building a more humane New York City for animals and consumers. We encourage members of the Committee on Health to approve all four pieces of legislation and we look forward to working with the City Council to make sure they become law.



**Testimony of
Risa Weinstock
Executive Director & General Counsel
Animal Care & Control of NYC**

Before the

New York City Council Committee on Health

on

**Proposed Int. No. 55-A - In relation to regulating pet shops.
Proposed Int. No. 73-A - In relation to updating the definition of "pet shop" within the
animal abuse registration act.
Proposed Int. No. 136-A - In relation to the spaying, neutering and licensing of animals
sold in pet shops.
Proposed Int. No. 146-A - In relation to microchipping animals sold in pet shops.**

November 24, 2014
10:00 a.m.
250 Broadway, 16th Floor
New York, NY

Good morning Chairman Johnson and members of the Health Committee. My name is Risa Weinstock and I am the Executive Director and General Counsel of Animal Care & Control of NYC (AC&C). Thank you for the opportunity to testify this morning. AC&C supports the proposed Local Laws to amend the administrative code of the city of New York with regard to pet shops. The overpopulation of stray, homeless and abandoned animals in NYC is daunting. Over 30,000 animals come into our shelter system yearly. Nearly two-thirds of these are strays, meaning they have no identifying information or tags which could help AC&C make more timely decisions about the animals' outcomes. AC&C strongly supports the proposed laws mandating spay/neuter, licensing and microchipping dogs and cats from pet shops. These measures can help reduce pet overpopulation in NYC, as well as the number of animals that enter AC&C, and can positively impact our ability to seek placement for them outside the shelters sooner.

AC&C was established in 1995 as a 501(c)(3) not for profit organization, dedicated to rescuing, caring for and finding loving homes for homeless and abandoned animals throughout the five boroughs. AC&C is unique in the animal welfare community of NYC because we are the *only* organization that annually takes in and cares for more than 30,000 animals through a policy of "open admission" -- meaning that each of AC&C's facilities accepts any animal that comes through its doors regardless of whether they are stray, abandoned or surrendered by their owner, and regardless of the behavior they are exhibiting, the condition they are in or their medical status. We receive animals of all kinds at each of these locations, but the intake is driven primarily by cats, dogs and rabbits.

Proposed Int. No. 136-A – a Local Law to amend the administrative code of the city of NY in relation to the spaying, neutering and licensing of animals sold in pet shops

Spay/Neuter: On average, AC&C takes in over 600 animals weekly, that's more than 85 every day. Many of these animals are unclaimed and there is never a shortage of dogs, cats and rabbits available for adoption at AC&C. Every animal adopted from AC&C is required by law to be spayed or neutered, barring any special circumstances. By requiring the same for animals sold in pet shops, AC&C is hopeful that the shelter intake number (over 25,000 cats and dogs from January 1 – October 31, 2014) will start to decline. Without mandatory spay/neuter, pet shops will only continue to exacerbate the current overpopulation of animals in NYC and diminish the spay/neuter initiatives at AC&C and throughout NYC.

Dog Licensing: AC&C strongly supports the dog licensing requirement for pet shops. A license is one of the most effective sources of information that AC&C relies on to help us move a dog out of the shelter system more quickly and back with its family. The licensing requirement will ensure a quick and efficient way to identify a pet that is lost and will also expedite the return to owner process. The revenue derived from licensing at pet shops is another benefit that will provide AC&C additional resources to care for the city's stray and abandoned animals.

Proposed Int. No. 146-A – a Local Law to amend the administrative code of the city of NY in relation to microchipping animals sold in pet shops

Similar to our support of mandatory pet shop dog licensing, AC&C supports the amendment to require pet shops to microchip a dog or cat. Just like a license, a microchip is a very effective means for our staff to identify a lost pet. From January 1, 2014 through October 31, 2014, AC&C took in nearly 5,000 stray dogs and nearly 12,000 stray cats with no identifying information. By law, a stray dog or cat with no identifying information must be held a minimum of three days at the shelter. If each of these animals had a currently registered microchip, AC&C could make placement decisions much more quickly. Consequently, the licensing and microchip provisions could help reduce the shelter population and ensure that there are fewer stray animals in our care.

Proposed Int. No. 55-A – a Local Law to amend the administrative code of the city of NY in relation to regulating pet shops

AC&C supports the proposed ban on the sale of rabbits in pet shops (section 17-702.3.b). About half of the rabbits surrendered to AC&C originate from pet shops. While this number is small relative to dogs and cats (approximately 100 rabbits that are surrendered were originally purchased in a pet shop), prohibiting their sale could significantly reduce their presence in the shelter. (The total rabbit intake -- owner surrender plus stray -- was 382 in 2013, and we are seeing similar intake results for 2014.) Currently we are at maximum capacity for rabbits, yet there is not a growing demand for rabbit adoptions. More often, AC&C relies on the rescue community through our New Hope program to find permanent placement for the rabbits in our care. Accommodating the overflow of rabbits strains our resources, impacts other housing areas of the shelter, and adds to the challenge of managing the overall animal population.

Conclusion

AC&C welcomes the efforts of the City Council to help reduce the overwhelming number of abandoned and stray cats, dogs and rabbits in NYC through these amendments. The magnitude of this issue not only impacts AC&C, it impacts the health and welfare of the entire city. The proposed amendments promote responsible pet ownership and community involvement – including the cooperation and participation of pet shops. AC&C has been licensing, microchipping and sterilizing our adopted animals for nearly two decades. We welcome the support of the City Council to require pet shops to do the same and make a positive change in pet overpopulation in NYC. Thank you for the opportunity to testify today. I am happy to take your questions.



Humane Society of New York

ANIMAL CLINIC / VLADIMIR HOROWITZ AND WANDA TOSCANINI HOROWITZ ADOPTION CENTER
306 East 59th Street, NYC 10022 / tel: (212) 752-4842 fax: (212) 752-2803

The Humane Society of New York thanks the New York City Council Health Committee for the opportunity to testify. We also thank Councilmembers Corey Johnson and Elizabeth Crowley, and the other sponsors of the bills for which we are here today.

- We are very supportive of 136-A which will restore New York City's law requiring pet shops to spay and neuter dogs and cats prior to selling them. Shelters in New York City have already been doing this for many years, to help control overpopulation, and because of the health benefits that spaying and neutering provides.
- We are very supportive of 146-A which will require pet shops and animal rescue organizations to have dogs and cats microchipped before releasing them for sale or adoption. A microchip can truly be an animal's best chance of being reunited with his or her guardian.
- The Humane Society of New York is very supportive of 55-A which will regulate the sale of dogs and cats and will ban the sale of rabbits from pet shops. More specifically, we are pleased that this legislation will help to:

Provide greater protection to animals and consumers by prohibiting commercial breeding facilities with continuous violations of the Animal Welfare Act or violations of animal cruelty or other animal care laws from supplying dogs and cats to pet shops in New York City;

Better protect animals, as well as consumers, by eliminating the use of brokers. The accuracy of the source of these animals is highly suspect. In addition to the needless suffering that animals already have to endure in puppy mills, numerous inhumane situations have been reported involving brokers picking up animals from separate puppy mills and transporting the sick and the healthier animals side by side in the same truck; purchasing underage animals; obtaining animals from unlicensed breeders; and using unsafe transport vehicles.

55-A will allow for greater enforcement of animal care and recordkeeping standards by establishing such standards for enforcement by the Department of Health;

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Protect rabbits by banning their sale in pet shops. Animal Care and Control and other humane organizations care for thousands of homeless rabbits each year – rabbits who are surrendered or found abandoned. Banning the sale of rabbits from pet shops (as has already been done in other cities) will help to control the overpopulation of rabbits and better ensure that rabbits are spayed or neutered prior to release to a consumer.

The Humane Society of New York strongly supports 55-A and we hope that in the future all New York City pet stores will offer adoption space to shelters and rescue groups. Several cities in the United States have already banned the sale of dogs and cats from pet stores, except for dogs and cats for adoption from shelters and rescue groups.

Again, the Humane Society of New York strongly supports 55-A, 146-A, 136-A, and 73-A and urges the Council to pass these humane bills.

Dated: November 24, 2014

Sandra DeFeo
Executive Director
Humane Society of New York



PETA Public Comment

Introductions Nos. 55-A, 73-A, 136-A, and 146-A
Regarding the Regulation of Pet Shops in New York City
New York City Council Health Committee Public Hearing
November 24, 2014

Thank you, committee members, for considering four proposed amendments to the New York City Administrative Code in relation to pet shops. My name is Emily McCoy, and I represent PETA, the world's largest animal rights organization, with more than 3 million members and supporters, some 90,000 of whom are proud New Yorkers.

While we oppose changes made to the language of Proposed Introductions Nos. 55-A and 136-A—which were heard by the committee on April 30, 2014, and would have prohibited the sale of puppies and kittens bred in mills and also required the sterilization of small animals such as rabbits sold for profit—we support the four measures that are being heard today: Introductions Nos. 55-A, 73-A, 136-A, and 146-A. Introduction No. 73 proposes to update the definition of “pet shop” within the Animal Abuse Registration Act by better defining the term and including consideration of the lives of all animals. PETA frequently fields disturbing complaints about pet shops that keep and sell sick and injured animals of all shapes, sizes, and species to unsuspecting customers; deprive many of the animals of the basic necessities of life, including vital species-specific necessities, and desperately needed veterinary care; and leave unsalable animals confined and isolated in back rooms, hidden from public view.

The “pet” trade industry is notorious for taking shortcuts at the expense of the animals whose sales it depends on. In addition to the substandard, deplorable factory farm–like conditions in which dogs, cats, rabbits, birds, guinea pigs, chinchillas, rats, mice, and so many other animals are bred, raised, shipped, and sold, each animal purchased from a pet shop goes to a home that could have gone to an animal in a shelter, which could mean a death sentence for the shelter animal.

Introduction No. 146 proposes requiring pet shops to identify the animals they sell by having them implanted with identification microchips by licensed veterinarians. Microchips help reunite beloved animal companions with their frantic guardians; help track animals with congenital defects back to a broker, breeder, puppy mill, etc.; encourage responsible guardianship; eventually reduce the number of animals taken into area shelters; identify the owners of animals maintained in violation of animal-protection laws and dangerous-dog regulations; and more.

Introduction No. 136-A would require pet shops to sterilize animals and require purchasers to buy a valid animal license before ownership is transferred. The overpopulation of dogs and cats in the U.S. results in 6 to 8 million of them euthanized in animal shelters every year, often because no homes exist for them. A 2013 report states that 25 percent of the dogs entering animal shelters were

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- PETA Australia
- PETA Germany
- PETA Netherlands
- PETA Foundation (U.K.)

7

purebred, produced by breeders and sold at pet stores. Sterilizing dogs and cats before sale would save the lives of countless animals in New York. Small animals such as rabbits were covered by the requirements in the previous version of the Introduction, and we urge you to ask that those requirements be reinstated in the measure. Innumerable rabbits are sold, given away, and abandoned every year, resulting in death—from neglect as well as euthanasia—in homes and at overwhelmed animal shelters. These animals are prolific breeders and have special needs that are rarely met in inexperienced and uneducated homes. Their sterilization before sale would save countless lives.

Introduction No. 55-A originally proposed to prohibit the sale of puppies and kittens bred in puppy and kitten mills while the current language proposes to allow the sale of such animals, even from mills that have been cited by the U.S. Department of Agriculture. Dogs and cats used for breeding in puppy and kitten mills are bred repeatedly for years on end and warehoused in cramped, crude, and filthy conditions until they are no longer profitable. Investigations have shown time and time again that these operations confine dogs and cats—some by the *hundreds*—to outdoor kennels and hutches and repeatedly breed and inbreed unhealthy and unsocialized animals, including siblings and offspring, with each other and without regard for their welfare, health, or safety. Not only do breeding mills contribute to the animal homelessness and overpopulation crisis, they have also led to chronic genetic ailments in virtually every breed—there are more hereditary canine diseases (about 370) than there are dog breeds (about 350). We urge committee members to reinstate the previous language that proposed to prohibit the sale of animals bred by “high-volume” breeders.

Thank you for considering proposals to protect animals in New York City more effectively as well as for the opportunity to share our position.

**NEW YORK
CITY BAR**

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**TESTIMONY OF
THE ANIMAL LAW COMMITTEE OF
THE NEW YORK CITY BAR ASSOCIATION
IN SUPPORT OF INT. 0055-A 2014, 0136-A 2014, AND 0146-A 2014**

**NEW YORK CITY COUNCIL
COMMITTEE ON HEALTH
November 24, 2014 - 10:00 A.M.**

Good morning. My name is Christine Mott. I am testifying on behalf of the New York City Bar Association's Animal Law Committee, which I chair.

Chairman Johnson and members of the Health Committee: thank you for this opportunity to testify on Intros. No. 0055-A, 0136-A, and 0146-A. For your reference, attached to our written testimony are copies of our Committee's full reports on these pieces of legislation.

INTRO. NO. 0055-A 2014 – REGARDING THE REGULATION OF PET SHOPS

We support the enactment of Intro. No. 55-A. It is well documented that many of the puppies and kittens sold at retail pet stores in New York City come from puppy and kitten mills where the mothers and fathers of the puppies and kittens produced for sale are subjected to such cruel and inhumane practices as inbreeding, overbreeding, minimal to non-existent veterinary care, lack of adequate food, water and shelter, lack of socialization, lack of adequate space and inhumane euthanization.¹ These conditions oftentimes result in health and behavioral issues in the animals purchased by unwitting consumers, who have no idea that these puppies and kittens are the products of puppy mills or kitten mills.

The ability of the City to prohibit pet shops from selling puppies and kittens sourced from the worst offending puppy and kitten mills and to require pet shops to disclose to consumers information on the source and background of the animals offered for sale will ultimately result in a greater demand by the public for animals bred in compliance with more humane standards as well as increased adoption of the homeless animals in the City's shelters.

¹ See Report on A.1655-A/S.4799, Animal Law Committee, New York City Bar Association, June 2013 (would expand the definition of the term "pet dealer" to include wholesale pet breeders, define the term "retail pet store," improve humane housing and care standards for animals maintained by pet dealers, and add new record keeping, licensing and inspection provisions with respect to pet dealers), available at <http://www2.nycbar.org/pdf/report/uploads/20072530-PetDealerDefinitionExpansion.pdf>.

We note that, following dogs and cats, rabbits are the third most commonly surrendered animal in the City shelter system. Given the difficulty in identifying the sex of young rabbits, and rabbits' ability to reproduce in significant numbers in short periods of time, a pair of rabbits purchased from a pet store frequently results in multiple litters of unwanted rabbits that are commonly dumped in City shelters and parks. For these reasons we support a ban on the sale of rabbits by pet shops.

While we support Intro. No. 55-A, we have several recommendations. First, we recommend that the legislation be amended to prohibit a pet shop from charging a purchaser or prospective purchaser any fee for obtaining copies of the two most recent USDA inspection reports for the breeder of a dog or cat offered for sale by the pet shop. Such a fee may deter a prospective purchaser from obtaining relevant information which such consumer would be entitled to receive under the proposed legislation. Additionally, any such printing or copying fees should be borne by pet shops as a cost of doing business and should not be passed on to the consumer.

Next, given that many animals sold in New York City pet stores are obtained from out of state sources, we recommend that section 17-1702 of the proposed legislation be amended to require that the source of the animals obtained by a pet shop certify that it has not been convicted of a violation of the minimum standards of animal care contained in any local, state or federal law in any jurisdiction in which such source operates.

We also recommend that section 17-373(d)(5) be amended to require a pet shop to certify compliance with the requirements of section 17-1601 of the City's administrative code relating to the City's Animal Abuse Registry with respect to the owner, operator, employee, agent or contractor of such pet shop. We also recommend that section 17-373(e) be amended to prohibit the Department from issuing or renewing a permit to any such pet shop that fails to certify such compliance.

We further recommend that the proposed legislation be amended to prohibit pet stores from selling dogs or cats to Class B dealers or to any other person or entity for the purpose of research, experimentation or testing. We also recommend that the proposed legislation be amended to prohibit pet stores from selling dogs or cats to any person or entity that fails to satisfy the criteria of Section 1702.

Lastly we note that the proposed minimum standards of care for animals in pet shops are merely a codification of those contained in Section 401 of the Agriculture and Markets Law which are already applicable to pet shops in New York City. Therefore we encourage the Council to pass legislation providing enhanced humane housing and handling standards applicable to pet shops.

INTRO. NO. 0136-A 2014 - SPAYING, NEUTERING AND LICENSING OF ANIMALS SOLD IN PET SHOPS

We support the enactment of Intro. No. 0136-A as a new means of strengthening the City laws regarding spay and neuter requirements as well as pet licensing and identification.

Licensing Requirements

Under existing law, there is a loophole that exempts City pet shops that sell only dogs and cats from the requirement of obtaining a completed dog license application and collecting the appropriate licensing fees prior to releasing a dog to a consumer.² As a result, a significant number of dogs sold in New York City pet shops are not subject to this licensing requirement. The proposed legislation is therefore necessary to ensure that all pet stores and animal rescue groups are required to collect a dog license application and fee before releasing a dog to a purchaser or adopter and then transmit the application and fee to the Department. We note that an increase in licensing fees would also have the positive benefit of increasing funding to the Animal Population Control Fund.

Spay/Neuter Requirements

The City has long recognized the importance of spaying and neutering as a way to control the City's rampant animal overpopulation problem and ultimately lower the number of homeless animals entering the City's animal shelter system. We note that it was only with the recent enactment of the Preemption Bill (codified at N.Y. AGRIC. & MKTS. LAW §407) that New York City has been able to enforce Section 17-804 of the City's Code requiring pet shops to sterilize all dogs and cats prior to purchase by a consumer (unless a letter and certification is received by the pet shop from a licensed veterinarian rendering an opinion that the animal should not be sterilized until a later date).

We support the removal of the veterinary letter exception from section 17-804 as the veterinary exception does not require that the veterinarian's medical opinion be based on the best health or welfare interests of the animal in question following a medical examination of the animal.

INTRO. NO. 0146-A 2014 - MICROCHIPPING ANIMALS SOLD IN PET SHOPS

We support the enactment of Intro. No. 0146-A as an important means of strengthening City laws regarding pet licensing and identification, which will have positive collateral impacts on City residents – both human and animal – and the City's shelter system.

Although existing City law requires licensing of dogs as a method of identifying a pet's owner, many dog owners do not comply, and many of those that do license their animals do not physically maintain the license information on their pet (such as on a collar) so that the animal could be identified when not in the owner's care. Notably, existing law does not apply to cats, which make up a very significant number of lost and abandoned animals in City shelters. Microchipping is a simple process that yields one of the best ways to increase a pet's chances of being reunited with his or her family in the event that the pet is lost or stolen by providing a permanent form of identification.

² We note that existing law only requires "permitted" pet shops to obtain a completed license application and collect the appropriate license fees prior to release. *See* 24 RCNY § 161.15(b). New York City pet shops that sell only dogs are cats are exempted from the City's pet shop permitting requirements (*See* 24 RCNY § 161.09(a)(1)).

We offer the following recommendations to strengthen Intro. No. 0146-A:

First, we recommend that the proposed legislation be amended to clarify that the microchipping requirements also apply to animal shelters.

We also recommend that the proposed legislation be amended to clarify that the usage instructions to be provided to the purchaser shall include the contact information for the microchip manufacturer and microchip registering company for the microchip implanted in the animal as well as information regarding the necessity of maintaining current microchip registration and pet owner contact information with a microchip registering company.

* * *

On behalf of the City Bar's Animal Law Committee, I thank you for the opportunity to speak to you about this legislation.

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**REPORT ON LEGISLATION BY THE
ANIMAL LAW COMMITTEE**

Int. No. 0055-A 2014

Council Members Crowley, Johnson, Arroyo, Constantinides, Levine, Palma, Vacca, Koslowitz, Espinal, Rosenthal, Cornegy, Cabrera, Cumbo, Lancman, Mealy, Miller, Koo, Mendez, Levin, Richards, Rodriguez, Dickens, Torres, Lander and Weprin.

A LOCAL LAW to amend the Administrative Code of the city of New York, in relation to regulating pet shops.

THIS LEGISLATION IS APPROVED WITH RECOMMENDATIONS

SUMMARY OF THE PROPOSED LEGISLATION

The proposed legislation would amend Chapter 3 of Title 17 of the Administrative Code of the City of New York by adding a new subchapter 9 sections 17-371-382 establishing a permitting scheme under which all pet shops in New York City must obtain a permit from the City Department of Health and Mental Hygiene (the "Department").¹ In connection with the permit application, each pet shop would be required to provide a certification executed under penalty of perjury including the following information: (i) the name and address of every source from which a pet shop obtained a dog or a cat; (ii) the total number of dogs and cats obtained from each source; and (iii) the United States Department of Agriculture ("USDA") license number for each dealer from which the pet shop obtained dogs or cats. The proposed legislation would also prohibit the Department from issuing or renewing a license to an applicant with any finally determined uncorrected violations or unpaid fines and would allow the Department to suspend or revoke a pet shop's license, following notice and hearing, for willful or continued violations.²

¹ We note that under existing law, New York City pet shops that sell only dogs or cats are exempted from the City's pet shop licensing requirements. See 24 RCNY § 161.09(a)(1). Accordingly the proposed legislation is necessary to remediate this illogical exemption.

² We note that in the event of circumstances that pose a danger to the public health or welfare of the animals in the custody of the permittee, the Department may immediately suspend a permit subject to a prompt post-suspension hearing.

Further, the proposed legislation would add a new Chapter 17 (Pet Shops) sections 17-1702-1709. Section 1702 would prohibit pet shops from selling or offering for sale any dog or cat unless such animal was obtained from a USDA Class A licensed animal dealer that satisfies the following criteria:³

The dealer has not received

- (i) a license suspension in the past five years;
- (ii) a finally determined "direct" non-compliant citation by the USDA in connection with the license in the past three years;
- (iii) a finally determined citation for failure to provide USDA inspectors access to property or records pursuant to 9 C.F.R. §2.126 within the two most recent USDA inspection reports;
- (iv) three or more distinct finally determined non-compliant item citations pursuant to 9 C.F.R. §2.126 (other than failure to provide access) in the most recent USDA inspection report;
- (v) one or more finally determined repeat non-compliant items in the most recent USDA inspection report;
- (vi) a finally determined order to cease and desist relating to such license issued in the past five years; or
- (vii) a finally determined order to pay a civil penalty in connection with such license issued in the past five years; and

the dealer has provided the pet shop with a sworn affidavit attesting that it (i) has never been convicted of a violation of the minimum standards of animal care set forth under N.Y. AGRIC. & MKTS. LAW §401; and (ii) has never been convicted of an animal abuse crime.

Section 17-1702(b) of the proposed legislation would prohibit the sale or offering for sale of rabbits by pet shops.

The proposed legislation would create a new section 17-1703 that would require a pet shop to provide consumers who purchase dogs or cats from the pet shop with the following information in written form, to be signed by both the pet shop and the consumer at the time of sale:⁴

³ We note that the sourcing requirements of proposed section 17-1702 and the minimum care standards of section 17-1705 would not apply to a pet shop that allows an animal shelter or non-profit rescue group to use the pet shop's premises for the purpose of making animals available for adoption, provided that the pet shop does not have an ownership interest in such animals.

⁴ We note that existing State law requires pet shops to provide certain information to purchasers concerning the identification of a dog or cat sold and provides consumers with certain rights for the return or refund for an animal that was "unfit for purchase." See Article 35-D of the General Business Law. The proposed legislation would significantly enhance the required disclosures for pet shops operating in New York City.

- (i) the animal's breed, sex, color, identifying marks, and microchip registration information if microchipped, and identifying tag, tattoo, or collar number of such animal;
- (ii) the source of the animal, including the name, address, and USDA licensing information as known to the pet shop;
- (iii) a copy of the USDA inspection reports for the past three years for the breeder/dealer from which the animal was obtained;
- (iv) the date of birth of the animal and the date the pet shop received the animal;
- (v) a statement that the source from which the animal was obtained has not received any "direct" non-compliant item citations as indicated on any USDA inspection reports during the past three years;
- (vi) if the animal sold is a dog, notification that dogs residing in New York state must be licensed;
- (vii) a record of immunizations and worming treatments, including the dates and types of vaccines or treatments, administered to the animal while in the pet shop's possession;
- (viii) a record of any known disease, sickness or congenital condition that adversely affects the health of the animal;
- (ix) a copy of the animal's USDA Certificate for Health Examination for Small Animals;
- (x) a record of any veterinary treatment or medication received by the animal while in the pet shop's possession together with a signed statement from the pet shop or a licensed veterinarian concerning the animal's health condition; and
- (xi) a statement of the purchaser's rights under Article 35-D of the General Business Law.

Section 17-1703 would also require pet shops to conspicuously post a notice within close proximity to the cages of dogs and cats offered for sale containing the following information: "Information on the source of these dogs and cats and the veterinary treatments received by these dogs and cats is available for review by prospective purchasers. United States Department of Agriculture inspection reports are available upon request."⁵

The proposed legislation would require that a pet shop provide a prospective customer with the two most recent USDA inspection reports for the breeder of a dog or cat offered for sale by the pet shop.

The proposed legislation would create a new section 17-1704 that would require a pet shop to keep and maintain records and documentation (including information on purchase, sale, medical, transportation, breeding, and identification) for each dog or cat purchased, acquired, held, sold or otherwise disposed of by the pet shop for a period of ten years.

⁵ We note that the first sentence in the required notice is already required by New York State law, while the second sentence would be a new requirement. See N.Y. GBS. LAW § 753-b(4).

The proposed legislation would create a new section 17-1705 that would require pet shops to comply with certain minimum standards of care for every dog or cat in such pet shop's custody or possession, including with respect to humane housing and care standards.⁶

BACKGROUND

In January 2014, Governor Cuomo signed into law a bill allowing municipalities throughout New York to enact local laws governing pet dealers within their jurisdictions, provided such local laws are consistent with State law.⁷ The New York City Bar Association approved the passage of this law. Among other things, this law (codified at N.Y. AGRIC. & MKTS. LAW §407) now permits New York City to impose restrictions or requirements concerning dogs and cats offered for sale to the public by pet stores as well as greater standards of care for dogs and cats maintained by pet stores and breeders.

It is well documented that many of the puppies and kittens sold at retail pet stores, including those in New York City, come from puppy and kitten mills where the so called "breeding stock", the mothers and fathers of the puppies and kittens produced for sale, are subjected to such cruel and inhumane practices as inbreeding, overbreeding, minimal to non-existent veterinary care, lack of adequate food, water and shelter, lack of socialization, lack of adequate space and inhumane euthanization.⁸ These conditions oftentimes result in health and behavioral issues in the animals purchased by unwitting consumers, who have no idea that these puppies and kittens are the products of puppy mills or kitten mills.

The ability of the City to prohibit pet shops from selling puppies and kittens sourced from the worst offending puppy and kitten mills and to require pet shops to disclose to consumers information on the source and background of the animals offered for sale will ultimately result in a greater demand by the public for animals bred in compliance with more humane standards as well as increased adoption of the homeless animals in the City's shelters.

We support a ban on the sale of rabbits by pet shops. Following dogs and cats, rabbits are the third most commonly surrendered animal in the City shelter system. Rabbits reproduce in significant numbers in short periods of time.⁹ This overpopulating is exacerbated by the fact that

⁶ We note that the minimum standards contained in the proposed legislation are substantially similar to those required under N.Y. AGRIC. & MKTS. LAW §401.

⁷ A.740-A/S.3753-A, NYS L. 2013, Chp. 553.

⁸ See Report on A.1655-A/S.4799, Animal Law Committee, New York City Bar Association, June 2013 (would expand the definition of the term "pet dealer" to include wholesale pet breeders, define the term "retail pet store," improve humane housing and care standards for animals maintained by pet dealers, and add new record keeping, licensing and inspection provisions with respect to pet dealers), <http://www2.nycbar.org/pdf/report/uploads/20072530-PetDealerDefinitionExpansion.pdf>.

⁹ Rabbits are the third most commonly abandoned animal in the United States. See House Rabbit Society, at <http://www.rabbit.org/journal/4-9/bridges.html> (last visited November 11, 2014). Rabbits reach sexual maturity by 3-6 months of age and can produce a litter of 6-12 rabbits every three months. See Dana Krempels, Ph.D., *Why spay or neuter my rabbit? Some Scary Numbers*, House Rabbit Adoption, Rescue and Education, Inc., at <http://www.bio.miami.edu/hare/scary.html> (last visited November 11, 2014). See also "The Easter Bunny Problem," Pet Media Group, Inc., Mar. 29, 2013, at <http://www.tailsinc.com/2013/03/the-easter-bunny-problem-infographic/> (last visited November 11, 2014).

it is difficult to identify the sex of a young rabbit and pet stores commonly sell rabbits unsterilized to consumers. Consequently, a pair of rabbits purchased from a pet store frequently results in multiple litters of unwanted rabbits that are commonly dumped in City shelters and parks. A ban on the sale of rabbits by pet shops in New York City is therefore necessary to reduce rabbit overpopulation and shelter intake.

RECOMMENDATIONS

We note that section 17-1703 of the proposed legislation allows a pet shop to charge a fee to a consumer who requests copies of USDA inspection reports for the breeder of a dog or cat the pet shop has offered for sale. We find such a fee troubling as it may deter a prospective purchaser from obtaining relevant information about the breeder that the consumer would be entitled to receive under the proposed legislation. Additionally, any such printing or copying fees should be borne by pet shops as a cost of doing business and should not be passed on to the consumer. Therefore we recommend that the proposed legislation be amended to prohibit a pet shop from charging a purchaser or prospective purchaser any fee for obtaining copies of the two most recent USDA inspection reports for the breeder of a dog or cat offered for sale by the pet shop.

We note that section 17-1702 of the proposed legislation only requires the source of the animals obtained by a pet shop to certify to the pet shop that it has not been convicted of a violation of the minimum standards of animal care contained in N.Y. AGRIC. & MKTS. LAW §401. As many animals sold in New York City pet stores are obtained from out of state sources, we recommend that section 17-1702 of the proposed legislation be amended to require a source to certify that it has not been convicted of a violation of the minimum standards of animal care contained in any local, state or federal law in any jurisdiction in which such source operates.

We also recommend that section 17-373(d)(5) be amended to require a pet shop to certify compliance with the requirements of section 17-1601 of the City's Administrative Code relating to the City's Animal Abuse Registry with respect to the owner, operator, employee, agent or contractor of such pet shop. We also recommend that section 17-373(e) be amended to prohibit the Department from issuing or renewing a permit to any pet shop that fails to certify such compliance.

We further recommend that the proposed legislation be amended to prohibit pet stores from selling dogs or cats to Class B dealers or to any other person or entity for the purpose of research, experimentation or testing.¹⁰ We also recommend that the proposed legislation be amended to prohibit pet stores from selling dogs or cats to any person or entity that fails to satisfy the criteria of Section 1702.

Lastly we note that the Council also has the opportunity to pass legislation imposing enhanced standards of care for dogs and cats in pet shops. However, as the bill is currently drafted, the proposed minimum standards of care for animals in pet shops are merely a

¹⁰ We note that animal shelters and rescue groups are subject to a prohibition on the sale, transfer or release of dogs and cats to persons for the purpose of research, experimentation or testing. See N.Y. AGRIC. & MKTS. LAW §374(5)(b).

codification of those contained in Section 401 of the Agriculture and Markets Law which are already applicable to pet shops in New York City. Therefore we encourage the Council to pass legislation providing enhanced humane housing and handling standards¹¹ applicable to pet shops.

CONCLUSION

For the aforementioned reasons, the Committee supports the proposed legislation and recommends that the Council take into consideration the above recommendations.

Animal Law Committee
Christine Mott, Chair

Reissued November 2014

¹¹ See Report on A.1655-A/S.4799, *supra*.

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**REPORT ON LEGISLATION BY THE
ANIMAL LAW COMMITTEE**

Int. No. 0136-A 2014 **Council Members Crowley, Arroyo, Dickens, Johnson, Koo, Levine, Palma, Rose, Vallone, Mendez, Koslowitz, Cornegy, Rosenthal, Levin, Rodriguez, Torres, Lander, Weprin and Ulrich**

A LOCAL LAW to amend the New York City Administrative Code in relation to spaying, neutering and licensing of animals sold in pet shops.

THIS LEGISLATION IS APPROVED

SUMMARY OF THE PROPOSED LAW

Spay and Neuter Requirements

The proposed legislation would amend section 17-804(b) of the New York City Administrative Code to remove the veterinary letter exception to the requirement that all dogs and cats sold in pet stores must be spayed or neutered by a licensed veterinarian prior to release to a purchaser. Under the existing veterinary letter exception, an animal may be released without sterilization when a purchaser presents a letter and certification from a licensed veterinarian to the pet shop rendering a professional opinion that the animal should not be sterilized until a later date.

The proposed legislation would also amend section 17-804(c) to expand the length of time which pet shops must maintain records of all sales of dogs and cats, sterilization procedures and veterinarian records to a period of five years.

Licensing Requirements

The proposed legislation would add new Section 17-814 to the Administrative Code to provide that a pet shop¹ or animal rescue group cannot sell or release a dog to a purchaser or

¹ We note that the licensing requirements would not apply to a pet shop that allows an animal shelter or non-profit rescue group to use the pet shop's premises for the purpose of making animals available for adoption, provided that the pet shop does not have an ownership interest in such animals.

adopter unless the purchaser or adopter first completes an application for a dog license² and pays the dog license fees.³ The license application would require the disclosure of the following information: (i) the name and address of the source from which the pet shop obtained the dog; (ii) the license number of the source and the dog's United States Department of Agriculture ("USDA") tag number, if the source is licensed by the USDA; (iii) the name and address of the pet shop and the pet shop's permit number. The pet shop would then be required to forward the completed application and license fees to the Department. The licensing requirements of this proposed section would not apply to a pet shop that has received a written statement from the purchaser that the dog to be purchased will not be harbored in the City.

The proposed legislation would also require every pet shop operator, on at least a monthly basis, to report to the City Department of Health and Mental Hygiene (the "Department"), on a form provided by the Department, information on all dogs which have been sold and adopted, indicating for each dog whether or not the pet shop submitted a license application to the Department. The form would include the name and address of the dog's purchaser or adopter, the license or license application number (if known), as well as any other descriptive information about the dog as the Department may require.

THE COMMITTEE SUPPORTS THE PROPOSED LEGISLATION

Spay and Neuter

Under existing section 17-804 of the City's Administrative Code, pet shops are required to sterilize all dogs and cats prior to purchase by a consumer (unless a letter and certification is received by the pet shop from a licensed veterinarian rendering a professional opinion that the animal should not be sterilized until a later date).⁴ Until the enactment of A.740-A/S.3753-A (the "Preemption Bill"),⁵ the City was precluded from enforcing this law due to preemption language in the New York State Pet Dealer Law which prevented municipalities from enacting pet dealer laws that were more stringent than those provided by state law. With the passage of the Preemption Bill, the City and all New York State municipalities are now able to enact and enforce laws that more strictly regulate pet dealers within their localities, including laws mandating the spay and neuter of animals sold by pet stores to consumers.

New York City has long recognized the importance of spaying and neutering as a way to control the City's rampant animal overpopulation problem and ultimately lower the number of homeless animals entering the City's animal shelter system. Sterilization of dogs and cats sold by

² Existing law provides that all persons who own or possess a dog in New York City must obtain a dog license for such dog. Rules of the City of New York § 161.04(a). *See also* N.Y. AGRIC. & MKTS. LAW § 109.

³ We note that existing law only requires "permitted" pet shops to obtain a completed license application and collect the appropriate license fees prior to release. *See* 24 RCNY § 161.15(b). Because New York City pet shops that sell only dogs and cats are exempted from the City's pet shop permitting requirements (*See* 24 RCNY § 161.09(a)(1)), the proposed legislation is necessary to ensure that all pet stores are required to comply with this licensing requirement.

⁴ NYC Administrative Code §§ 17-804(b), 17-802(e)-(f).

⁵ NYS L. 2013, Chp. 553

pet stores to consumers is necessary to reduce dog and cat overpopulation and shelter intake in New York City.

We support the removal of the veterinary letter exception from section 17-804 as the veterinary exception does not require that the veterinarian's medical opinion be based on the best health or welfare interests of the animal in question following a medical examination of the animal.

Licensing

Section 17-814 of the proposed legislation would provide the City with a new means of enforcing the requirement to obtain a dog license.⁶ Under current law, a dog license must be obtained by every person who owns, possesses, keeps, harbors, adopts, purchases, or cares for a dog in New York City for each dog owned, possessed or controlled by such person.⁷ Despite the law, a low percentage of City dog owners actually obtain licenses for their dogs.⁸ Additionally, pet shops that are required to hold a permit under New York City Law are also required to obtain a completed dog license application and collect the appropriate licensing fees prior to releasing a dog to a purchaser. *See* 24 RCNY § 161.15(b). However, as noted above there is a significant loophole in the existing law that exempts City pet shops that sell only dogs and cats from this licensing requirement.⁹ Accordingly, a significant number of dogs sold in New York City pet shops are not subject to this licensing requirement.

By requiring all pet shops and animal rescue groups to collect a dog license application and fee before dogs are released to a purchaser or adopter and then transmit the application and fee to the Department, Section 17-814 would help enforce the dog license requirement while also increasing funding to the Animal Population Control Fund.¹⁰

CONCLUSION

For the aforementioned reasons, the Committee supports the proposed legislation.

Animal Law Committee
Christine Mott, Chair

Reissued November 2014

⁶ Licensing is one of the best ways to increase a pet's chances of being reunited with his or her family in the event that the pet is lost or stolen.

⁷ *See* FN 1, *supra*.

⁸ *See* <http://www.wnyc.org/story/264283-nyc-dogs-small-unlicensed-and-sometimes-named-jeter/> (reporting that the Department estimates that only one in five dogs in the City are licensed) (last visited November 11, 2014); and <http://newyork.cbslocal.com/2010/09/28/health-dept-80-of-nyc-dogs-not-licensed/> (reporting that 80% of dogs in the City are not licensed) (last visited November 11, 2014).

⁹ *See* FN 3, *supra*.

¹⁰ *See* New York City Health Code §29-01.

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**REPORT ON LEGISLATION BY THE
ANIMAL LAW COMMITTEE**

Int. No. 0146-A 2014

**Council Members Johnson, Crowley, Arroyo, Chin, Koo, Levine,
Rose, Vallone, Mendez, Cornegy, Rosenthal, Levin, Rodriguez,
Dickens, Torres, Lander and Ulrich**

A LOCAL LAW to amend the New York City Administrative Code in relation to microchipping animals sold in pet shops.

THIS LEGISLATION IS APPROVED WITH RECOMMENDATIONS

SUMMARY OF LEGISLATION

The proposed legislation would amend chapter 8 of title 17 of the New York City Administrative Code to provide that no pet shop,¹ animal rescue group or non-profit rescue group may release a dog or cat to a purchaser unless (1) such dog or cat has been microchipped by a licensed veterinarian; (2) the pet shop, animal rescue group or non-profit rescue group has registered such animal's microchip with the purchaser's contact information with a bona fide pet microchip registration company; and (3) the pet shop, animal rescue group or non-profit rescue group has provided the purchaser with written usage instructions for the microchip as provided by the microchip manufacturer and provided the purchaser with written certification of compliance with requirements (1) and (2). The proposed legislation would also require that the pet store maintain a record of the usage instructions and consumer acknowledgement accompanying each pet sale for a period of ten years.

JUSTIFICATION

Currently, the City of New York requires licensing of dogs as a method of identifying a pet's owner.² Unfortunately, not all owners comply with this requirement, and even if an owner complies with this requirement, not all owners physically maintain the license information on

¹ We note that these requirements would not apply to a pet shop that allows an animal shelter or non-profit rescue group to use the pet shop's premises for the purpose of making animals available for adoption, provided that the pet shop does not have an ownership interest in such animals.

² Existing law provides that all persons who own or possess a dog in New York City must obtain a dog license for such dog. Rules of the City of New York § 161.04(a). *See also* N.Y. AGRIC. & MKTS. LAW § 109.

their pet (such as on a collar) so that the animal could be identified when not in the owner's care. Microchipping is one of the best ways to increase a pet's chances of being reunited with his or her family in the event that the pet is lost or stolen.

Microchipping is a simple process in which a veterinarian injects a 12mm microchip, about the size of a grain of rice, beneath the surface of the animal's skin between the shoulder blades. The process is similar to a routine vaccination and no anesthetic is required.³ The microchip is then registered with the microchip manufacturer or another microchip registering company,⁴ which will then maintain the owner's contact information for use in the event that the pet is separated from the owner. The microchip, unlike dog tags and collars which can fall off or be removed, provides a unique identification code that cannot be altered or removed, except by surgery, and has no internal energy source, so it will last the life of the animal in which it is injected. The microchip is read by passing a microchip scanner over the pet's shoulder blades. Activated and currently registered microchips may be identified by a scanner and can provide owner contact information in the event that a pet is lost.

Including microchipping as an additional legal requirement for dogs and cats purchased or adopted from pet shops, animal rescue groups or non-profit rescue groups in New York City will (1) increase the chances of lost and stolen pets being reunited with their owners, thus reducing the population of stray animals in city-maintained shelters and, as a consequence, euthanasia rates and (2) deter abandonment of pets by owners into the city streets, pet abuse and the use of certain dog breeds in dogfighting because the owners of these abandoned, abused and injured pets can easily be identified and thus, where responsible, may face consequences such as fines or jail. Currently, several cities in California and Texas make microchipping of dogs and cats mandatory.⁵

RECOMMENDATIONS

We recommend that the proposed legislation be amended to clarify that the microchipping requirements also apply to animal shelters.

We also recommend that the proposed legislation be amended to clarify that the usage instructions to be provided to the purchaser shall include the contact information for the microchip manufacturer and microchip registering company for the microchip implanted in the animal as well as information regarding the necessity of maintaining current microchip registration and pet owner contact information with a microchip registering company.

³ "How Microchipping Works," Home Again Co., available at <http://public.homeagain.com/how-pet-microchipping-works.html> (last visited November 11, 2014).

⁴ Microchips are "universal" in the sense that any brand of microchip may be registered by any registering company and with multiple registering companies. See 5 Things You Didn't Know About Microchips, available at <http://blog.adoptandshop.org/5-things-you-didnt-know-microchips/> (last visited November 11, 2014).

⁵ See e.g., Riverside Municipal Code, §8.21.030, Santa Cruz County Code §6.08.005, El Paso City Code §7.12.020.

CONCLUSION

For the aforementioned reasons, the Committee supports the proposed legislation and recommends that the Council take into consideration the above recommendations.

Animal Law Committee
Christine Mott, Chair

Reissued November 2014

LINDA E. JACOBSON, D.V.M.
291 Kings Highway
Brooklyn, New York 11223

November 24, 2014,

RE: File 136 -A

Dear Chairman Johnson and Members of the New York City Council Committee on Health:

On behalf of the American Veterinary Medical Association (AVMA), the New York State Veterinary Medical Society (NYSVMS), and myself, as a practitioner in Brooklyn, New York, I would respectfully like to start my testimony by defining the words "spay" and "neuter".

A spay refers to the surgical removal of the ovaries and the uterus in a female animal. For our species, we use the words "total hysterectomy." I am sure that we all know someone who has had this procedure and knows what is involved in terms of hospitalization, anesthesia, surgery, recuperation, and pain control to name a few. Imagine this procedure being done on a 6 month-old baby girl, or a 1-2 year old female child.

A neuter refers to the surgical removal of the testicles in a male animal. It is therefore a castration. Imagine the same for a baby boy or male child.

These procedures are complex and I am relieved to see the current proposal requiring that licensed veterinarians do these procedures. However, I am concerned that New York City is mandating these surgeries for pets purchased from pet shops. My reasons are two-fold.

First, it is becoming more evident that early or pediatric spaying of female dogs can adversely affect the health and longevity of these pets. Studies done by Dr. David Waters and his team at the Center for Exceptional Longevity Studies, Gerald P. Murphy Cancer Foundation at Purdue University in Indiana show a direct correlation between exceptional longevity and the longer a female dog has her ovaries. The risk of cancer is decreased as well.

Second, when a potential owner purchases a pet from a pet shop, it is done as an emotional investment for an individual or family so as to care for this pet and in return receive the love and joy that this pet can give. The individual or family would hope that this pet would live a long and healthy life. They would also seek preventive medical care from a veterinarian to ensure the good health of this animal. It is during this professional relationship that the decision should be made

as to the timing of the spaying or neutering. Paraphrasing Dr. Waters in regard to spaying, he states that elective spaying of female dogs should be individualized to optimize each dog's chance of achieving healthy longevity. If this proposal is enacted, a purchaser of a pet might be faced with added health costs and a shortening of the life of the pet. Almost all pet owners will have their pet spayed or neutered for the following reasons: when intact females go into "heat," there is a bloody vaginal discharge, which can be a mess. Proper spaying will eliminate this. Male dogs reaching sexual maturity might start marking territory by urinating on objects in the home, and may also demonstrate aggressive behavior towards other dogs and develop habits of running away. Neutering can change this.

While, the AVMA and the NYSVMS believe that dog and cat population control is a primary welfare concern of our society, we do not support regulations mandating spay/neuter of privately owned, non-shelter dogs and cats. Although spaying and neutering helps control dog and cat populations, mandatory approaches may contribute to pet owners avoiding licensing, rabies vaccinations and veterinary care for their pets, and may have other unintended consequences.

We do encourage local governments to provide sufficient funding to animal control agencies to facilitate enforcement of existing animal control laws, to pursue nonsurgical sterilizations and the licensing of dogs and cats. We also support permanent identification through microchipping, public education campaigns helping pet owners to be more responsible and educating new owners about the importance of surgical or nonsurgical sterilization and regular veterinary care.

In conclusion, we request that the mandatory spay/neuter of pets purchased from pet shops be removed from this proposal. Just as for other veterinary medical and surgical procedures, veterinarians should use their best medical judgment in deciding at what age spay/neuter should be performed on individual animals.

Thank you for your consideration,

Yours truly,



Linda E. Jacobson, D.V.M.

2012 President of the New York State Veterinary Medical Society



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Hearing Before the New York City Council's Committee on Health

November 24, 2014

I am Jane Hoffman, President of the Mayor's Alliance for NYC's Animals, a not for profit organization created in 2003 to work with the City on creative solutions to pet overpopulation in NYC.

Two of the Alliance's Founding Members, the ASPCA and the Humane Society of New York, are also here today testifying in favor of these bills.

The Alliance, working with Animal Care and Control of NYC, along with our community collaboration of over 150 partner rescue groups and shelters, has saved more than a quarter-million lives since 2003. We have made great strides but it has come at enormous cost to the animal shelter and rescue community and to consumers.

In 2000, the NYC Council passed a bill that would have required both animal shelters and pet stores to spay and neuter all pets prior to adoption or sale. The pet store lobby got an injunction against the portion of the law that required spay neuter prior to sale saying the NYS law regulating pet stores preempted the NYC law.

Thankfully, in January the NYS legislature passed, and the Governor signed, a law that gave municipalities the power to regulate pet stores on a local level. In my opinion, if the NYC law had been in effect for the last 14 years requiring pet stores to spay and neuter pets prior to sale we would be even further along in our quest to save lives.

It is past time for the pet industry to become part of the solution to pet overpopulation and ending unnecessary euthanasia at our city shelters ... not part of the problem.

One of the four core objectives of the Alliance's Strategic Plan to reduce euthanasia is to increase spay neuter. Spaying and neutering is crucial to ending both pet overpopulation and euthanasia in our City shelters.

Therefore, we support Intro #136-A which will prohibit the sale of any cat or dog by a pet stores unless such animal has been spayed or neutered prior to sale.



Shelters and rescue groups are already spaying and neutering animals in their care...it is time for pet stores to do right by the animals they sell, NYC consumers and NYC.

Intro #136-A will also require that dogs are licensed before sale and release to a consumer. A dog license can ensure that if that dog is lost, he or she can be reunited with their owner promptly.

Increasing the prompt return of lost dogs who end up in the City shelters to their owners will free up cage space and is a means of reducing euthanasia at our City shelters.

Finally, increasing dog licensing will raise revenue for spay neuter programs and the shelter system.

We support Intro #146-A which will require pet stores to implant a microchip that is registered with the consumer's contact information prior to sale and release of a cat or a dog to a consumer.

Microchipping, along with dog licensing, is the best way to reunite a lost cat or dog with his or her owner.

Animal shelters are already microchipping pets prior to adoption ... it is time pet stores did the right by the animals they sell, NYC consumers and NYC.

We support Intro #55-A which will require all pet stores to obtain a permit, prohibit NYC pet stores from obtaining dogs and cats from sources that are not licensed by the USDA, prohibits the sale of pets obtained from USDA Class B Dealers (brokers), and prohibits the sale of cats and dogs from USDA Class A breeder who have certain violations of the Animal Welfare Act. This will ensure that animals offered for sale are not sourced from breeders who fail to meet even the most basic care standards of the AWA and will increase transparency about those sources by prohibiting the use of puppy brokers.

Intro # 55-A will protect consumers by increasing the information pet stores are required to provide to consumers about the breeders, their USDA record, violation history and information about the animal's health and medical treatment.

Finally, it will require that all permitted pet stores must meet and exceed state level standards of care of the animals in their stores.

For all of these reasons we respectfully ask this Committee to help us sustain and continue the animal welfare community's life saving work by passing Intro #55-A, Intro #73-A, Intro #136-A and Intro #146-A.

From: mg [<mailto:mg@aprpets.org>]
Sent: Tuesday, November 25, 2014 10:59 AM
To: Mailman, Jeffrey; jcompagna@council.nyc.gov
Cc: mer@aprpets.org; americaspetregistry@gmail.com
Subject: From Michael Glass Pet Store comments

Good Morning Jeff,

Thank you for your time and patience talking with me this morning. Our complete thoughts have been presented in writing to the council.

I subsequently, amended our written testimony to highlight what we request to receive priority attention. Following is the requested information that we discussed.

The video I spoke of is linked also.

Proposed Int. No 136-A In relation to spaying and neutering.

It is important to allow a veterinarian decision/opinion to be considered prior to any spay neuter on a puppy/dog. Veterinary studies show that **early** spay neuter programs may be detrimental to a dogs health and physiological growth.

[Dr Karen Becker The Truth About Spaying and Neutering](http://www.youtube.com/watch?v=enPCZA1WFKY)
<https://www.youtube.com/watch?v=enPCZA1WFKY>

Proposed Int. No 55-Class A and B Dealers

We request that you to consider amending 55-A to include one or both of the following

#1 Do not condemn all brokers for the indiscriminate actions of a few. Stringent regulations and transparency could allow for reputable Class B Brokers to continue doing business in New York City.

#2 Consider that a Class B Dealer may be a broker and a breeder. Please allow for these Class B 'breeders' to be able to continue to sell their puppies in New York City.

Proposed Int. No 146-A Microchipping

17-815 (1) The provision does not allow for an animal that have been implanted with a microchip prior to its arrival to a Pet Shop. As written, the proposal would insist on the second implanting of a microchip.

A veterinarian could verify the presence of a microchip prior to implanting one.

Additionally, the implanting of a microchip can be properly placed under the supervision and/or direction of a veterinarian or their agents. This would continue to maintain the credibility and confirmation of documentation of the implantation of a microchip.

Thank You for your consideration,

Michael A Glass
America's Pet Registry, Inc
National Field Representative
484-880-7962 mg@aprpets.org



Dear New York City Council Members,

America's Pet Registry, Inc (APRI) does not condone any and all activities and legislation that may directly, indirectly, or as a result of unintended consequences, infringe upon an individual's rights to choice about their personal property which includes their pets.

APRI does not condone activity which results in the seizure of personal property without due process as guaranteed by the Fourteenth Amendment of the United States Constitution.

APRI does not condone penalties that are not protected under the Eight Amendment of the United States Constitution which in part includes "...excessive fines..."

Additionally, APRI does not condone substandard kennels or Pet Stores which by their actions or inactions reflect poorly on the credibility and reputation of law-abiding, responsible dog breeders and Pet Stores that maintain or exceed all current local, state and federal animal welfare laws and regulations

APRI does not support "mandatory" spay / neuter programs. We recognize however, education for responsible ownership may be supported by spay/neuter procedures when performed at the proper age for particular breeds. Veterinary studies show that early spay neuter programs may be detrimental to a dogs health and physiological growth.

We appreciate the Legislative intent and recognize the Legislators goal to present ordinances that will effectively meet the needs of the communities and families involved. Legislative intent must follows a community's needs and consider minimizing unintended consequences.

Exemptions for the shelters/rescues community allow for the non-protection of dogs and puppies in a growing retail industry under false pretenses. These animals deserve the same protection. Bad actors do not discriminate shelters and rescues.

Please direct your attention to the following pages that address concerns for the proposed legislation.

Respectfully,

Michael A Glass
America's Pet Registry, Inc
National Field Representative
484-880-7962 mg@aprpets.org

Proposed Int. No 55-A Regulating Pet Shops

17-373 d.2. An application requiring personal medical history, education, health profiles and financial stability is overreaching. APRI finds this section is crossing the boundaries of allowing private information to indiscriminately become publicly accessible.

17-373 g.2. The determination of the value of a business may not be within the expertise or capability for the commissioner to determine. Possible legislative intent to prevent the illicit transfer of a business cannot be determined by the method of the commissioner valuing a business. As well, there may be legitimate legal factors that may alter the appearance of the market value of a business.

17-373 g.3 Not being related by blood or marriage may not prevent the illicit transfer of a business.

17-378 4. We have concerns with the department's qualifications to judge "...poor moral character..." to be a factor in the suspension or revocation of a license.

17-381 Penalties must be protected under The 8th Amendment. APRI does not condone the illegal operation of a business or the refusal to honor an order to cease and desist. However, the current penalties can mount into the tens of thousands of dollars and essentially presents a financial death sentence.

17-702 a. Legislation has currently been enacted as law in other municipalities that express the stringent requirements on class B dealers as class A dealers. Current proposals in Int No 55-A clearly lend to rigid regulations that could easily apply to a class B dealer. This would allow continued regulations and oversight to all dealers. More so---a class B dealer may also be a breeder.

17-702 b. APRI supports the sale of rabbits in Pet Stores and find no cause to ban this practice.

17-703a.1. Registration instructions are similar and related to all microchips regardless of manufacture. There may be cause to offer generic 'registration' instructions as there are multiple credible microchip registries. This does not need to be directly related to the exact microchip manufacture of the implanted microchip.

17-703 a.9. Offering the USDA breeder's inspection reports for the last three years creates a paperwork overload. We suggest that a statement attesting to the truthfulness of acceptable inspections be allowed. And/or the electronic means of supplying such information be offered to the buyer via internet or otherwise.

17-703 10.b A veterinarian statement every two weeks may become redundant. We suggest that a veterinarian statement only be required subsequent to the initial veterinary statement in the event of any adverse health issues.

17-706 An animal in a pet store ...regardless of its responsible party being the Pet Store or Rescue/Shelter...must be protected with the same regulations and responsibilities as prescribed in the proposal. Bad practices do not discriminate.

Proposed Int. No 136-A In relation to spaying and neutering.

Spay and Neuter mandates are not supported by the ASPCA and the AVMA (documents attached) Increase studies show adverse health concerns of early spay and neuter. It is important to allow A veterinarian decision supported by breed specific needs to be considered. In particular large and giant breeds suffer adverse health conditions as a result of early spay and neuter that relate to the great progressive growth in such puppies. Such large and giant breeds ought to not be spayed or neutered prior to at least one (1) year...to one and a half (1 ½) years of age. Not to mitigate small and medium breeds as well.

17-814 In this section the 'department' is employing the Pet Shop without compensation to perform duties of the city for taking in the city's revenue.

Proposed Int. No 146-A Microchipping

17-815 (1) The provision does not allow for an animal that may arrived at a Pet Store the has been previously implanted with a microchip by a breeder. As written, the proposal would insist on the second implanting of a microchip.

Additionally, the implanting of a microchip can be properly placed under the supervision and/or direction of a veterinarian. This would continue to maintain the credibility and confirmation of documentation of the implantation of a microchip.

The same confirmation of veterinary direction can be used to document previously implanted microchips.

Respectfully Submitted,



Michael A Glass
America's Pet Registry, Inc
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Position Statement on Mandatory Spay/Neuter Laws

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Email (<mailto:info@aspcanyc.org>)

Print (<https://www.aspcanyc.org/print/mobile-spay-neuter-clinic/position-statement-on-mandatory-spay-neuter-laws>)

Background

Per capita shelter intake and euthanasia have been in a steady decline nationwide for the past several decades. Research indicates that the main reason for this decline is the increasing incidence of spayed and neutered animals in the pet population (Zawistowski et al., 1998; Irwin, 2001; Clancy & Rowan, 2003). In fact, the veterinary community recently formally acknowledged the importance of safe, efficient, accessible sterilization programs as the “best antidote to the mass euthanasia of cats and dogs resulting from overpopulation” (Looney et al., 2008). There is, however, variation in shelter intake and euthanasia rates across communities as well as a difference between that for dogs and cats. As a result, many communities are currently searching for methods to reach those who are still contributing disproportionately to companion animal overpopulation. Attempts to reduce shelter intake and euthanasia through the passage of legislation mandating the spaying and neutering of companion animals has recently garnered much attention and debate.

To the knowledge of the ASPCA, the only method of population control that has demonstrated long-term efficacy in significantly reducing the number of animals entering animal shelters is the voluntary sterilization of owned pets (Clancy & Rowan 2003; FIREPAW, 2004; Secovich, 2003). There is also evidence that sterilizing very specific, at-risk sub-populations of companion animals, such as feral cats and animals in shelters, can also contribute to reductions in overpopulation (Zawistowski et al., 1998; Clancy & Rowan 2003; Levy et al., 2003; Lord et al., 2006; Natoli et al., 2006). However, the ASPCA is not aware of any credible evidence demonstrating a statistically significant enhancement in the reduction of shelter intake or euthanasia as a result of the implementation of a mandatory spay/neuter law.

Caution must therefore be applied when interpreting existing claims regarding the effects of local mandatory spay/neuter (MSN) laws. First, because per capita shelter intake and euthanasia are in decline due to voluntary spaying and neutering, it is impossible to determine the effect of an MSN law without comparing a community's trends in shelter intake and euthanasia for several years before and after the law was enacted to trends in adjacent, similar communities without MSN legislation. Furthermore, to determine with confidence the effects of any spay/neuter program on the animal population, which naturally fluctuates somewhat from year to year, population trends must be examined over a period sufficiently long to absorb those natural fluctuations. Claims based on one or two years of data can be misleading.

In addition, it is imprudent to generalize about the effects of MSN laws. One reason is that the definition of “mandatory” varies greatly across communities. In some localities, a citation may be issued for any animal over the age of four months seen unaltered, while in other communities, a citation results only when another animal control offense has been committed or if more than one unspayed female lives in the household. Another complication is that it can be extremely difficult for even a veterinary professional to visually determine if an animal, particularly a female, has been sterilized; it would be virtually impossible for an animal control officer to make those determinations in the field. For these reasons, and due to variation across communities in law enforcement funding and personnel support, actual enforcement of MSN laws varies widely, making comparisons between MSN laws or predictions about their impact very difficult.

Another reason for caution when interpreting the effects of MSN legislation is that shelter intake and euthanasia statistics are often presented as a total number of dogs and cats. In some communities, the number of dogs entering and being euthanized in shelters is dropping significantly while the number of cats is declining more slowly or even increasing. Therefore it is critical to examine population and shelter statistics for dogs and cats separately, so that reductions in dog intake and euthanasia do not mask increases in cat intake and euthanasia. This issue is particularly critical in the analysis of the effect of MSN laws, since feral and unowned stray cats continue to represent a substantial proportion of the shelter population and euthanasia. This major contributing factor is not addressed by MSN laws that, by nature, target owned animals.

Even when an MSN law seems to have a positive effect on one aspect of animal welfare, it may have a negative effect on another. For instance, in at least one community that enacted an MSN law, fewer pets were subsequently licensed, likely due to owners' reluctance to pay either the high fee for keeping an unaltered animal or the fee to have the pet altered (Office of Legislative Oversight, 1997).

The ASPCA is also concerned that some communities may rely primarily or exclusively on MSN legislation to reduce shelter intake and euthanasia even though the animal shelter population is actually very heterogeneous with no single cause or source (National Council on Pet Population Study and Policy, 2001). Many social, cultural and economic factors as well as animal health and behavioral issues contribute to shelter intake; therefore, no single program or law can be relied on to solve the problem.

Furthermore, one of the main barriers to spaying and neutering of pets is accessibility of services, which is not addressed simply by making spaying and neutering mandatory. Cost is one of the primary barriers to spay/neuter surgery in many communities (Patronek et al., 1997; Raiston Purina, 2000; Frank, 2001). In fact, low household income and poverty are statistically associated with having a sexually intact cat (Patronek et al, 1997; Chu et al., 2009), with relinquishment of pets to shelters (Patronek et al., 1996), and with shelter intake (Frank, 2003). As a result, the proportion of pets from poor communities who are

being euthanized in shelters remains high; shelter euthanasia rates in the poorest counties in states such as California and New Jersey are several times higher than those in the most affluent counties (Handy, 2002; Marsh, 2008).

Each community is unique, however, in terms of the particular sources and causes of companion animal overpopulation and the primary barriers that exist to having pets altered. No one-size-fits-all solution is therefore possible. In examining communities around the country that are having significant success in reducing companion animal overpopulation, it appears that the common denominator is a *multifaceted, targeted* community program that:

- is based on careful research to determine which segments of the animal population are actually significantly contributing to shelter intake and euthanasia and then targets efforts to those segments of the population;
- focuses on the particular barriers to spay/neuter that are predominant and strives to overcome them;
- is well-supported and well-funded; and
- has an efficient voluntary spay/neuter infrastructure in place to service the populations it targets.

ASPCA Position

The ASPCA does not support mandatory spay/neuter laws, however, based on currently available scientific information, the ASPCA strongly supports spay/neuter as an effective means to reduce companion animal overpopulation. In particular, the ASPCA supports voluntary, affordable spay/neuter programs for owned pets, Trap-Neuter-Return (TNR) programs for feral cats and the mandatory sterilization of shelter animals and certain individual, owned animals based on their or their owners' behavior (such as animals deemed dangerous under local ordinances or those repeatedly caught at-large). In order to assure the efficacy of any spay/neuter program designed to reduce shelter intake and euthanasia, the ASPCA believes that each community must conduct credible research into the particular causes of relinquishment and abandonment and the sources of animals in its shelters, including the barriers to spay/neuter services that are faced by those populations contributing disproportionately to the problem. Each community must address these issues with a tailored, multifaceted approach as described below:

- 1) The community should have in place an adequately funded, readily accessible, safe, efficient, affordable spay/neuter program.
- 2) Community research should identify the particular segments of the population that are contributing disproportionately to shelter intake and euthanasia, and the community should produce programs that are targeted to those populations.
- 3) The community should strive to maximize the accessibility of spay/neuter services and provide compelling incentives to have the surgery performed.
- 4) The spay/neuter program should be developed with the guidance of veterinary professionals who are committed to delivering high quality spay/neuter services to all patients (Looney et al., 2008).
- 5) The program must adequately address the contribution that feral and stray animals make to overpopulation.
- 6) The program must be adequately supported in terms of financing, staffing and infrastructure.
- 7) The efficacy of all aspects of the program must be monitored and revisions made as necessary to achieve its goals.

In summary, the ASPCA recognizes that sterilization is currently the best method to reduce companion animal overpopulation, and therefore to reduce shelter intake and euthanasia. The most important step a humane community can take to decrease companion animal overpopulation is to make a safe, effective, voluntary spay/neuter program available and readily accessible to the community, and create programs and incentives targeted to the populations known to be contributing disproportionately to shelter intake and euthanasia.

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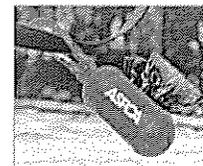
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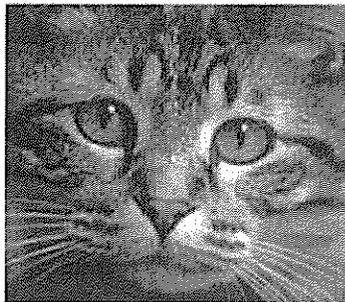
AVMA NEWS

May 15, 2009

EXECUTIVE BOARD COVERAGE

AVMA: Mandatory spay/neuter a bad idea

posted May 1, 2009



The AVMA policy on "Dog and Cat Population Control" has been revised to express the Association's nonsupport for regulations or laws mandating spay/neuter of privately owned, nonshelter dogs and cats.

The Animal Welfare Committee recommended the changes to the policy, which reads, in part, as follows: "The AVMA does not support regulations or legislation mandating spay/neuter of privately owned, non-shelter dogs and cats. Although spaying and neutering helps control dog and cat populations, mandatory approaches may contribute to pet owners avoiding licensing, rabies vaccination and veterinary care for their pets, and may have other unintended consequences."

The policy was adopted in November 2004 and considered by the AWC in accord with the five-year review directive. After review and discussion, committee members agreed that the AVMA should not support regulations or legislation mandating spay/neuter of privately owned, nonshelter dogs and cats for a number of reasons, which were provided in the background of the recommended policy changes.

Although spay/neuter is an important part of effective population control programs, and may benefit individual dogs and cats if performed at the appropriate time, whether and when to spay/neuter specific animals requires the application of science and professional judgment to ensure the best outcome for veterinary patients and their owners. Prevention of unexpected litters; reduced incidences of some cancers and reproductive diseases; and prevention and amelioration of certain undesirable behaviors have been documented as benefits to spaying/neutering dogs and cats.

However, potential health problems associated with spaying and neutering have also been identified, including an increased risk of prostatic cancer in males; increased risks of bone cancer and hip dysplasia in large-breed dogs 1/22/2014 10:39 AM

amelioration of certain undesirable behaviors have been documented as benefits to spaying/neutering dogs and cats. However, potential health problems associated with spaying and neutering have also been identified, including an increased risk of prostatic cancer in males; increased risks of bone cancer and hip dysplasia in large-breed dogs associated with sterilization before maturity; and increased incidences of obesity, diabetes, urinary tract infections, urinary incontinence, and hypothyroidism.

There are conflicting reports regarding euthanasia rates and animal control costs achieved in communities that have enacted mandatory spay/neuter.

Mandating spay/neuter can increase canine, feline, and zoonotic disease risks because some people will attempt to avoid detection of their unaltered pets by failing to seek veterinary care.

The AVMA policy on "Dog and Cat Population Control" can be read along with other Association policies at www.avma.org in the Scientific section under Policy.

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Vinny's Pet Shop

451 Bay Ridge Avenue, Brooklyn, NY 11220

Phone: (718) 745-9075 •

Web: www.vinnypetshop.com

Hearing Testimony of Michael Santomarco, Owner of Vinny's Pet Shop before the New York City Council, Committee on Health, November 24th, 2014

Intro. 55-A - SUPPORT

I'd like to thank you for considering this humane issue. As the owner of Vinny's Pet Store, a family owned and operated pet store in Brooklyn, I strongly encourage you to support Intro. 55-A, "A Local Law to amend the administrative code of the city of New York, in relation to regulating pet shops."

Having served the Brooklyn community's pet supply needs since 1978, I am familiar with the goals and desires of local pet owners. I am appalled by the conditions of some dogs obtained from some large-scale breeders or "puppy mills." I have seen the firsthand effects of unethical breeders and know the devastating consequences they have for both pets and owners.

Intro. 55-A will help minimize unnecessary cruelty to animals and protect consumers by mandating that all pet stores to maintain records on the conditions of their animals and their origins. Further, under the new law pet stores must provide information to consumers about animals' health and medical treatments, as well as information about their breeders, such as their USDA records and violations. If breeders have certain violations, they cannot sell to pet shops, which is fair. Class B dealers, which are the brokers who act as middlemen and are notorious for putting profit over animal welfare and consumer protection, also could not sell to pet stores. Our business does not need to rely on these inhumane sources to make a profit whatsoever, and other pet stores will find the same thing is true for them if this law is enacted. Customers value transparency – and this law will drastically increase transparency.

At Vinny's Pet Shop, our mission is to help dogs and cats live the happiest and healthiest lives possible. I hope that with your support, Intro. 55-A will pass and move New York City one step closer to making that goal a reality.

Sincerely,



Michael Santomarco
Owner, Vinny's Pet Shop

Vinny's Pet Shop

451 Bay Ridge Avenue, Brooklyn, NY 11220

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Sincerely,



Michael Santomarco
Owner, Vinny's Pet Shop



Monster Mutt LLC

297 warren street brooklyn ny 11201 718-858-9028 fax 718-858-3663 www.monstermutt.com

Hearing Testimony of Hannah Koltuv, Owner of Monster Mutt, before the New York City Council, Committee on Health, November 24th, 2014

Hannah Koltuv: Owner
Monster Mutt
297 Warren Street
Brooklyn, NY 11201

First, thank you for considering Intro 55A. Monster Mutt is very much in favor of this proposal to prohibit pet stores from selling dogs from Class B dealers as well as breeders who have certain violations of the Animal Welfare Act on their records. The Animal Welfare Act is notoriously weak and poorly enforced, which means that breeders with violations are truly bad actors that should not be allowed to sell to pet stores. Class B dealers act as middlemen when it comes to puppy mills—they buy puppies from commercial breeding facilities and sell them to random sources, mainly pet stores. This transaction eliminates any sort of transparency from the supply chain, impeding the ability of consumers to know where pet store puppies truly come from.

Monster Mutt is a facility known for its doggie daycare services and boarding, but we also provide a variety of other services, including pet sitting, training, fostering, and selling pet supplies. Our humane business model has proven extremely effective as we engage with shelters to help promote and create space for dogs that need to be adopted. We have worked alongside Animal Haven, Motely Mutts, and Unleashed to foster dogs and carry out the adoption process. It is these types of efforts that need to be promoted, not that of the Class B dealers and AWA violators who are on record for inadequate treatment of dogs.

Again, as a compassionate small business that cares deeply for the well-being of animals, we urge you to support Intro. 55 A. The pet store industry can and should support humane business models that generate a safer environment for pets and customers.

With appreciation,



Hannah Koltuv

Owner, Monster Mutt

Hannah@monstermutt.com

718-858-9028



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL

EXECUTIVE OFFICE

**Statement of Support to the NYC Council Committee on Health
Regarding the Regulation of Pet Shops
Marty Mack, Executive Deputy Attorney General for Regional Affairs
November 24, 2014**

As you are aware, New York State recently passed legislation which greatly increased the power of municipal governments to address the growing problems of puppy mills and animal welfare violations, by allowing them to regulate pet dealers within their borders, as well as the conditions of the sources which supply pets to retailers within their locality. This historic legislative change has moved regulation and enforcement to the level at which it will be most effectively and vigorously pursued. It is my pleasure to offer this statement of support for New York City to become the latest to build upon this long awaited change.

Fighting animal cruelty is both a consumer protection issue and a public safety issue. According to the American Veterinary Medical Association's U.S. Pet Ownership & Demographics Sourcebook, more than 50 percent of New York households include at least one pet. In addition to the cost of purchasing pets, the average pet owner spends hundreds of dollars to care for them. New York's Pet Lemon Law is aimed at ensuring the good health of cats and dogs sold in the State. Consumers have a right to know the source of the dogs and cats they are considering for purchase, and the history of an animal's veterinary care. Policing the quality of that care in the market place helps protect the consumer from costly consequence of purchasing an unhealthy animal.

In recent years, the problem of Puppy mills has become a major concern for citizens of New York State. In these large-scale breeding operations, pets are raised in squalid conditions, frequently mistreated, and are susceptible to illness, hereditary defects and other health problems. Conditions in these breeding operations contribute to overcrowding of shelters, disease, exorbitant veterinary bills, falsified pedigree information, and have cost New York taxpayers countless amounts. National standards have done little to address these problems. A change to state and local-level enforcement was needed, and this year, New York State delivered.

The new sweeping amendment to state law allows municipalities to define and enforce the standards of animal welfare necessary to protect both consumers and the health and quality of life of pets within their borders. It will ensure the peace of mind of pet-owners, who deserve to know their animals are happy, healthy, and free from abuse. It puts enforcement in the hands of municipalities with the ground-level knowledge and resources to ensure that rules will be enforced, and that abuse will not go undetected. For this change, I'd like to acknowledge the tireless efforts of Assemblywoman Linda Rosenthal, the ASPCA, the Humane Society, as well as the Assembly Speaker and the State Senate Co-Leaders. Without their recognition of this problem posed by puppy mills, their advocacy on behalf of the welfare of animals, and their hard work in the face of opposition to these changes, this groundbreaking legislation would not have been possible.

New York City's proposed law would greatly improve protection of consumers and the welfare of pets by defining the specific standards of care to which animals in pet stores are entitled; it would empower pet owners by putting information about their rights as consumers and the source and health of their pets in their hands; and it would more stringently regulate the conditions of the sources from which pets came. It is an important step in ensuring the safety and welfare of companion animals in New York State, and I am pleased to offer my support for the effort.

As the counties, towns, and cities of New York State continue to build upon the achievements of this State legislation, the Office of the Attorney General will provide the advice and support to keep New York State at the forefront of efforts to ensure the quality of life and happiness that our pets and pet owners deserve.



Hearing Testimony of
Janet Carhuayano and Amanda Byron Zink of The Salty Paw
before the New York City Council,
Committee on Health
November 24th, 2014

Janet Carhuayano, Manager
The Salty Paw
38 Peck Slip
New York, NY 10038
212-732-2275

The Salty Paw, a thriving business of five+ years, wishes to stress the importance of passing Intro 55 A; we appreciate this opportunity to be heard by the Committee on Health. Intro 55 A is essential legislation that would prohibit Class B dealers from selling commercially bred puppies to pet stores. Class B dealers, notorious for terrible treatment of dogs in their care, should not profit from these innocent animals. When a Class B dealer is part of the supply chain, consumers are deprived of knowing the true origin of their pets. Intro 55 A also prohibits breeders from selling dogs from USDA-licensed breeders that have been cited for certain Animal Welfare Act violations, which also helps eliminate some of the worst of the worst breeders from the supply chain.

Selling dogs from these disreputable breeders and brokers is not at all essential to conduct a successful business in New York City. The Salty Paw embodies a humane business model and has prospered because of the care we provide for animals. We focus on providing food, grooming, and accessories for pets. We strongly support animal rescue groups, which helps draw customers to our store, and have worked closely with local foster parents to secure forever-homes for animals in need. Our customers respect us for taking this stance, and I firmly believe any pet store selling dogs from disreputable sources would not only do better by their animals and their customers by refraining from selling these dogs, but would also improve their bottom line by abiding by the standard outlined by Intro 55 A.

Thank you again for the opportunity to weigh in on this important issue.

Many thanks,

Janet Carhuayano - Manager
The Salty Paw
janet@thesaltypaw.com

Amanda Byron Zink - Owner
The Salty Paw
Amanda@thesaltypaw.com

Hearing Testimony of Andrew Kaplan, DVM, before the New York City Council,
Committee on Health, November 24th, 2014.

To Whom It May Concern:

I extend my most sincere gratitude to the Health Committee for accepting my statement in support of Intro. 55A. I am a licensed veterinarian in New York State, practicing for 24 years and have experienced countless instances of health-related issues stemming from either poor breeding practices and/or basic health care neglect from various dog and cat breeders and puppy/kitten mills.

There are two classes of “Animal Dealers.” The Animal Welfare Act requires that dealers be licensed by the USDA as either Class A or Class B. A USDA-licensed Class “B” dealer is defined as a person “whose business includes the purchase and/or resale of any animal.” Class “B” dealers obtain animals for re-sale from any random source including other “B” dealers, shelters, from persons who have bred and raised the animals themselves, those once stray and even illegally stolen. Class “B” dealers may also breed animals. A USDA-licensed Class “A” dealer, on the other hand, only breeds animals for sale and can include private breeders and puppy and kitten mills.

As breeding dogs and cats for sale is commercially driven, profit is lessened when breeders take on the expense and effort to ensure their animals are free of genetic defects known to pass to the next generation, such as hip dysplasia (abnormally formed hips), renal dysplasia (abnormally formed kidneys), syringomyelia (SM), in which the skull is too small to house the brain, cryptorchidism (undescended testicles), epilepsy (seizure disorder), knee-problems (leading to cruciate ligament rupture), degenerative myelopathy (spinal cord disease leading to loss of use of the rear legs and urinary/fecal control), elbow dysplasia (abnormally formed elbow joint), dental defects, cataracts, heart defects, etc. To proactively address genetic abnormalities resulting from a recessive gene, conscientious breeders have two choices; either not repeat the breeding or dilute the gene by breeding an unaffected animal to an affected one (called “outbreeding”), so that the next generation has a dominant normal gene that supersedes the effect of the recessive abnormal gene responsible for the undesired health defect. The offspring then becomes a carrier of the genetic abnormality but shows no symptoms of the defect. In each succeeding generation there will be offspring, not showing the defect, but carrying the undesired gene, which will show again in future offspring, when bred to another carrier.

On the other hand, unconscientious breeders who either lack the knowledge, don’t care or are more concerned with conserving certain desirable visual traits, will mate two animals with such desired characteristics, paying no regard to known genetic defects and pass them on to the next generation, thus perpetuate those defects in the breeding. This is called line breeding (also known as inbreeding).

In my professional opinion, Intro. 55A is integral as the foundation for pet store regulating legislation because it eliminates Class “B” dealers from the equation where the source of animal is unknown, hence preventing an unknowing consumer from supporting such trade and obtaining an animals with potential unknown problems (both health and genetic). In addition, Intro. 55 also provides consumers with the information necessary to decide whether the pet they are considering purchasing from the Class “A” dealer is regularly inspected by APHIS, is from a breeder with a strong track record or is a puppy/kitten mill. This will motivate the owners of pet stores to obtain pets from the most reputable sources fearing poor sale of animals from breeders previously cited for violations and those from puppy/kitten mills, about which consumers are becoming more knowledgeable, and animals from which consumers will hopefully be looking to avoid.

In my experience, there is variability among breeders in the approach (inbreeding or outbreeding) and resulting level of ethical concern for genetic abnormalities when producing animals for sale. There are resources that help breeders limit the possibility of producing animals with genetic defects that impacts their health, quality of life and longevity, but many do not bother to make an effort nor are they willing to go through the expense. If such breeders are not successful in selling these animals or consumers report health issues to APHIS which leads to inspection and violation (A result of Intro. 55A), I suspect it will motivate breeders to be more diligent in utilizing available genetic testing resources (phenotypic tests, linked-marker based tests, direct mutation based tests) and veterinary genetic counseling, despite expense and effort, to ensure their “product” is of higher quality and more likely to sell.

Finally, it is also my experience that many breeders self-diagnose (often incorrectly) and institute medical care and vaccination protocols (often incorrectly). My clients often bring their newly purchased pets to me, and veterinarians in New York, versed on the language of Intro. 55A can be instrumental in substantiating that the health care records received by owners of newly adopted pets actually match what is being found at their first examination. I propose that health and medical treatment records that do not accurately reflect the veterinarian’s findings be reported directly to APHIS so follow-up inspection can be recommended.

I thank you once again for your considering my opinion.

Sincerely,

Andrew Kaplan, DVM

THE AMERICAN KENNEL CLUB: NO LONGER “THE DOG’S CHAMPION?”

AKC SHOULD STAND UP FOR DOGS, NOT PUPPY MILLS

The AKC has historically billed itself as “The Dog’s Champion,” the gold standard registry for purebred puppies. The AKC’s mission includes advocating for advances in “canine health and well- being” and working “to promote responsible dog ownership.”¹ Yet with all its emphasis on proper dog and puppy care, in recent years the AKC has opposed the majority of initiatives designed to prevent cruelty at large-scale breeding facilities known as puppy mills. In contrast to its vague public statements condemning substandard kennels, over the past 5 years the AKC has opposed more than 80 different bills and ordinances designed to require large-scale puppy producers to adhere to stronger care standards or oversight, and has even supported bills that would weaken current puppy mill regulations.

While the majority of breeders who register dogs with the AKC uphold high standards and are in compliance with the law, the AKC seems to spend an inordinate amount of time and resources covering up for the bad apples among them – resources that could be better spent focusing on promoting healthy well-raised dogs and high-quality breeders.

In 2012, The AKC’s Government Relations Department rallied its supporters to oppose bills like the following:

- Bills in West Virginia, Iowa, Ohio and several other states that would have required puppy producers to comply with basic care standards, such as regular feeding, cleaning, minimum space requirements, safe housing and veterinary care;
- An ordinance in Shelby County, Tennessee that would have prevented dogs from being left in hot vehicles for more than an hour (an AKC article called it “unwarranted”);



This breeding operation was closed by North Carolina authorities in May 2012. The operator had registered 91 litters with the AKC since 2008 and the kennel had been inspected by the AKC in 2011. The owners have been charged with animal cruelty.

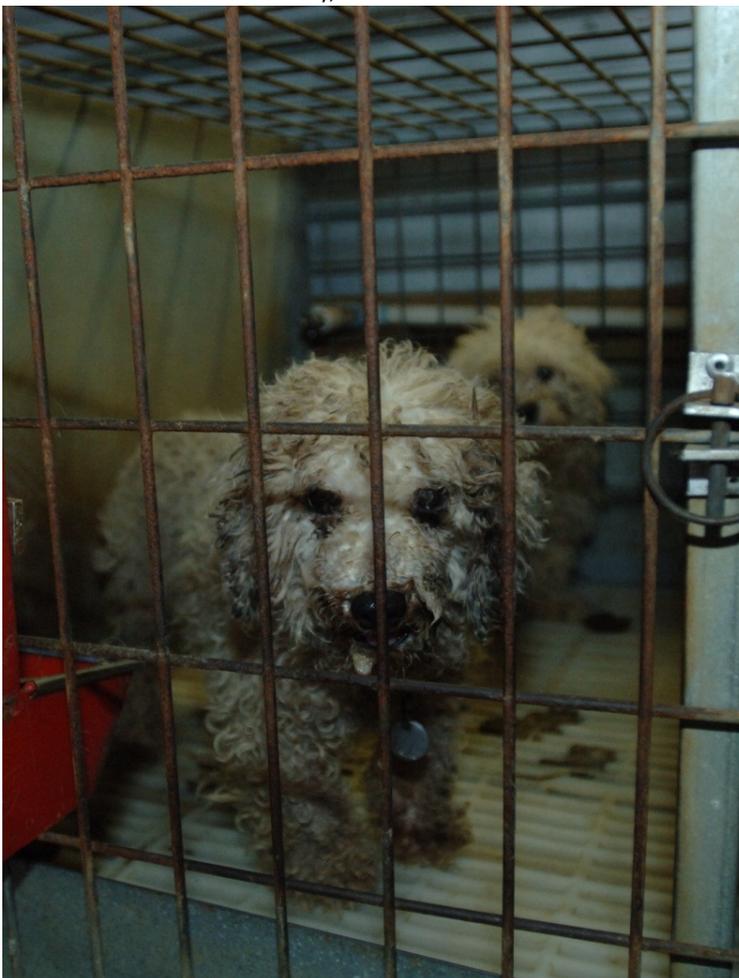
¹ AKC website, June 20, 2012

- A bill in Rhode Island that would have prevented dogs from being tethered or confined to cages for more than 14 hours per day;
- Bills in three states that would have prevented owners from debarking dogs without a medical reason, and requiring that the procedure only be performed by a licensed vet;
- An ordinance in Porter County, Indiana that would require breeding kennels to adhere to the care standards outlined in the Animal Welfare Act (AKC's Chair called the basic standards "burdensome");
- A bill in Massachusetts that would have allowed a court to order animals to be seized from persons charged with animal cruelty, with the suspect responsible for the costs of caring for them if convicted; and
- A Louisiana bill that would have prevented breeding facilities from keeping dogs continually in stacked, wire-floored cages.

Most recently, the AKC has been lobbying breeders to oppose a proposed USDA rule that would regulate Internet puppy sellers under the federal Animal Welfare Act (AWA), even though the proposal includes exemptions for breeders with fewer than five intact females and those who sell puppies directly to buyers they meet in person. In its June 2012 Chairman's Report, the AKC's Chair, Alan Kalter, described the regulations as "onerous." It is unclear what the AKC finds onerous about the AWA regulations, which require only bare minimum standards of care. The regulations simply require that dogs must be given enough space to turn around and lie down, just six inches longer and higher than their bodies, clean food and water, and protection from dirty conditions and extreme temperatures. It also requires that breeders have a written exercise plan and veterinary plan, that they not sell puppies under 8 weeks of age, and other common-sense protections for dogs.

Despite the fact that the proposed USDA rule includes exemptions for small breeders and those who sell only from their homes, the AKC sent misleading emails to its supporters implying that requiring a license of Internet breeders would put good breeders out of business and "take away the public's opportunity to obtain puppies"² from responsible breeders.

Requiring a license will not put a good breeder out of business, nor will it require responsible home breeders to suddenly put all of their dogs in cages, as the AKC has also implied. It will, however, help uncover some of the worst puppy mills in the country. Why is the AKC protecting substandard breeders?



Dogs at Thornton's Kennels, a large-scale breeding facility in NC that sold AKC puppies as well as unregistered puppies. Thornton was convicted of 12 counts of animal cruelty for the condition of dogs found at her kennel. The AKC has routinely opposed stronger kennel laws in NC.

² AKC website, June 20, 2012

DOGS RESCUED FROM LARGE-SCALE AKC BREEDERS

Humane organizations have been called in by law enforcement on numerous occasions to assist in rescuing imperiled animals from large, substandard breeding facilities that registered dogs with the American Kennel Club. These facilities, some of which held hundreds of animals and registered dozens of litters, are just the types of kennels AKC claims to inspect. Many of the operators were subsequently convicted of animal cruelty due to the dire conditions of their animals.

The AKC's response to several prominent examples in North Carolina illustrates the problem. In recent years, a number of puppy mills in North Carolina have been closed down due to cruel conditions, yet for the last four years, the AKC has repeatedly lobbied against public policy changes in the state that would require large-scale breeding facilities to abide by basic standards of care.

In 2009, The HSUS assisted in the rescue of 283 dogs from a facility known as Thornton's Kennels near Goldsboro, NC (photo, page 2). Many of the animals removed from the property were so filthy, matted and encrusted with feces that it was difficult to determine what breed they were. One of the Dachshunds removed had a chain collar that had grown into his neck, while a poodle mix had dental disease so advanced that much of her jaw had rotted away, leaving her unable to chew solid food. A Shih Tzu was in such poor condition that he had to have both eyes removed due to untreated veterinary issues and the effects of strong ammonia (urine) fumes. The owner, Virginia Thornton, self-identified as an AKC breeder, and AKC paperwork was found on the property. Virginia Thornton was charged and convicted of 12 counts of animal cruelty in August 2009. In December 2009, nearly one year after the rescue at Thornton's facility, the AKC suspended Thornton's AKC registration privileges.



The photo on this page and on page 1 show dogs in an AKC-inspected kennel in North Carolina that was closed down in May of 2012. The HSUS assisted local authorities in rescuing 36 Maltese dogs from the facility. Most of the dogs were found confined to small travel-size cages that were stacked three high in a dark shed. The kennel was selling puppies online and had registered 91 litters with the AKC since 2008. AKC had inspected the facility in 2011.

The shed reeked of urine and feces. "Because of the stench and the unsafe ammonia levels, law enforcement would not let us enter the building until they did a reading of the air quality," said Ashley Mauceri, manager of Animal Cruelty Issues for The HSUS Rescue Team, which was on site. "Law enforcement brought in specialists in HazMat suits." The dogs in the back of the narrow, dark shed who were furthest from the door had no access to fresh air. "In order to get some ventilation in there, the fire department had to break one of the windows in the shed," said Mauceri. It appeared that dogs who were more actively breeding were kept inside the cleaner home with their puppies, "while the dogs who weren't currently being used for breeding were basically tossed in the shed and forgotten." The owners surrendered the dogs and have been charged with 30 counts of animal cruelty. At publication time the outcome of the case was still pending.

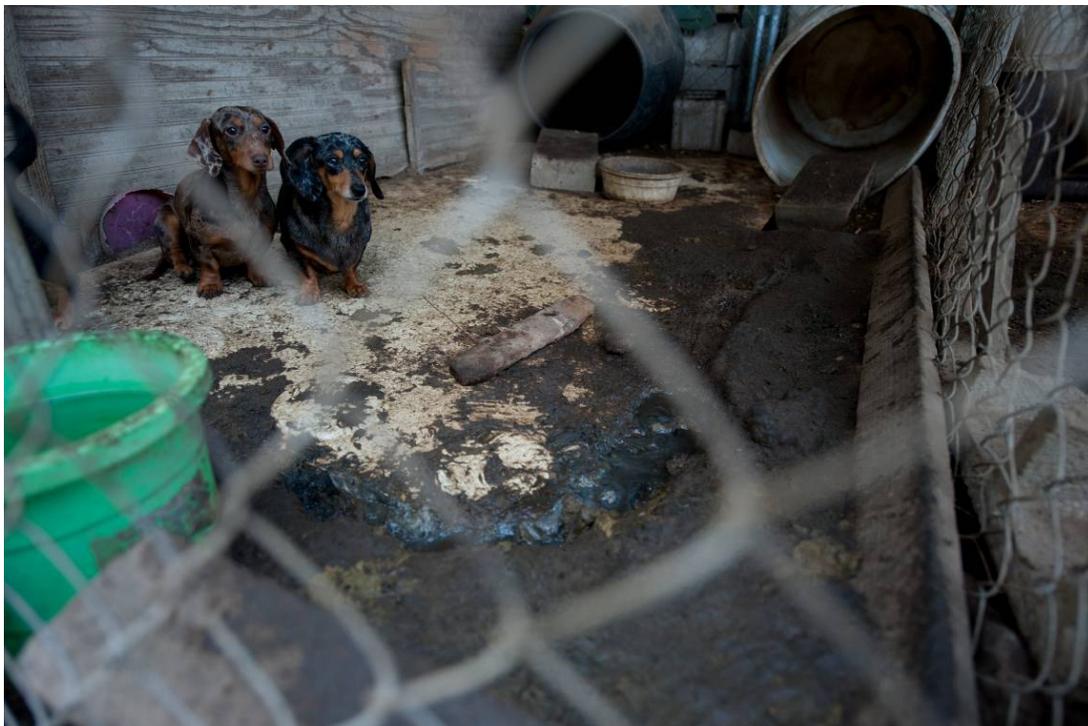
**"THE DOGS WHO WEREN'T
CURRENTLY BEING USED FOR
BREEDING WERE BASICALLY
TOSSED IN THE SHED AND
FORGOTTEN."**

**– ASHLEY MAUCERI, HSUS
RESCUE TEAM**

In a March 2012 case, more than 80 dogs were rescued from dog breeders Glenn and Joyce Brown in Jones County, North Carolina (photo, page 4). The pair advertised AKC puppies via the Internet and local newspaper ads. Their facility

was inspected by AKC in 2010, at which time they were given a warning letter from AKC for record-keeping violations – not kennel conditions. The AKC’s compliance report indicated that overall cleanliness and kennel construction “needs improvement,” but that overall the Browns’ facility was in compliance with AKC’s “Care and Conditions Policy.” Prior to being shut down by authorities in 2012, AKC records show that Joyce Brown had registered more than 170 litters with the AKC. As shown in Addendum A, it is estimated that the AKC made more than \$20,000 in registration income from this one puppy mill alone. After the animals were seized on March 15, 2012, Joyce Brown was sent a letter from AKC notifying her that her registration privileges were temporarily suspended.

Dogs rescued from the Browns’ facility were found living in overcrowded enclosures awash in feces. Medical conditions observed in the dogs included skin infections, ear infections, heartworm and other internal parasites, severe periodontal disease (some rotted to the bone, causing at least



Dogs at this Jones County, NC facility owned by an AKC breeder had very little floor space available that wasn’t covered in feces. The owners were convicted of 38 counts of animal cruelty earlier this year.

one animal’s jaw to break), flesh wounds from unsafe housing, severely matted fur, eye ulcerations, genetic defects, lack of socialization, upper respiratory infection, and dehydration. The cost to rescue and provide medical care for the animals exceeded \$60,000, not including court and legal expenses. The Browns were convicted on 38 counts of animal cruelty in May 2012.

Despite the many documented problems with commercial kennels in NC, the AKC, through its website and Government Relations arm, has regularly mobilized its supporters to oppose stronger kennel laws in the state. In referencing the defeat of a 2010 NC bill designed to provide oversight of commercial kennels, the AKC announced the defeat with pleasure, calling it “unnecessary.” It is also currently drumming up opposition to the proposed federal change to the Animal Welfare Act regulations that seeks to regulate Internet sellers like the Browns.

SELF-REGULATION IS NO SUBSTITUTE FOR NEEDED LAWS

The AKC is the only well-known dog registry organization in the country that claims to regularly inspect its large-scale breeders. While any form of oversight is helpful and should not be disregarded, there are many reasons why a closed and internal system of inspections can’t substitute for legally enforceable public policies.

The regularity with which AKC-affiliated breeders have been linked with substandard facilities demonstrates that AKC’s system of self-managed random inspections is insufficient to protect all its dogs from cruelty.

In a March 2007 Chairman's Report, the Chair of AKC discussed its Compliance Department, which he reported has a protocol of inspecting all breeders who register 25 or more litters once every twelve months, and smaller breeders every 18 months or upon complaint. On its current website, the AKC is a little less specific, claiming: "AKC randomly selects breeders for inspection yearly. In addition to the random selection, AKC inspects breeders based on written, signed and substantiated complaints."

While oversight and accountability programs are helpful, AKC inspections alone have clearly not been enough to prevent numerous puppy mills from keeping dogs in overcrowded, filthy and inhumane conditions. Self-regulation is no substitute for clear state and federal guidelines that answer to the public's right to know.

Issues with AKC inspections include:

- AKC inspectors do not have the ability to enforce any laws, including cruelty laws.
- If a breeder is found to be out of compliance, the only penalty available to the AKC is suspension of that breeder's ability to register new litters with the AKC.
- AKC inspection reports are kept private, with no public transparency. Results of AKC kennel visits and/or lists of inspected breeders are not available to potential buyers via public records requests or on the AKC website.
- AKC inspection regulations are vague, minimal, and do not provide specific, measurable standards for veterinary care, housing, feeding, or exercise. Its newly updated (April 2012) "Care and Condition of Dogs policy" does not ban wire flooring or stacked cages – common conditions at puppy mills.
- The AKC only inspects kennels that produce certain breeds of dogs. They do not inspect non-AKC breeders or breeders of "designer" mixed-breed dogs (for example, "Labradoodles" and "puggles"), which are some of the most popular types of puppies being produced in puppy mills today.

The AKC has taken action to revoke the registration privileges of several puppy mill operators who were convicted of animal cruelty. Unfortunately, the revocations occurred months or even years after the facilities were raided and the animals confiscated by law enforcement. Thus, the suspensions have been ineffective in protecting the animals from harm. Meanwhile, the AKC continues to rally its supporters to oppose any laws that would require commercial breeding facilities to be regularly inspected by a trained, impartial body.

THE AKC IS FINANCIALLY BEHOLDEN TO THE COMMERCIAL BREEDING INDUSTRY

The AKC did not always oppose humane legislation. Prior to the 1990s it sometimes supported measures designed to prevent cruelty and strengthen the enforcement and reach of the federal Animal Welfare Act -- the very regulations that AKC's current Government Relations board refers to now as "burdensome." When and why did the AKC change its tune and start aligning itself with large-scale commercial kennels instead of the traditional small hobby and show breeders?

Today's AKC is beholden to the puppy mill industry to recapture its market share. In 1996, the AKC adopted a "Care and Condition of Dogs policy," and instructed its inspectors to report and ultimately suspend breeders who were found keeping dogs in cruel conditions. It also worked to ensure the accuracy and integrity of its stud books by requiring DNA testing of "frequent sires" (dogs who father dozens of litters).

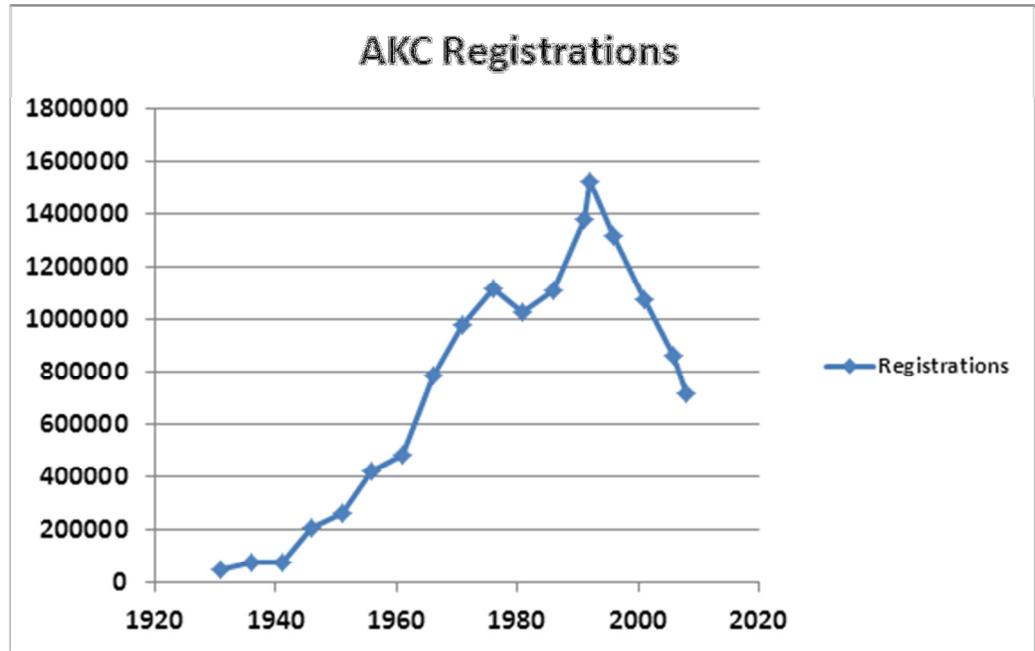
The puppy mill industry retaliated by boycotting AKC, quickly forming "registry" organizations of its own. The new registries were designed specifically to avoid AKC's higher standards and oppose canine welfare legislation.³ By 2000,

³ For example, the APRI (America's Pet Registry, Inc.) mission statement claims to 'condemn' substandard kennels while at the same time stating 'we condemn any and all activities and legislation that infringes upon the individual's right to choice concerning their pets.'

AKC's litter registrations had plummeted. The boycott was spearheaded by the Missouri Pet Breeders Association, Inc., a commercial kennel industry organization which regularly opposes new legislation designed to increase oversight of commercial breeders.

To stem the damage of the boycott and its loss of market share, the AKC created a High Volume Breeders Committee (HVBC), with a mission "to assess the current status of high volume breeding kennels and their role in, and impact on, the AKC registry; to define the appropriate relationship between high volume breeding kennels and the AKC, and to recommend to the AKC Board of Directors actions to implement the committee's findings."

The HVBC set out to make amends with the puppy mill industry. Its emissaries held town hall meetings in primary puppy mill states like Kansas and Missouri, visited and praised the Hunte Corporation, the nation's largest high volume broker (re-seller) of puppy mill dogs, and



ABOVE: Declining registrations may help explain AKC's reluctance to crack down on puppy mills. Source: Daniel R Verdon, DVM Newsmagazine, March 1, 2010.

visited and praised Petland, the nation's largest retailer of commercially farmed dogs. The AKC began offering discount registration coupons clearly aimed at the most frequent breeders. Finally, it removed the "do not buy puppies from a pet shop" tag from its website.

The AKC is now a "platinum sponsor" of the Missouri Pet Breeders Association, the very industry organization which boycotted the AKC for attempting to crack down on puppy mills in the 1990's. In addition to its Government Relations arm and a Canine Legislation Support Fund, the AKC has also formed a Political Action Committee (PAC) that "helps elect legislators who share our commitment to reasonable laws that protect our rights and promote responsible dog ownership and breeding," according to its website. There is no mention of supporting laws that protect dogs from neglect or cruelty.

By encouraging puppy mill operators to regularly register puppies with AKC, the AKC appears to supply the same credentials to substandard breeders as it does to its responsible, premium breeders – breeders whose top priority is canine health and quality. This is a grave disservice to the AKC's best breeders, who devote their lives to producing well-raised puppies and breeding from only their healthiest dogs.

WHEN PURITY EQUALS PAIN: GENETIC PROBLEMS IN PUREBREDS

The HSUS regularly receives reports from heartbroken puppy buyers who have purchased genetically defective pets. Dogs afflicted with congenital and hereditary problems often suffer from chronic pain and have shortened lifespans.⁴ In

⁴ Allen, C. (2010, May). The Purebred Paradox. *All Animals Magazine*

recent years there have been multiple reports and studies⁵ documenting a rising health crisis in many types of purebred dogs, and the effects are not limited to puppy mill dogs alone. AKC and other breed registries have established conformation standards that set a benchmark for the appearance of breeds, yet these standards measure external qualities only. Many dogs who conform “to type” often suffer from a laundry list of genetic and hereditary problems. Some dog lovers believe this is one of the least-discussed but most significant dog welfare issues of our time.

In August 2008, the BBC broadcast a documentary called “Pedigree Dogs Exposed,” which cast a light on breeding practices that result in physical ailments in dogs. The public was deeply disturbed to see footage of purebred dogs in distress, including a pug gasping for air due to its severely flattened face, and a Cavalier King Charles Spaniel writhing in agony due to syringomyelia, a painful disorder caused by the breed’s brain being too large for its skull (a disorder that may affect a third of the dogs of this breed type). The documentary concluded that thousands of purebred dogs suffer acute problems because of the dog fancy’s emphasis on exterior appearance rather than underlying health and well-being.

Yet rather than stand at the forefront of improving breed standards, AKC has been relatively silent on the issue. Some of the most popular AKC breeds tend to have the most disorders:



ABOVE: Likely the result of a “double dapple” breeding, this dog, rescued from a puppy mill in Jones County, NC earlier this year, was most likely born without eyes. She may also be deaf.

- Labrador Retrievers, who have topped the AKC’s popularity list for 20 years, are prone to about 50 inherited conditions, including many different eye and joint disorders.
- German Shepherd Dogs are prone to severe hip dysplasia due in part to a breed standard which requires the withers to be higher than the dogs’ sloping hips.
- Boxers often develop cancer and heart disease very early in life.
- English Bulldogs often suffer from breathing problems, dermatitis, heart disease and extreme heat sensitivity, and the Orthopedic Foundation for Animals estimates that 70 percent of them suffer from hip dysplasia.

Although genetic problems are not limited to puppy mill dogs, puppy mill operators rarely perform genetic testing on their breeding animals, which makes inherited disorders even more widespread among commercial, volume-focused

⁵ Bateson, P. (2010). Independent Inquiry into Dog Breeding;

Companion Animal Welfare Council (CAWC). (2006). Breeding and welfare in companion animals: The companion animal welfare council’s report on welfare aspects of modifications, through selective breeding or biotechnological methods, to the form, function, or behavior of companion animals;

Rooney, N and Sargan, D. (2009). Pedigree Dog Breeding in the U.K.: A major welfare concern?

breeders. Irresponsible producers also focus even more attention on a marketable appearance than on stable genes. For example, The HSUS has received complaints about “double dapple” Dachshunds, dogs who are bred for their striking and unusual coat patterns, but are often prone to blindness and/or deafness. “Double dapple” dogs have been rescued from a number of puppy mills, including the Jones County, NC facility mentioned earlier. The AKC has no rules against registering such dogs, nor does it prevent the registration of puppies who are the result of close inbreeding.

In November 2011, the *New York Times Magazine* published an in-depth cover story on this issue, “Can the Bulldog be Saved?” Author Benoit Denizet-Lewis documented the health and quality of life issues that have affected the English Bulldog breed after decades of genetic manipulation for certain physical traits, such as an unnaturally flat, wrinkled face, which affects the animal’s breathing, and a combination of large head and small hips, which almost always necessitates a surgical birth. As a result, English Bulldogs suffer a high rate of death from respiratory illness and genetic diseases.

AKC does have an affiliate called the Canine Health Foundation, which helps fund research into diseases affecting purebred dogs, but the AKC itself appears reluctant to take a firm stand on simply changing breed standards. A change in the breed standard could help correct the simple design flaws in the Bulldog – for example, by allowing a longer snout and wider hips. The British Bulldog Club has taken steps to revise the bulldog standard for the well-being of the breed, but when questioned for the *New York Times* article, an AKC spokesperson simply said that the AKC had no plans to encourage the Bulldog Club of America to follow suit. In effect, AKC refused to address the issue. Denizet-Lewis implied that the AKC won’t take steps to change the breed standard because today’s bulldogs are one of the AKC’s most popular breeds and therefore bring in a lot of registration income.

CONCLUSION

To say that AKC has done nothing positive for dogs would of course be far from accurate. In addition to its affiliate, the Canine Health Foundation, some of AKC’s beneficial programs include its Companion Animal Recovery program’s Canine Support and Relief fund, which assists with search and rescue and helps pets displaced in disasters, and AKC’s Responsible Dog Ownership programs, which seek to teach dog owners about how to keep their pets safe, avoid accidental loss, and train their pets to be good canine citizens. But these programs only make up a tiny percentage of AKC’s annual outlays. And it’s difficult to understand why the AKC puts effort into programs like these, yet doesn’t take a stronger stand to safeguard dogs in puppy mills.

It’s likely that registration revenues⁶ are behind the AKC’s protection of lower quality, high volume breeders. Yet in protecting them, AKC devalues the identity of the smaller, premium AKC breeders by appearing to give puppy mills the same stamp of approval. Offering only insufficient self-regulation as an alternative to impartial oversight, year after year the AKC has failed to support stronger laws or propose alternative legislation that would help create a practical solution to the problem of animals suffering in puppy mills.

The AKC has failed to protect the dogs it claims to love. If the AKC is to earn its moniker “The Dog’s Champion,” it must stop championing the “rights” of breeders to produce unhealthy dogs and the “rights” of puppy mills to operate sight-unseen. The AKC should return to its original focus of supporting its national breed clubs, dog shows and performance events and ensuring the health and heritage of purebred dogs. AKC should focus its resources on encouraging the public to purchase puppies only from smaller, quality breeders they have visited in person; breeders who raise healthy and well cared-for puppies.

The time has come for the AKC to address the issue of animal suffering head-on. To become “The Dog’s Champion,” the AKC must stop sweeping puppy mills under the rug.

⁶ AKC consolidated total revenues in 2011 were \$59.5 million, 22.88 million of which was from registration fees.

ADDENDUM A: A CASE STUDY

REGISTRATION FEES: THE NUMBERS FROM ONE PUPPY MILL

The AKC takes in approximately 23 million dollars a year in registration revenues, much of which may be coming from puppy mills. The owners of the Jones County puppy mill mentioned in this report sold AKC registered dogs, as well as unregistered dogs. The following statistics are a breakdown of the financial impact a puppy mill may have. These numbers do not include impacts to consumers who purchase sick puppies.

NUMBER OF ADULT DOGS REGISTERED TO AKC	141
NUMBER OF LITTERS REGISTERED TO AKC	174
NUMBER OF DOGS FOUND & SEIZED ON 3/14/2012	88
COST TO REGISTER 1 ADULT DOG WITH AKC	\$30
COST TO REGISTER A LITTER OF PUPPIES WITH AKC	\$25 (plus \$2 PER PUPPY)

ESTIMATE:

Although the puppy mill's website stated that the dogs were sold for between \$600 and \$800 per puppy, this estimate will assume only \$500 was received for each puppy with the average litter having 4 puppies total. We will also assume that only half of the puppy buyers registered their new puppy with the AKC (at \$30 each). This is a conservative estimate for illustrative purposes only.

TOTAL PAID TO PUPPY MILL OPERATOR AT \$500 PER PUPPY	\$348,000
ESTIMATED TOTAL PAID TO AKC FOR ADULT DOGS, LITTERS, AND PURCHASED PUPPY REGISTRATIONS	\$20,412 ^{*7}
COST FOR MEDICAL CARE FOR 88 DOGS SEIZED	\$50,000
COST OF SUPPLIES & STAFF FOR RESCUE (HSUS, JONES COUNTY, SPCA OF WAKE COUNTY)	\$10,000
TOTAL COST TO CLEAN UP PUPPY MILL	\$60,000

^{*7} (141 x \$30=paid by the breeder) + (174 x \$25=paid by the breeder) + (174 x 4 puppies per litter x \$2=paid by the breeder) + (174 x 2 puppies per litter x \$30=paid by the buyer)=\$20,412 (this figure assumes a litter of four puppies and it also assumes that only 50% of puppy buyers will register their puppies)

ADDENDUM B: MORE PUPPY MILLS LINKED TO AKC

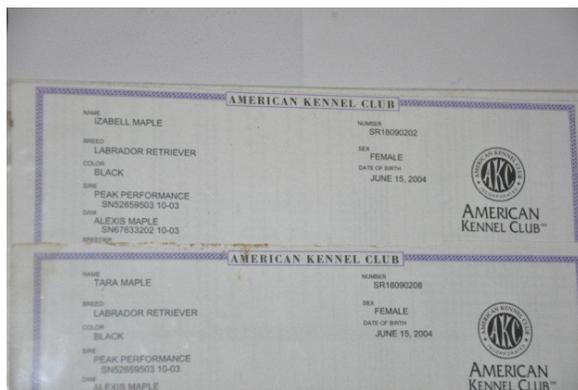
There is no shortage of examples when searching for large-scale, cruel breeding facilities found capitalizing on AKC-registered dogs. While it cannot be proven that the AKC knew about the recent conditions at each of the facilities described below, each one was registering AKC puppies and/or breeding from AKC stock. These examples clearly show a need for stronger oversight of large-scale breeding facilities – the kind of oversight that AKC has routinely opposed.

1. MAPLE'S LABRADORS, BAKERSFIELD, VT

In July 2011, 58 dogs and puppies were removed from a facility near Bakersfield, Vermont



owned by Karen Maple. AKC paperwork was found on the scene for the breeding dogs, including Isabele, who is shown in the two photos above both before and after her removal and rehabilitation. Most of the dogs were found in horrendous conditions. Some of them were in dark enclosures without access to light, food or water. Others were found ankle-deep in feces, and others were dehydrated or severely underweight.



PHOTOS: Above: Before and after photos show the condition of one breeding dog, “Isabele” upon intake, and just a few months later after she was adopted and given proper care. RIGHT: AKC papers found on the scene.

2. MASON CREEK KENNEL – CALDWELL COUNTY, NC

In June 2011, with assistance from The HSUS, authorities raided Mason Creek Kennel, owned by William Thomas Allen, and seized 276 dogs of various breeds who were living in horrendous conditions. Allen advertised his dogs and puppies through the Internet as AKC registered, and his facility had been inspected by AKC in previous years.



Mason Creek Kennels had an “F” rating with the local Better Business Bureau due to unresolved complaints. Medical conditions found in the confiscated animals included skin infections, mange, ear infections, dental and gum disease, heartworm and other internal parasites, tumors, eye ulcerations (burns from high ammonia levels), genetic defects, lack of socialization, flea infestation, upper respiratory infection, dehydration, malnutrition, hernias, and fight wounds.

The cost to clean up this facility and provide medical care for the animals exceeded \$100,000. Allen pled guilty to 104 counts of misdemeanor animal cruelty and two misdemeanor counts of failing to bury deceased animals. Allen's AKC registration privileges were suspended about six months after the rescue, in December 2011.

3. SANDRA AND LEONARD KRUPCZNSKI – PARIS, AR

In March 2009, with assistance from The HSUS, authorities entered the property of Sandra and Leonard Krupcznski, where they found approximately 300 Yorkies, Pekingese, Pomeranians, Akitas, Shih Tzus, Poodles, and Shelties living in deplorable conditions. The Krupcznskis had formerly been licensed by the USDA, but in recent years had dropped their federal license and were apparently taking advantage of the "retail sales" loophole by selling directly to the public. Because they were in a state without any kennel laws, the facility operated without any state or federal inspections whatsoever, allowing conditions to spiral out of control until a large-scale rescue operation and court intervention became necessary.

The Krupcznskis surrendered all of the dogs, and were suspended from AKC privileges half a year later in October of 2009.

4. LANZIE "JUNIOR" HORTON / HORTON'S PUPS – HILLSVILLE, VA

In November 2007, following an HSUS investigation of Virginia puppy mills, The HSUS assisted local authorities in removing approximately 800 dogs from Horton's Pups, owned by Lanzie "Junior" Horton in Hillsville, VA. In addition to finding dogs in deplorable conditions, the investigation revealed that Horton was unlawfully selling puppies to pet stores without a USDA license.



In May of 2008, Horton was convicted on 14 counts of animal cruelty and 25 counts of animal neglect due to the condition of dogs at his kennel. Over a year later, in December of 2009, the AKC suspended Horton's AKC privileges.

Due to his cruelty convictions, Horton was no longer permitted to operate a breeding kennel in Virginia, so he moved his business to Ohio, a state with no kennel oversight laws. AKC has routinely opposed laws in Ohio designed to provide protection for dogs at commercial kennels or set minimum care standards, leaving facilities like Horton's uninspected and unmonitored. Witnesses say that Horton's current property is dotted with large trailer-like buildings, where any dogs he may now own are hidden from view.

5. KATHY JO BAUCK / PUPPIES ON WHEELS – NEW YORK MILLS, MN

Kathy Bauck of Puppies on Wheels was perhaps one of the most notorious puppy mills ever to exist in the United States. Over the years, Bauck sold thousands of puppies to pet stores around the country, and was the focus of numerous investigations and consumer complaints. She also sold AKC registered puppies.

In 2006, Bauck was ordered by the Minnesota State Board of Veterinary Medicine to cease and desist from performing veterinary medicine without a license after puppy buyers complained that she was performing botched surgeries on many of her dogs and then selling them over the Internet. In 2008, she pled guilty to practicing veterinary medicine without a license, served time in jail, and was put on probation. Eventually, in March 2009, Bauck was convicted on state violations of three counts of animal torture and one count of animal cruelty stemming from documented incidents at her breeding facility. Her USDA violations included repeated incidences of animals suffering from untreated illnesses and injuries; dogs

"euthanized" by unapproved methods; deaths due to improper care; puppies kept in outdoor cages in subfreezing temperatures; and dogs found coated in matted, feces-encrusted fur and standing in their own wastes.

In August 2009, the USDA initiated proceedings to revoke her federal license, but Bauck continued to unlawfully sell puppies to pet stores up until August 2011. Despite Bauck's long history of animal cruelty, it wasn't until January 2010 that AKC suspended her registration privileges.

6. David Yoder / Black Diamond Acres – Romulus, NY

In July 2010, David Yoder of Black Diamond Acres became infamous practically overnight when news broke that he had unlawfully and inhumanely killed 78 of his breeding dogs and 15 puppies by placing them in a wooden box attached to a hose which was pumping exhaust fumes from an engine. The dogs were reportedly killed because some had tested positive for Canine Brucellosis, an infectious disease which can affect their ability to produce puppies. Yoder was reportedly selling AKC registered puppies.

Previous violations noted at this facility over the years included puppies that were found dead or lethargic by inspectors, numerous dogs with untreated medical issues who were in need of veterinary care, accumulations of feces, dogs with matted fur, rusted and broken housing and wire flooring, and a strong odor in the kennel. Yoder pled guilty to inhumane destruction of animals, and in March 2011, nearly a year after the mass "euthanasia" of his dogs, his AKC privileges were suspended for 15 years.

ADDENDUM C: GENETIC HARM ⁸

"It's extraordinary that we should have bred animals that the only way they can be born is through C-section," said Sir Patrick Bateson, emeritus professor of ethology at Cambridge University and the chair of an independent review of dog breeding practices in the UK that came about in the wake of the furor sparked by the BBC documentary "Purebred Dogs Exposed."

Bateson was the keynote speaker among a roster of other distinguished speakers and attendees at The Purebred Paradox, a conference held in Washington, D.C., April 28-29, 2011, to address the animal health and welfare issues surrounding dog breeding. Topics included a wide range of dog health matters, from the effectiveness of hip dysplasia screening to the role of genetics in canine behavior and the impact of puppy mills on purebred health.

C-SECTION REQUIRED

Bateson's remarks about C-sections were pertinent to brachycephalic dog breeds (those whose heads are almost as wide as they are long) such as English bulldogs and Boston terriers. Because of their large heads, more than 90 percent of the latter breed are born via Caesarean, Bateson noted, and the statistics for bulldogs aren't far behind.

DESTRUCTIVE BREEDING PRACTICES

But it's not just these dog breeds who have changed over time as a result of breeding to enhance their particular characteristics: the Basset's legs have gotten shorter; the pug's face—more smushed. The King Charles Cavalier spaniel's skull is so small it doesn't allow the brain to grow and can cause a painful and debilitating condition known as syringomyelia. A variety of breeding practices may be damaging individual animals via exaggerated characteristics and also—through inbreeding—weakening animals' immunity to diseases.

⁸ This section includes excerpts previously published in an April 2011 HSUS web story: "Purebred Dogs: What Price Purity?" by Carrie Allan

Bateson made it clear that he was not suggesting that people should no longer breed dogs, and noted the enormous joy and satisfaction many get from doing so. The issue is longstanding and polarizing, he said, “and when that happens, the middle ground gets excluded. I’m not here to say we should ban pedigreed dogs—far from it—but to say there are issues that need to be raised.”

Bateson suggested that dog breeding could benefit from regulation—“to ensure that where commitment and goodwill are lacking, animal welfare standards cannot fall below an acceptable minimum.”

ABOUT THIS REPORT

This report was prepared by members of The Humane Society of the United States’ research department and puppy mills campaign. The Humane Society of the United States is one of the only national organizations that maintains a full-time puppy mills staff, including puppy mills specialists and researchers.

Since 2006, The HSUS has saved more than 8,000 dogs from inhumane commercial breeding facilities, worked with lawmakers to create or strengthen more than 28 laws to crack down on puppy mills, investigated major puppy retailers, and campaigned for a ballot measure in Missouri, the nation’s largest puppy mill state, to require more humane treatment of dogs. There are an estimated 10,000 puppy mills in the United States, which sell puppies through pet stores, classified ads, and online.

The HSUS is releasing this report on activities of the American Kennel Club from 1996 to 2012 to demonstrate that an organization that many Americans consider to be a protector of dogs has, in fact, blocked the passage of laws to protect dogs and has not taken strong enough measures to end the abuse of dogs at puppy mills. Our goal in publishing this report is to encourage AKC to live up to its promise to be “the dog’s champion” by supporting commonsense laws that give consumers greater confidence in the puppies they purchase and by protecting animal welfare.

A recent proposal by the U.S. Department of Agriculture also prompts the publication of this report, since AKC has inaccurately portrayed the impact of the proposed rule change and is urging breeders to oppose it. The group’s advertising and reputation create the impression of quality breeding, but in many cases, AKC registration is not a guarantee that a puppy was bred under humane conditions. The organization has the opportunity to help improve purebred dog welfare by backing the reasonable proposals put forth by the USDA and by state lawmakers.

This report is based on documents observed at rescue scenes or provided in legal proceedings; documents available on the AKC’s website; media reports; research conducted by puppy mill experts; and other sources as indicated.

Backgrounder on the Center for Consumer Freedom

Masquerading as a legitimate non-profit organization, the Center for Consumer Freedom (CCF) is a front group for corporations trying to thwart animal welfare, environmental, and other public interest reforms. It is not a consumer protection organization, and it has no social welfare mission. CCF takes in boatloads of corporate cash, providing anonymity to companies and allowing them to get tax breaks through their “donations” to this phony non-profit. HumaneWatch is a project of the Center for Consumer Freedom.

CCF was started with a grant from tobacco companies to attack anti-smoking organizations. With support from the restaurant, alcohol, and agribusiness industries, it has mounted campaigns against Mothers Against Drunk Driving, the U.S. Centers for Disease Control and Prevention, the Center for Science in the Public Interest, the Humane Society of the United States (The HSUS) and others. CCF and its related organizations have fought against legislation that would reduce the use of plastic shopping bags, and mocked New York City’s efforts to combat childhood obesity, saying that former Mayor Bloomberg might as well “cut to the chase and outlaw fun while he’s at it.” They have also advocated for tanning beds, mercury-laden fish and high-fructose corn syrup.

CCF hirelings sling mud on behalf of companies that profit from the mistreatment of animals—including the most extreme actors within the agribusiness sector. It’s not enough that Big Ag’s army of lobbyists keeps squeezing Congress for billions in taxpayer subsidies. They invest in CCF in an attempt to thwart even the most modest animal welfare reforms, defending lifelong confinement of animals, inhumane slaughter practices, and the reckless use of antibiotics on factory farms.

CCF is one of the 35 or so shadowy non-profit organizations or web-based campaigns founded by or associated with millionaire lobbyist and PR professional, Richard Berman. [According to CCF’s 2008 tax filing, 92 percent of all revenue taken in by CCF went straight into the pockets of Berman and his for-profit PR firm which appears to be nothing less than a personal enrichment scheme.](#)

Berman’s corporate shell game with sham non-profits, his underhanded tactics against charities and public interest organizations, and his refusal to disclose the identity of his corporate paymasters, have been exposed in investigations by major news media, including The New York Times, USA Today, The Washington Post, Harper’s magazine, The Chronicle of Philanthropy and MSNBC. CBS’ 60 Minutes headlined its investigation, “Meet Dr. Evil.” [See our list](#) of some of the independent reporting about Berman and CCF here.

Richard Berman

Richard Berman is head of Berman and Co., a PR firm in Washington DC. He founded several nonprofits; the Center for Consumer Freedom (which is also known as the Center for Organizational Research and Education), the Employment Policies Institute, Center for Union Facts, American Beverage Institute, Enterprise Freedom Action Committee, Family Coalition and at least 40 other distinctly named linked projects.¹

They use this web of nonprofits to attack groups who promote food safety, public health, animal welfare and, more recently, environmental protection.

Independent news investigations repeatedly expose Berman's underhanded schemes of attacking public interest groups including; Mothers Against Drunk Driving, Center for Science in the Public Interest, the Environmental Protection Agency, the Centers for Disease Control and Prevention, the Sierra Club, the Izaak Walton League and many others in addition to [The Humane Society of the United States \(The HSUS\)](#).

What is HumaneWatch, the Center for Consumer Freedom and The Humane Society for Shelter Pets?

- The Center for Consumer Freedom was known as Guest Choice Network until 2001. In 2014, its name changed again to the Center for Organizational Research and Education. HumaneWatch is a project of Berman's CCF, and was launched in 2010.
- Berman is a PR operative who learned his trade as a paid defender of the tobacco and liquor industries. CCF's predecessor was started by a large grant by Philip Morris. From 1995 to 1998 alone, the company paid Berman **\$2.95 million** to fund the Guest Choice Network.
- The board members of Berman's nonprofits are mostly current and former employees of the firm and executives and consultants for the restaurant and beverage industries, according to a [New York Times piece](#).
- CCF, HumaneWatch, The Humane Society for Shelter Pets and all of Berman's groups are listed as front groups on SourceWatch².
- According to a memo from Berman to donors for a related campaign, the intended effect of HumaneWatch is to depress "some of the donation stream that HSUS would have expected prior to our campaign³."
- CCF has been condemned by the editorial boards of [USA Today](#) and [Washington Post](#) as well as on [ABC News](#) for misleading the public.
- Federal tax laws and IRS regulations prohibit creation and operation of nonprofits to benefit private interests and individuals. But some of Richard Berman's charities have paid more than 92 percent of their "donations" to Richard Berman and his for-profit corporation⁴.

¹ [BermanExposed](#), Citizens for Responsibility and Ethics in Washington

² [SourceWatch](#)

³ Steve Karnowski, [Humane Society for Shelter Pets Allegedly Targeting Humane Society of the U.S.](#), Associated Press, December 19, 2011

⁴ [Richard Berman's apparent tax scam](#)

- According to 2011 tax forms, CCF received charitable donations totaling \$1.4 million of which \$1.29 million – or 92 percent were paid to Berman and Company for "staff[ing] and operat[ing] the day-to-day activities" of the charity.⁵
- [The Boston Globe](#) reported in 2013 on Berman and his work, including a quote from a book about U.S. politics where he stated companies “can pay us to represent them and retain their anonymity.”
- Berman initially denied involvement with one of the front groups, the Humane Society for Shelter Pets. Only after a memo authored by Berman came to light did he admit in an Associated Press article that his PR firm provided substantial assistance to the effort.
- In late 2013, HSSP filed for dissolution, and reconstituted itself as a trade name of the Center for Organizational Research and Education, but not before \$983,204 of the donations to the supposed nonprofit were paid directly to Berman & Co. and CCF. Meanwhile, according to tax forms, no animal shelters received funds.

Richard Berman was exposed when an audio tape of his presentation to the Western Energy Alliance was leaked to the New York Times, and numerous outlets covered it. The following are Berman and a Berman and Co. Vice President’s own words about their work:

“We run all of this stuff through nonprofit organizations that are insulated from having to disclose donors. There is total anonymity. People don’t know who supports us. We’ve been doing this for 20 something years in this regard. And to the degree to anybody is concerned about that I will tell you there are all sorts of ways, all sorts of firewalls that have been established to get this done on an anonymous basis.”

“We’re doing stuff to diminish the other sides’ ability to operate.”

"You could not get into people's heads and convince them to do something as easily as you could get into their hearts or into their gut to convince to do something. Because, emotions drive people much better than intellectual epiphanies."

"We're really making this personal. We're trying to make it so they don't have any credibility with the public, with the media, or with the legislators."

“you can either win ugly or lose pretty.”

“Sometimes you’re going after someone that’s got a crown on their head ... if you were going to attack Mother Theresa, you better have a very unusual campaign.”

But, if you got enough on your side you get people into a position of paralysis about the issue ... you get in people’s mind a tie. They don’t know who is right .. the tie basically insures the status quo.”

What others have to say about Berman and his front groups:

- Mr. Berman repeatedly boasted about how he could take checks from the oil and gas industry executives — he said he had already collected six-figure contributions from some of the executives in the room — and then hide their role in funding his campaigns. – Eric Lipton, New York Times, October 30, 2014
- In a political campaign, a candidate making questionable claims can be held accountable by voters at the ballot box. But accountability is harder to come by in the shadowy world where Berman and like operatives do their work. – The Boston Globe, May 18, 2013
- Corporate backers are “using Berman to say outrageous things that they themselves would never say because of the risk of alienating some of their customers.” – Melanie Sloan, Citizens for Responsibility and Ethics in Washington, May 18, 2013
- “Berman has a long record of taking corporate money in order to target community and public advocacy groups, making outrageous and even dangerous claims. ... Given this sordid record, how could anyone trust anything Richard Berman has to say?” – Joel Wendland, politicalaffairs.net, February 20, 2006
- Berman set up the Center for Consumer Freedom and a number of other tax exempt educational organizations. And those educational non-profits all seem to support messages that dove tail nicely with the food beverage and tobacco industries that have hired Richard Berman. - ABC 7, May 3, 2006
- By keeping the sponsors anonymous, Berman’s group can be more vociferous, provocative and irreverent in its criticisms than a trade association. - Washington Post, April 27, 2005
- “They make a lot of noise, but nobody in academia takes their arguments seriously...they stand for food industry freedom, not consumer freedom.” – Dr. David Ludwig, New York Times, June 12, 2005
- Trying to influence policy and politics is Washington's favorite game. Groups that play should be upfront about who they are. Groups that aren't straightforward ought to be regarded with suspicion. – USA Today, May 4, 2005



THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS®

Matthew Bershadker
President & CEO

AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO
ANIMALS

*Hearing before the New York City Council's Committee on Health
Intro. 55 A*

November 24, 2014

Good morning. My name is Matt Bershadker. I am the President and CEO of the American Society for the Prevention of Cruelty to Animals, the nation's first animal welfare organization. I would like to thank Chairman Johnson and the members of the Health Committee for the opportunity to testify today in support of Intro 55-A. The provisions of this bill, when taken together, will achieve two important animal welfare and consumer protection goals. First, Intro. 55-A will prevent some of the country's worst breeders from selling puppies to New York City pet stores. Second, it will increase transparency about the origins of puppies that do enter the city for resale, affording prospective buyers the ability to make more informed choices. The ASPCA applauds the city council for taking this action to improve animal welfare, promote public health and protect New York City consumers.

Prior to being appointed CEO, I served the ASPCA as Senior Vice President of the Anti-Cruelty Group, overseeing programs and initiatives that confront animal cruelty and suffering on all levels across the country, including our Puppy Mill Campaign. The data we have amassed reveals that the problems in the commercial breeding industry are severe and systemic, not merely the result of a few bad actors within an otherwise pristine industry. Many commercial breeders rely, by design, on inhumane practices, to serve their prime objective of increasing profit.

In 2010, I spearheaded the launch of our Field Investigations and Response team, which provides expert investigative, animal handling and sheltering support to municipal, state and federal agencies during large-scale dog fighting, animal hoarding, and puppy mill cases. This team has seen firsthand the suffering of abused animals and knows too well the enormous financial and emotional cost incurred in rescuing, providing life-saving care, and re-homing animals seized from large-scale cruelty cases.

I also oversaw development of the ASPCA's Behavioral Rehabilitation Center in 2013, a facility dedicated to treating dogs who suffer from severe behavior problems, including victims of puppy mills. Forcing dogs to live in severe confinement, isolated from social interaction with people, has devastating behavioral consequences for a species that is, by nature, highly social. Adult breeding dogs in puppy mills usually have very limited contact with people, and few if any experiences outside their cages. Dogs who are rescued often exhibit fearful responses to normal, everyday situations like being petted or the feel of a collar and leash. These types of experiences can cause panic, catatonia and defensive aggression. Without intensive behavioral rehabilitation, many dogs rescued from puppy mills are not adoptable, so they

languish in shelters or face euthanasia. This is why the ASPCA has undertaken the treatment of severely under-socialized, fearful dogs -- including many who endured years of abuse in puppy mills.

Given our experience with addressing the aftermath and damage inflicted on dogs by puppy mills, we believe in trying to prevent this form of cruelty. The ASPCA has spearheaded groundbreaking legislation in states like Pennsylvania and Missouri, resulting in some of the country's most stringent standards of care for dogs in commercial breeding facilities.

The ASPCA has dedicated countless hours, resources and expertise to the goal of eliminating puppy mill cruelty. While no legislative measure the council can enact on this issue will solve the problem overnight, the ASPCA believes that Intro 55-A is a critical step in the right direction that will better protect New York City consumers while putting much needed pressure on the commercial breeding industry to treat thousands of vulnerable animals more humanely.

On behalf of those animals and the ASPCA, I urge you to vote in favor of Intro 55-A today. Thank you.



THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS®

Bill Ketzer, Senior Legislative Director, Northeastern Region

AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO
ANIMALS

*Hearing before the New York City Council's Committee on Health
Intro. 55 A*

November 24, 2014

Good afternoon Chairman Johnson, Councilmember Crowley and members of the Committee on Health. My name is Bill Ketzer and I am the ASPCA's state legislative director for the Northeastern region. I appreciate this chance to offer comments today on Intro. 55 A, which will establish a strong and forward-thinking local law regulating pet sellers in New York City.

As the ASPCA's principal lobbyist at the state level, I served as the bill sponsor liaison and primary coordinator for the coalition of municipal, legal and animal welfare interests that championed Assemblymember Linda Rosenthal's legislation – now law – repealing New York's longtime prohibition on municipal oversight of pet stores and dog breeders. The purpose of my testimony today is to support the need for the portions of this bill establishing a regulatory program for retail pet sellers in New York City that meets and exceeds existing state animal care standards and consumer requirements, while ensuring that such standards are being met uniformly.

When the state's pet dealer program was enacted in 2000, pet industry and breed association lobbyists argued that if the state established a single, uniform standard with which their members could comply, they shouldn't be held to additional requirements at the local level. Fourteen years later, however, the state program – administered by the New York State Department of Agriculture and Markets – has proven seriously ineffective, exposing municipalities, their residents and pet owners to an alarming degree of unchecked backyard breeding and unscrupulous business practices, from consumer fraud to outright, egregious animal cruelty and suffering. This has increasingly frustrated local officials, who until this year were forced to stand idly by, powerless to protect their communities.

There are many reasons for this regulatory lapse, some of which I personally witnessed during my previous tenure as a deputy commissioner at that Department. At this time, the agency only employs 14 animal health inspectors, covering over 47,000 square land miles and responsible for pet stores, municipal shelters, live bird markets, livestock auctions, county fairs and overseeing traditional animal health responsibilities in their massive coverage areas. Currently, there are only 3 inspectors for New York City and Long Island, significantly restricting enforcement actions and follow-up on violators.

Unfortunately, there are state compliance issues as well. Over the last five years, 800 failed pet dealer inspections only resulted in monetary penalties 49 times, taking the teeth out of enforcement actions and leaving

animals and consumers alike at risk. While the ASPCA enjoys several productive partnerships with the agency and does not wish to offer these comments as an indictment of the aforementioned program, we respectfully feel that as a low priority for the agency it offers little assurance that pet sellers within their communities are in regular compliance with the law and providing a perpetually humane environment for animals in their care.

Therefore, the need for New York City and other local governments to voluntarily institute stronger programs that will benefit from the knowledge and experience of their own professional workforces has never been clearer. So it is with appreciation that I submit these comments to the committee today, and offer myself as a resource on Intro. 55-A as it relates to these issues. We share your desire for a strong, enforceable pet seller law, and we remain available to assist you in achieving that laudable goal for New Yorkers and their pets. Thank you for your time and consideration.



THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Cori Menkin
Senior Director, Puppy Mills Campaign

American Society for the Prevention of Cruelty to Animals

Hearing before the New York City Council's Committee on Health

November 24, 2014

Good morning. I am Cori Menkin, Senior Director of the Puppy Mills Campaign for the ASPCA. Thank you, Chairman Johnson and committee members for the opportunity to testify today.

I oversee the ASPCA's Puppy Mill work, which includes our No Pet Store Puppies campaign. The campaign's website provides over 17,000 photos taken by USDA inspectors during routine inspections of USDA licensed breeders, representing more than 600 licensed breeding facilities (about 35% of the USDA licensed breeders). They document violations of the federal Animal Welfare Act as well as conditions that are legal, but that we consider inhumane. This is a clear indication that the problems documented in the photos are systemic, not merely the result of a few bad actors. It's also important to note that the photographs are only representative of those facilities that were both inspected and photographed by USDA. Not every licensed facility is inspected every year, and not every inspection is photographed. Based on USDA's own inspection reports, we know that at any given time, about one-fifth of the industry is in direct violation of the federal law.

The common use of Class B Dealers by the breeding and pet store industries is also problematic. These middlemen make it possible for some of the worst breeders in the country to get their puppies to pet stores without having to risk opening their kennel doors to consumers or disclosing the conditions at their facilities to pet stores.

We have researched Class B Dealers extensively, with particular attention to the largest broker in the country – the Hunte Corporation in Goodman, MO. Aside from the fact that Hunte sources puppies from puppy mills, as documented in the attached photos, we have been able to produce reliable data that indicates that Hunte is not adequately performing legally required vet checks on its puppies prior to shipping them in interstate commerce. Every puppy shipped must be accompanied by a Certificate of

Veterinary Inspection indicating that it has been examined by a licensed vet prior to shipment and found to be healthy. This exam is critical to ensure that puppies are not shipped with communicable diseases or other ailments that may cause harm to the public, other animals, or the dogs themselves.

A close review of certificates accompanying dogs exported out of Missouri by Hunte in January indicates that three Hunte staff vets attested to having examined over 1700 puppies in just eight days. One vet claimed he examined 695 dogs in a single day, giving him just .69 seconds to examine each dog before approving it for shipment. A second Hunte vet claimed she examined 572 dogs in one day, giving her .84 seconds with each dog. And the third staff vet claimed he examined 640 dogs in one day, giving him just .75 seconds for each dog. Of the 1700 puppies exported by Hunte in January, we know that at least 111 of them ended up in New York City pet stores. It is evident from this data that the puppies are either not being examined at all, or are simply being glanced at by a vet before being loaded onto trucks and sent to pet stores across the country.

This information seriously calls into question the integrity of the Hunte Corporation, and of the Class B Dealer system overall. We estimate that Hunte ships about 70,000 puppies in interstate commerce annually, with 1200-1500 of them coming into New York City pet stores. That's 1200-1500 puppies being marketed to New Yorkers without having been adequately checked by a vet, and without any assurance that the information about them is reliable.

The evidence is fact-based and it is clear. There are big problems in the commercial breeding industry that result in the suffering of many animals and the misleading of tens of thousands of consumers annually. Passing Intro 55A will send the message that New York City will tolerate neither.

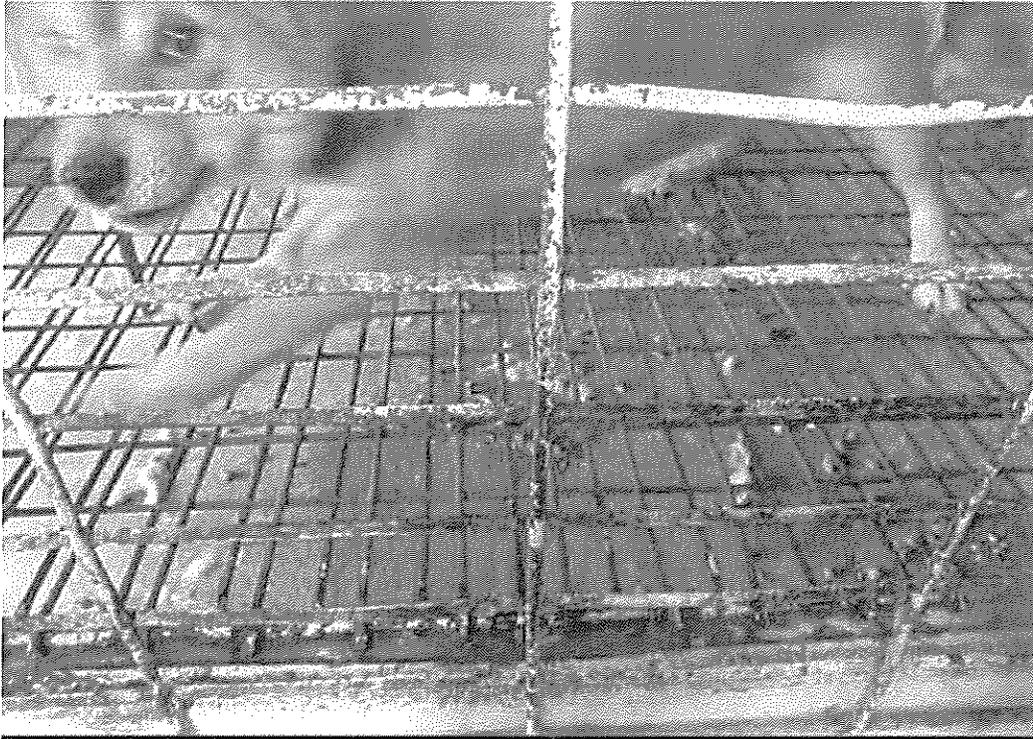


Photo taken by USDA inspector during June 27, 2011 inspection of Brad Grotewold, USDA License Number 42-A-0119. Violation cited: Severely rusted cage front and floor.



Photo taken by USDA inspector during June 27, 2011 inspection of Brad Grotewold, USDA License Number 42-A-0119. Violation cited: Chewed and worn surface in the outside West kennel.



Photo taken by USDA inspector during June 27, 2011 inspection of Brad Grotewold, USDA License Number 42-A-0119. Violation cited: Rusty cage door in the J.S. kennel.



Photo taken by USDA inspector during June 27, 2011 inspection of Brad Grotewold, USDA License Number 42-A-0119. Violation cited: Chewed and worn surface in Sal's lean-to.



Photo taken by USDA inspector during June 27, 2011 inspection of Brad Grotewold, USDA License Number 42-A-0119. Violation cited: A build-up of dirt and grime on the walls of a primary enclosure.

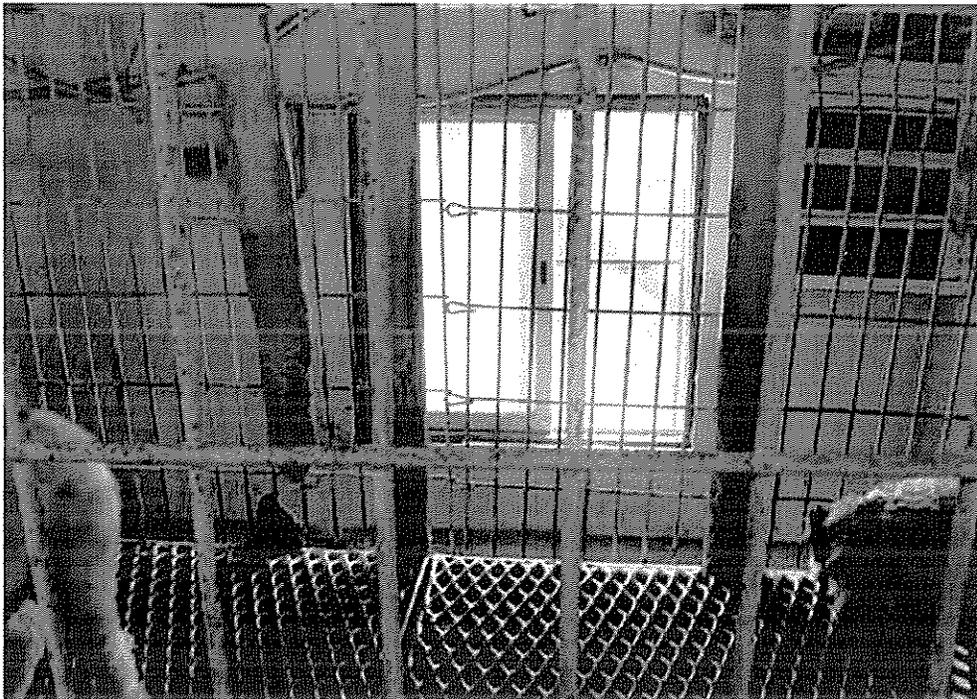


Photo taken by USDA inspector during June 27, 2011 inspection of Brad Grotewold, USDA License Number 42-A-0119. Violation cited: Chewed wood in an enclosure in the North building.

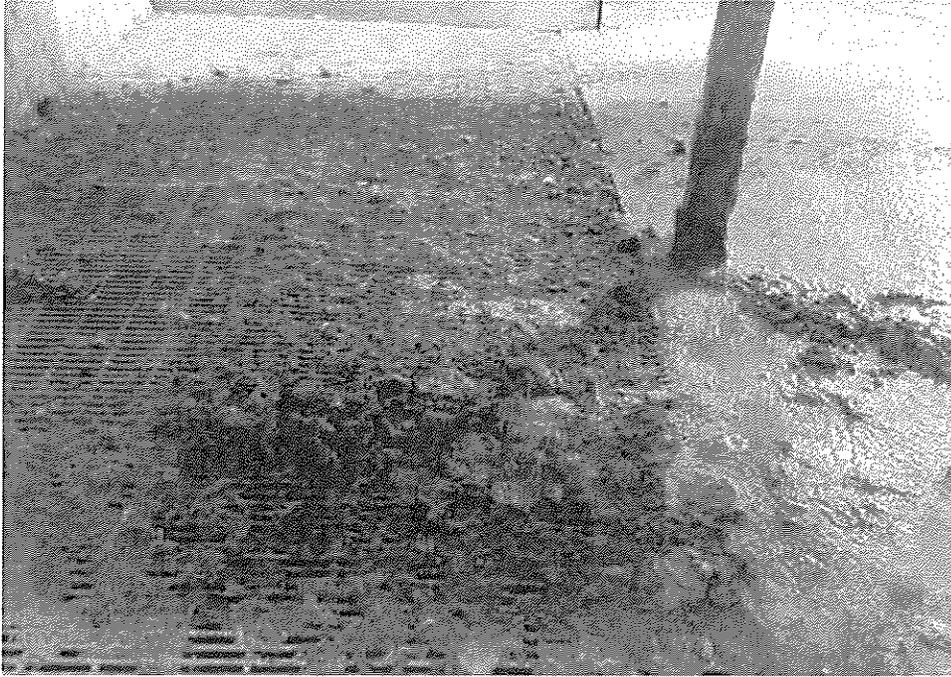


Photo taken by USDA inspector during June 27, 2011 inspection of Brad Grotewold, USDA License Number 42-A-0119. Violation cited: There is an excessive accumulation of feces and food waste on the ground under several elevated enclosures in the furnace room. This pile of waste contains a large number of maggots and flies.



Photo taken by USDA inspector during October 24, 2012 inspection of Steve and Ray Kruse, USDA License Number 42-A-0575. Violation cited: Female Norwegian Elkhound (USDA tag no. 2) has been evaluated by a veterinarian and is currently undergoing treatment for right eye.



Photo taken by USDA inspector during March 1, 2011 inspection of Sue Shold, USDA License Number 42-A-1299. Violation cited: One Yorkie in the "North dog house" with matting on the legs.

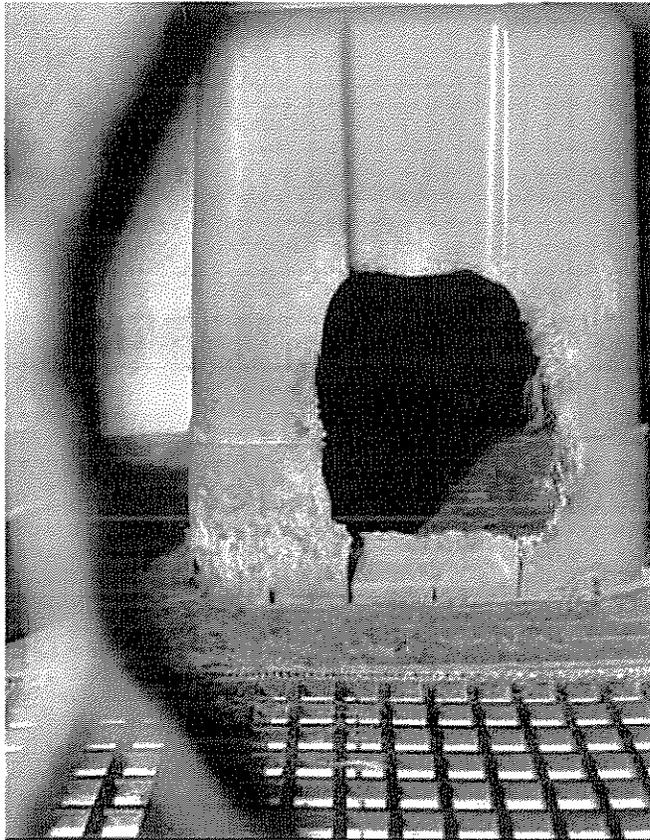


Photo taken by USDA inspector during March 1, 2011 inspection of Sue Shold, USDA License Number 42-A-1299. Violation cited: Within the "North dog house," one shelter with a severely chewed and worn doorway.



Photo taken by USDA inspector during March 10, 2011 inspection of Reginald Derksen, USDA License Number 46-A-0292. Violation cited: Licensee dumping dog food from food receptacle with no cover in outdoor primary enclosure for 2 German Shepherds.



Photo taken by USDA inspector during March 25, 2011 inspection of Dianne Dick (Puppie Trails Kennels), USDA License Number 48-A-1237. Violation cited: Dachshund with thick brown and green material coating the cheek teeth (premolars). This is yellow discharge along the receded gum line.



Photo taken by USDA inspector during March 25, 2011 inspection of Dianne Dick (Puppie Trails Kennels), USDA License Number 48-A-1237. Violation cited: Italian greyhound with brown material completely coating the upper canine tooth. The gum line is recessed and has a yellow discharge.



Photo taken by USDA inspector during March 25, 2011 inspection of Dianne Dick (Puppie Trails Kennels), USDA License Number 48-A-1237. Violation cited: Schnauzer with eye discharge.



Photo taken by USDA inspector during July 8, 2013 inspection of Tim Deters, USDA License Number 48-A-1801. Violation cited: Yorkshire Terrier (microchip # 105 804 875) with long toe nails.



Photo taken by USDA inspector during July 8, 2013 inspection of Tim Deters, USDA License Number 48-A-1801. Violation cited: Flooring that allows feet and legs to pass through.



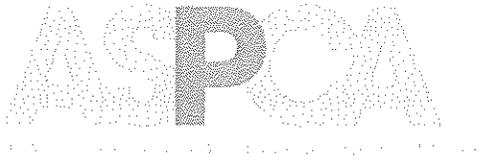
Photo taken by USDA inspector during December 10, 2012 inspection of Irene Phillips, USDA License Number 48-A-1834. Violation cited: 3.6(a)(2)(i) Broken wire w/sharp points, outdoor run of whelping house enclosure containing dogs.



Photo taken by USDA inspector during November 15, 2010 inspection of Benita Boyd, USDA License Number 71-A-1049. Violation cited: An adult female English Bulldog, chip #087085307, has a buildup of green matter on her right eye. The animals must be evaluated by the attending vet.



Photo taken by USDA inspector during November 15, 2010 inspection of Benita Boyd, USDA License Number 71-A-1049. Violation cited: The dealer has brought two adult female English Bulldogs into the kennel for breeding. The animals are being housed outdoors without a shelter structure to protect them from the elements.



**Michelle Villagomez
NYC Legislative Director**

American Society for the Prevention of Cruelty to Animals

Hearing before the New York City Council's Committee on Health

November 24, 2014

Good afternoon. I am Michelle Villagomez, New York City Legislative Director for the American Society for the Prevention of Cruelty to Animals (ASPCA). On behalf of the ASPCA and it's over 66,000 New York City supporters I would like to thank Chairman Johnson, Councilmember Crowley, and the Health Committee for proposing a strong, comprehensive approach to regulating pet dealers in New York City.

Collectively, Intros. 55A, 136A, 146A, and 73A will address many of the problems created by the state preemption which kept New York City from adequately protecting animals and consumers. Currently, this broken system carries a substantial price. Consumers, taxpayers, the shelter system as well as other not-for-profit partners, typically absorb the costs associated with unwanted pet store dogs.

Intro. 55A will ensure that dogs and cats offered for sale are not sourced from breeders who fail to meet even the most basic care standards, while also increasing transparency about those sources by prohibiting the use of puppy brokers. To date, over 165,000 people have taken our pledge not to buy anything in pet stores that sell puppies, including pet supplies, because they believe, as we do, that these stores support and enable the puppy mill industry. Statistically, at any given time, at least 15-20% of the USDA Class A Dealers in this country have significant violations of the federal law. I've attached photos showing some common violations to my testimony. We also know that not all violations of the Animal Welfare Act are documented by inspectors. With only 120 inspectors to oversee more than 7000 licensed entities (including zoos, research facilities, and exhibitors), USDA inspectors are stretched thin. Without constant oversight, there is no real way for us to know just how pervasive the abuses within the industry may be.

The provisions of this bill that prohibit pet stores from selling puppies from Class A Dealers with certain violations on their USDA inspection records will keep puppies from some of the worst breeders out of New

York City pet stores. I've attached some photographic examples of these types of violations to my testimony for your review.

Intro. 55A's prohibition on sourcing from a Class B Dealer is also critical in order to make this entire legislative package more effective. Because brokers are not required to disclose information about the breeders they source from to pet stores, there is little to no opportunity for pet stores to scrutinize those breeding facilities to be sure the puppies come from legally sound and humane sources. Pet stores simply indicate to the brokers what breeds of puppies they want and how many. They have little to no input into or access to information about the original sources of those puppies before buying them.

When pet stores use Class B Dealers as a source for the puppies they sell, the transparency that is critical for consumers disappears. Under state law a pet store is not required to investigate or even know the breeders of their puppies. They are only required to disclose the animal's "source," AKA the broker. If the pet store is unable to obtain accurate information about the breeder, or simply chooses not to, then the consumer will not be able to obtain that information. This coupled with the fact that information provided by brokers may be inaccurate or misleading indicates that Class B Dealers should not be a permissible source for New York City pet stores that choose to sell puppies.

The ASPCA supports Intro. 136A and 146A, which would prohibit the sale of any dog or cat in any pet store unless the animal has been spayed or neutered, require stores to complete dog license applications for each dog purchased, and require dogs and cats to be microchipped. We have been working with the City to support programs that encourage spay, neuter and dog licensing. These efforts help reduce the number of animals that enter AC&C as well as help disenfranchised pet owners. Spaying and neutering is the best way to address the pet overpopulation problem and reduce the number of homeless animals entering our

shelter system. The requirement on pet stores to license dogs before the sale and release of a dog to a consumer is critical as a means to both raise revenue for the shelter system as well as protect pets if they get lost. Implanted microchips, when combined with visible identification tags on a pet's collar, have proved to be the most reliable system for the recovery of lost or stray companion animals. We also support Intro. 73A, which would change the definition of pet shop in the Animal Abuse Registration Act to include pet shops that sell cats and dogs.

We urge to support this comprehensive package of legislation. Thank you.

Examples of Direct and Indirect Violations of the AWA

Direct violations:

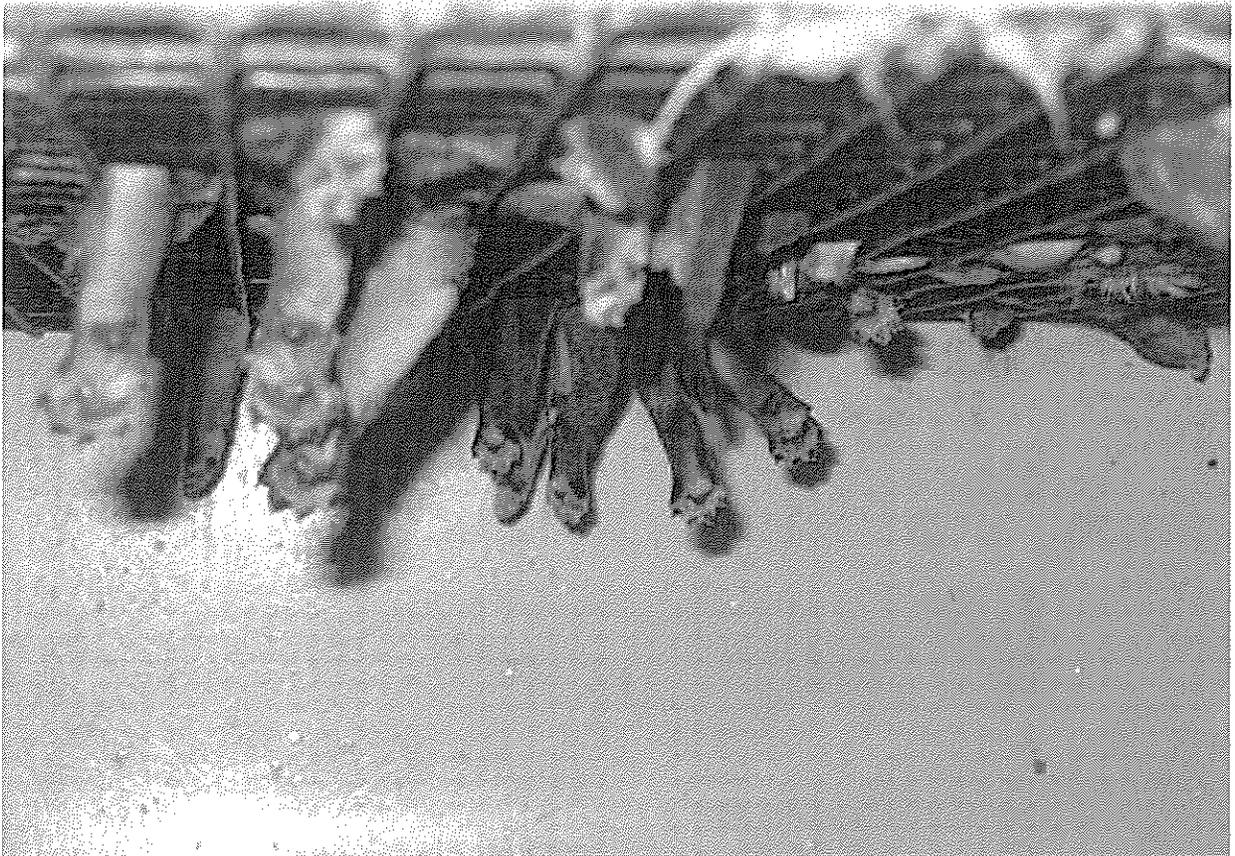


Photo taken by USDA inspector during July 20, 2011 inspection of Eli Miller, USDA License Number 43-A-5541. Violation cited: Small puppies that cannot move due to feet being through openings in the floor.



Photo taken by USDA inspector during February 25, 2011 inspection of Lynn Sartin, USDA License Number 43-A-4843. Violation cited: Puppy feet falling through wire.



Photo taken by USDA inspector during September 24, 2012 inspection of Sharon Hubbard, USDA License Number 48-A-1519. Violation cited: Adult female Chihuahua is thin in appearance.



Photo taken by USDA inspector during December 4, 2012 inspection of Jimmy Jr. and Connie West, USDA License Number 73-A-1872. Violation cited: Female Pug has injuries from fighting other dogs on both front legs.



Photo taken by USDA inspector during February 6, 2012 inspection of Leonard Stover, USDA License Number 42-B-0186. Violation cited: Matted dog.

Indirect violations:



Photo taken by USDA inspector during April 26, 2012 inspection of Trina Thomas, USDA License Number 43-A-5600. Violation cited: Numerous fleas can be seen on this dog's body.



Photo taken by USDA inspector during June 27, 2011 inspection of Debra Pratt, USDA License Number 42-A-1399. Violation cited: Pest Control: Rodent droppings on the floor inside the facility.

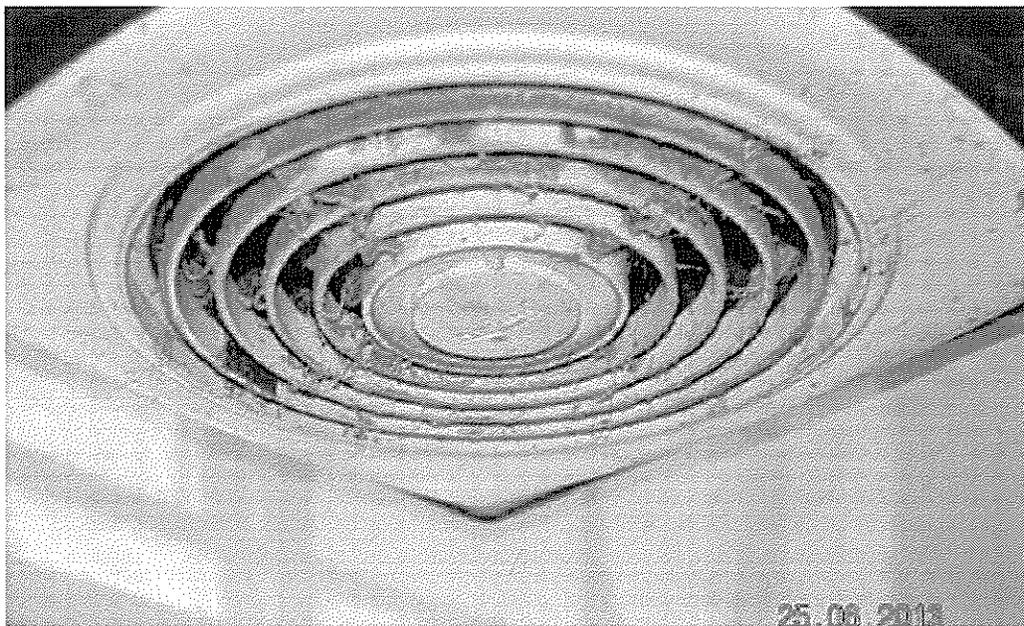


Photo taken by USDA inspector during June 25, 2013 inspection of Chad Wulf, USDA License Number 47-A-0596. Violation cited: Photo representative of the ventilation fans with an accumulation of brown dust and fly waste on the surface.



Photo taken by USDA inspector during November 30, 2010 inspection of Jacob Borntrager, USDA License Number 43-A-5444. Violation cited: Water dish with brown grime.

ASPCA Clarification on Mandatory Spay/Neuter Position Statement and Statement on Pediatric Spay/Neuter

The term “mandatory spay/neuter” is for to laws that require private owners to spay/neuter their pets. It has been tried in a few communities and has been found to be counterproductive because individuals do not have access, geographically or financially, to spay/neuter services. Using that phrasing for the circumstances of Intro. 55A is erroneous. Requiring that animals coming out of shelters or pet shops or commercial industries is not mandatory spay/neuter. It is instead a reasonable requirement for businesses to curb unwanted litters. Access is not a problem so the analysis for why we oppose mandatory spay/neuter is not applicable in this situation.

Pre-Adoption and Early-Age Sterilization- ASPCA Position Statement

Many unwanted and abandoned animals in this country find their way into the sheltering system. In many locations, large numbers of these animals are euthanized to make room for the steady influx of more unwanted animals and/or because shelters may not have the kind of pet potential adopters are looking for. To decrease the number of animals entering shelters, the ASPCA supports the pre-adoption sterilization of all shelter animals, including early-age sterilization.

Pediatric Spay/Neuter

Facts About this Safe and Effective Procedure

Pediatric spay/neuter is the subject of ongoing debates among veterinarians that is fraught with misinformation, misconceptions and high emotions. Although millions of domesticated animals have been surgically sterilized, many veterinarians believe sufficient conclusive research has not been conducted to determine the best age or reproductive stage of life to spay and neuter dogs and cats.

However, studies have been conducted that show that pediatric spay/neuter is safe and effective in both the short and long term. This information can help allay many of the veterinarian's fears so they may embrace the concept as readily as they embrace neutering at 6 months of age.

Early Age Spay/Neuter Defined

The harshest criticism by veterinarians of early age neutering is usually reserved for surgeries performed on animals as young as 6-8 weeks of age or under 2 pounds of body weight. But early age spay/neuter should be broadly defined as surgical sterilization procedures performed on animals who are 6-16 weeks of age or under the traditional age of 6 months. Using that definition, surgery performed on a 4-month old female animal would be considered a pediatric spay.

Because the term "early" implies that the procedure is being performed prematurely, some veterinarians proposed that alternative language might be more acceptable. Some alternative terms for early age spay/neuter include:

- Juvenile spay/neuter
- Pediatric spay/neuter
- Prepuberal spay/neuter
- Prepubertal spay/neuter
- Prepubescent spay/neuter

History of Spaying and Neutering

Many veterinarians are not aware of the different theories that have been advanced regarding the timing of spaying a female cat or dog. Both veterinarians and the general public might be surprised to know that in the early 1900s, veterinarians advocated spaying bitches between 3 and 6 months of age, or even prior to weaning, and castration was done as early as 4 weeks of age. At one time it was believed that it was beneficial for animals to have a litter before being spayed, while another prevailing school of thought, until fairly recently, was that animals should go through one heat before being spayed.

Many veterinary colleges are currently teaching that spaying and neutering, also known as gonadectomy, can be done safely at any age, but believe that pediatric spay/neuter is a tool mainly for population control

for shelter animals only. However, pediatric spay/neuter should be considered for animals belonging to the general public as well.

Revisiting the Six-Month Recommendation

Six months of age is generally considered to be the standard recommendation for spaying and neutering puppies and kittens. It is unclear from the scientific literature how that conclusion was reached.

It is now known that spaying an animal before the first heat prevents the development of mammary gland tumors later in life. Since kittens may go into heat at 4 months of age, waiting until 6 months risks accidental pregnancy and loses the protection against mammary gland cancer.

It would appear that decisions about when to spay and neuter are based more on the individual practitioner's comfort level and familiarity with the surgical technique and anesthesia rather than on any sound scientific or medical evidence.

The six month age requirement for surgery came into question in the late 1970s when shelters encountered difficulty getting adopters to comply with contractual agreements to neuter their newly adopted pets. Despite various incentives, many adopters simply refused to abide by the agreements once they had acquired the animals.

Some shelters found that litters from animals they had adopted out were being brought back to them, and that they were thus actually contributing to the overpopulation problem. They decided the best solution would be to neuter the animals before they were adopted, but the six month age restriction meant that puppies and kittens could not be altered.

Once it was determined that no compelling medical reason could be found in the veterinary literature to wait until the animals were six months of age, pediatric surgeries began to be performed. Dr. Leo Lieberman is the acknowledged pioneer of pediatric spay/neuter. He began performing the surgeries in the late 1970s, and they have been performed by shelters ever since.

A Growing Body of Evidence

In 1993 Faggella and Aronsohn published surgical and anesthetic protocols in the Journal of the American Veterinary Medical Association (JAVMA) for safely neutering animals as young as 6 weeks of age. Although the surgeries had already been performed safely on thousands of shelter animals, these articles provided the much-needed research data to prove that the procedures were indeed safe to perform.

On July 18, 1993, the American Veterinary Medical Association (AVMA) House of Delegates approved a resolution on early age spay/neuter which stated:

“Resolved that the AVMA supports the concept of early (8-16 weeks of age) ovariohysterectomies/ gonadectomies in dogs and cats, in an effort to stem the overpopulation problem in these species.”

Aware of the controversy surrounding this statement they also added:

“The concept is for the benefit of animal shelter and humane society spay/neuter programs. Individual veterinarians have the right/responsibility to decide at what age they will perform the procedure.”

In 2004, the policy was revised and the “concept” portion of the statement was removed.

Throughout the 1990s, groups such as the American Animal Hospital Association (AAHA), American Society for the Prevention of Cruelty to Animals (ASPCA), American Humane Association (AHA), Cat Fanciers Association (CFA), American Kennel Club (AKC), Humane Society of the United States (HSUS), and the California Veterinary Medical Association (CVMA) endorsed pediatric spay/neuter.

Despite these endorsements and the body of evidence already gathered through research and anecdotal information from over 25 years of performing pediatric procedures, the debate still goes on. This information should help resolve some of the problems and concerns.

Concerns about Pediatric Spay/Neuter

An often-cited concern regarding pediatric spay/neuter is a lack of sufficient scientific data regarding long-term consequences. The following are commonly discussed issues:

- Obesity
- Stunted growth
- Cranial cruciate ligament rupture
- Hip dysplasia
- Behavioral problems
- Lower urinary tract disease
- Secondary sex characteristics
- Urinary incontinence
- Infectious disease
- Hypothyroidism
- Diabetes mellitus
- Neoplasia

General Concerns about the Long-Term Effects

The results of studies of the long-term outcome of gonadectomies performed at an early age or traditional age in cats and dogs were published in JAVMA in the December 1, 2000 and January 15, 2001 issues,

respectively. The studies were performed at the Texas A&M Veterinary College by Dr. Lisa Howe on 269 dogs and 263 cats from animal shelters.

The conclusion for dogs was that “with the exception of infectious diseases, prepubertal gonadectomy may be safely performed in dogs without concern for increased incidence of physical or behavioral problems during at least a 4-year period after gonadectomy.”

Shelters that held puppies long-term encountered problems with parvovirus. However, the authors of this paper did not conclude that prepubertal gonadectomy caused parvovirus. The puppies in the study were at an age where they were susceptible to parvovirus and housed in a shelter environment where parvovirus can be common; they developed parvovirus for these reasons, and not because they were sterilized as pediatric patients. (Studies have also shown that, unrelated to surgery, the longer animals are held in shelters, the more likely they are to become ill. Shelters that held puppies short-term did not encounter similar disease problems.)

The conclusion for cats was that “prepubertal gonadectomy may be performed safely in cats without concern for increased incidence of physical or behavioral problems for at least a 3-year period after gonadectomy.”

Another study addressing the long-term effects of pediatric spay/neuter was published in JAVMA in the February 1, 2004 issue. This study was performed at the Cornell University College of Veterinary Medicine by Dr. Vic Spain, who looked at the records of shelter animals (1,842 dogs and 1,660 cats) who were sterilized as pediatric patients. This study provided follow-up for as long as 11 years.

The conclusion for dogs was that “because early-age gonadectomy appears to offer more benefits than risks for male dogs, animal shelters can safely gonadectomize male dogs at a young age and veterinary practitioners should consider recommending routine gonadectomy for client-owned male dogs before the traditional age of 6 to 8 months. For female dogs, however, increased urinary incontinence suggests that delaying gonadectomy until at least 3 months of age may be beneficial.” It is important to note that the female dogs with reported urinary incontinence remained in their homes and were not relinquished to the shelter. The long-term Texas A&M study did not find similar results about urinary incontinence, and another study from 1992 showed a higher incidence of urinary incontinence in female dogs spayed AFTER the first estrus cycle.

The conclusion for cats from the Cornell study was that “Gonadectomy before 5.5 months of age was not associated with increased rates of death or relinquishment or occurrence of any serious medical or

behavioral condition and may provide certain important long-term benefits, especially for male cats. Animal shelters can safely gonadectomize cats at a young age and veterinarians should consider recommending routine gonadectomy for client-owned cats before the traditional age of 6 to 8 months.”

It should be noted that similar focused studies have not been conducted to establish the long-term safety of gonadectomies performed at 6 months of age.

Obesity

Obesity is influenced by a number of factors, and while neutered animals do have a tendency to weigh more than intact animals, it occurs regardless of whether the surgery was performed prepubertally or at the conventional age of six months. A published study in 1991 indicated that dogs did not develop obesity when they were sterilized at either pre or post puberty. Another study from 1996 showed that cats can gain weight after gonadectomy, but this is for both gonadectomy at the traditional age as well as prepubertal.

It should be stressed again that obesity is a multi-factorial problem. Even an intact animal can become obese if a proper diet and exercise regimen is not followed. Just as in humans, dietary indiscretions and lack of activity are the real culprits in this case.

Growth

Many veterinarians erroneously believe that pediatric spay/neuter will stunt the growth of animals. In fact, the exact opposite is true. This concern about stunted growth following prepubertal gonadectomy has been refuted by multiple studies.

In contrast to intact dogs, pups spayed or neutered at 7 weeks of age and male pups neutered at 7 months of age had greater final radius and ulna lengths. The removal of hormonal influences on the growth plates of the long bones results in delayed closure, resulting in bones that are actually a little longer. However, no clinical significance to this difference in size has been found.

In cats, although prepubertal gonadectomy had a similar effect of delayed closure of the growth plates, this did not lead to clinically significant differences in the final length of the long bones.

Cranial Cruciate Ligament Rupture

In humans, cranial cruciate rupture (CCL) is more common in women than men and may be more likely to occur during certain phases of the menstrual cycle, which may be due to a hormonal effect on joint stability (Root Kustritz). Reported incidence of rupture of the CCL in dogs is 1.8%, and this is reportedly more common in sterilized female and male dogs than in intact dogs (Root Kustritz).

The exact cause and effect relationship has not yet been defined, but in addition to the suspected hormonal influence, heredity, body weight, and body condition score may all play a role in CCL rupture (Root Kustritz). There have not been any studies that have shown that delayed closure of the growth plates of the long bones results in asynchrony and/or abnormalities in joint formation as a cause of CCL rupture in dogs.

Hip Dysplasia

Long term studies have looked at the incidence of hip dysplasia in dogs and the association of hip dysplasia with pediatric spay/neuter (Howe, personal communication). The reported incidence of hip dysplasia is 1.7% with an increased incidence in large and giant-breed dogs (Root Kustritz). In the long term Cornell study, puppies that underwent pediatric spay/neuter before 5.5 months of age had an increased incidence of hip dysplasia. However, an additional finding of this study was that dogs that were gonadectomized at the traditional age were three times more likely to be euthanized for the hip dysplasia as compared to the early gonadectomized group. The authors suggest that early age gonadectomy may be associated with a less severe form of hip dysplasia (Howe, personal communication).

Behavior

The effects of pediatric spaying and neutering on behavior remain largely unknown. Sterilization and the subsequent decrease in related hormones have been correlated with a decrease in gender-specific behaviors. Neutering at any age reduces the urge of male animals to spray urine to mark territory, roam and fight with other male animals. The demonstration of sexual behaviors in male cats can make them undesirable house pets, and a decrease in such behaviors is a powerful benefit of having them neutered. Also, the trainability of working dogs is not altered by gonadectomy and does not vary with age of the dog at time of surgery (Root Kustritz).

The large Cornell study of dogs sterilized before 5.5 months of age indicates an increase in noise phobias and sexual behaviors and a decrease in escaping, separation anxiety, and urination in the house when frightened (Spain, Scarlett, Houpt, 2004). However, a different study showed no difference in the incidence of overall or specific behavioral problems between early-age and traditional-age sterilization (Howe, 2001).

There is some early evidence that animals that are gonadectomized at 7 weeks or 7 months of age are more active and excitable, and that male and female cats may be more affectionate than those left intact, but this is a fairly subjective observation that requires more research to substantiate. There does not appear to be any clinical significance to any observed behavioral differences.

Lower Urinary Tract Disease

Pediatric spay/neuter has not been found to contribute to a higher rate of urinary tract obstructions in male cats. Studies have been conducted on male cats to determine the incidence of urinary tract obstructions in all populations. It was found that the diameter of the penile urethra did not vary between animals neutered at 7 weeks or 7 months of age or from intact male cats.

It was originally believed that castrated cats had a higher incidence of urinary tract blockages, but this is not the case. The penis in male dogs castrated at 7 weeks of age is smaller as is the os penis, and preputial development is juvenile in comparison with dogs castrated at 7 months of age or left intact, but there has been no clinical significance attached to those differences.

Secondary Sexual Characteristics

The vulva of spayed females is smaller than that of intact bitches, but there is no evidence that there is any clinical significance to this size difference. Perivulvular dermatitis occurs in intact as well as spayed females, and is related to obesity rather than sexual status. Mammary glands and nipples are also smaller.

The penis and prepuce of male animals will retain a juvenile appearance, but again, there is no evidence of any clinical significance in animals that are not sexually active. There is a reduction in the male cat's ability to extrude the penis from the prepuce, but there is no knowledge of any clinical problems associated with this. It can occur whether the surgery is performed at 7 weeks or 7 months of age.

Urinary Incontinence

Urinary incontinence, or the inability to control urination, may be observed in female dogs whether they are spayed or intact, and regardless of the age when spayed. Older, intact female dogs may experience incontinence naturally as a result of the decrease in circulating estrogen, which has an effect on the external urethral sphincter. In spayed dogs, incontinence may be seen soon after the surgery has been performed, years later, or not at all.

The long-term Cornell study showed a slight increased risk of urinary incontinence for female dogs spayed before 12 weeks of age (12.9% vs. 5.0%). However, it is important to note that there was no incidence of relinquishing these dogs to the shelter; they remained in their homes. Also, the long-term study from Texas A&M that followed dogs out 4 years post surgery did not show an increased risk of urinary incontinence. Finally, another study from 1992 showed a higher incidence of urinary incontinence in female dogs spayed AFTER the first estrus cycle (20.1%).

It would appear that there is a need for more research, but practitioners who are concerned about this slightly increased risk of incontinence may still safely perform prepubertal puppy spays at 3-4 months of age. Many shelters continue to perform the procedures on puppies under 3 months of age because the study did not show an increased risk of relinquishment because of incontinence, which can be treated, and because of the high rate of failure to return for spaying when adopters are allowed to take intact female puppies home.

Infectious Disease

It is true that some shelters find an increased incidence of infectious disease (in particular, upper respiratory infections (URI) in cats and parvovirus in dogs) in animals that are neutered prepubertally, but the stress of anesthesia and surgery affects adult animals as well, not just kittens and puppies. One study showed that surgery and anesthesia have little effect on the dog's ability to mount a humoral antibody response to distemper vaccination. Many of these shelter animals might have developed disease anyway because of the presence of these infectious agents in shelters.

Good screening of surgical candidates, a comprehensive veterinary health care program that includes deworming, good nutrition, stress reduction, good sanitation, appropriately timed vaccinations, etc., and good post-operative care can minimize the impact of this problem.

Shelters that neuter animals only after they have been selected for adoption and send them home after the surgery to recuperate seem to have fewer problems with upper respiratory infections. Infectious disease should not be a problem in the private-practice clinical setting.

Hypothyroidism

Hypothyroidism occurs more commonly in sterilized dogs than in intact dogs, but while there is an association, a direct cause and effect has not been established. The overall incidence of hypothyroidism in dogs is 0.2 to 0.3%. Certain breeds, such as Doberman Pinschers, Golden Retrievers, and Dachshunds, have a predilection for this disease.

In performing a risk-benefit analysis of pediatric neutering, it should be pointed out that the incidence of hypothyroidism is low, the condition is readily treatable, and most dogs have a good response to medical treatment. In addition, other diseases which can be prevented by gonadectomy (such as mammary neoplasia, pyometra, and prostatic hyperplasia) have much higher incidences and may not have as favorable an outcome as hypothyroidism.

Diabetes Mellitus

Sterilized male and female cats have been shown to have an increased risk of developing diabetes mellitus than intact male and female cats (Root Kustritz). Other risk factors for cats in developing diabetes mellitus include breed (Burmese have a higher incidence), sex (males have a higher incidence), obesity, and increasing age (Root Kustritz). Recent new theories suggest a high-carbohydrate, dry-food diet may also be a contributing factor to the development of diabetes in cats.

Neoplasia

There has been concern that pediatric spay/neuter may increase the risk for certain types of cancer. But, pediatric spay/neuter will also decrease the risk for other types of cancer. For example, mammary gland tumors are the most common type of tumor of female dogs, with a reported incidence of 3.4%. Mammary gland tumors are the third most common tumor of cats, with a reported incidence of 2.5% (Root Kustritz). Sexually intact dogs and cats have a much greater risk of developing mammary gland tumors than gonadectomized animals (Root Kustritz). The literature also shows that the risk of developing mammary gland tumors in dogs spayed prior to the first estrus is 0.5%, while the risk after the first estrus is 8.0%, and the risk after the second estrus increases to 26%.

Another type of neoplasia that may be affected by gonadectomy is prostatic neoplasia. While some studies show an increased risk of prostatic neoplasia in castrated dogs (Root Kustritz), the reported incidence of prostatic tumors in dogs is only 0.2% to 0.6% (Root Kustritz), and it occurs in both intact and castrated male dogs. So while castration does not protect against prostatic neoplasia, it does protect against other prostatic diseases seen more commonly in intact male dogs. These include benign prostatic hyperplasia (BPH), cystic hyperplasia, squamous metaplasia, paraprostatic cysts, prostatitis, and prostatic abscesses.

Another tumor associated with gonadectomy is hemangiosarcoma. Spayed females have 5 times the risk of developing cardiac hemangiosarcoma compared to intact females (Root Kustritz). However, the overall incidence of cardiac tumors in one study was only 0.19%, making them very uncommon compared to other tumor types.

Gonadectomy can increase the risk of development of osteosarcoma (OSA) by 1.3 to 2.0 times (Root Kustritz). In one study, there was a significant increase in OSA in sterilized dogs that had undergone gonadectomy at less than 1 year of age, but the overall incidence of OSA in this population of dogs (Rottweilers) was much higher than that in the general population, which suggests a hereditary component (Root Kustritz). Also, in this study, the life span of sexually intact and castrated male dogs did not differ, and the life span was actually increased in spayed female dogs compared to intact female dogs (Root

Kustritz). This study also looked at dogs that underwent gonadectomy before 1 year of age, and this cannot be defined as pediatric spay/neuter (Howe, personal communication).

Transitional Cell Carcinoma (TCC) is the most common tumor of the urinary tract of dogs. Gonadectomized animals have an increased risk of developing TCC compared to sexually intact animals (Root Kustritz). However, a cause and effect relationship has not been defined, and TCC in dogs is reported to be at most 1.0% of all malignant tumors (Root Kustritz).

Testicular tumors are the second most common tumor type in dogs. Although malignancy is considered low for these types of tumors, castration is usually curative (Root Kustritz). Ovarian and uterine tumors are not common in dogs and cats, and although malignant tumors of the female reproductive tract have been reported, sterilization is usually curative (Root Kustritz).

Special Pointers for Pediatric Surgical Patients

The following pointers highlight the main considerations when performing a pediatric surgical procedure.

Pre-Surgical and Anesthetic Considerations

The handling of pediatric patients before surgery should be minimized to prevent excitement before sedation for surgery. The staff should be urged to resist the temptation to play with the puppies or kittens. Excited animals will resist being restrained, and they become more difficult to sedate. Littermates should be housed together to reduce stress.

Intramuscular or subcutaneous injections for initial sedation or pre-medication are recommended as less restraint is needed.

Animals should not be fasted for more than 3-4 hours before the procedure to avoid hypoglycemia.

Hypothermia can be a problem for these patients. A small area of hair at the surgical site should be clipped and a warm surgical scrub used. The use of alcohol should be avoided or minimized because of its cooling effects on the skin. Supplemental heating sources should be used as needed, such as circulating hot-water heating pads or carefully monitored warm-water bottles. (Avoid placing them directly on the skin, and remove them immediately when they become cool.)

There are many different protocols in the literature for pediatric anesthesia. The most successful protocols are usually already in use by the veterinarian with adjustments for the weight difference. The use of isoflurane inhalation anesthesia eliminates many of the concerns about biotransformation of anesthetic drugs in the liver and kidneys of pediatric patients. (Halothane should not be used on the pediatric patient.)

The current recommendation is to use multimodal analgesia, such as nonsteroidal anti-inflammatory drugs (NSAIDs) in combination with opioids.

Good monitoring of the patient for safety is no different from the protocols used for any other patient. These include observing the heart and respiratory rates, depth of anesthesia, color of the patient's mucus membranes, etc.

Surgical Considerations

A supplemental source of heat should be used to prevent hypothermia during the surgical procedure. Circulating warm water heating pads covered by a blanket or towel on the surgical table work well.

Some surgeons recommend that the surgical incision for spaying female puppies should be more caudal than the incision for female adult dogs. The location of the incision for spaying kittens remains the same as it is for adult cats, in the caudal third of the ventrum. Male puppies may be neutered through a scrotal incision, the same as male cats.

Tissues must be handled gently and close attention paid to hemostasis, but this is true in any surgical procedure. The truth is, in most cases, bleeding in these animals is minimal. Usually only single ligatures are indicated and hemoclips can also be used, compared to the adult patient where double ligation is often indicated.

Pediatric animals can have a significant amount of clear abdominal fluid, but this is normal.

The animals should be tattooed in the inguinal region, on the ventral abdomen or have tattoo ink applied to the incision to identify them as having already been neutered. Tattooing is as important for males as it is for females, as it might spare male animals from exploratory surgery if it was assumed the animal had bilaterally retained testicles.

Post-Surgical Considerations

Puppies and kittens should be kept warm in the post-operative period. Heating lamps can be used to prevent hypothermia as long as the patient is closely monitored while under the lamp. If there are problems with the recovery, their temperature and blood glucose should be checked.

A small meal should be offered within an hour after anesthetic recovery to minimize the chance of developing hypoglycemia. If there are signs of hypoglycemia, treat quickly and accordingly. Many practitioners recommend routinely applying a small amount of Nutrical on the gums of the recovering pediatric patient.

Some surgeons recommend avoiding the use of PDS suture material in the subcutaneous and subcuticular (intra-dermal) tissue, as there have been reports in the literature of PDS in these tissue layers being associated with the post-op complication of calcinosis circumscripta.

Additional Advantages to Pediatric Spay/Neuter

One of the main reasons why many veterinarians do not perform pediatric spay/neuter is that they are most comfortable performing surgery on animals that are 6 months of age or older, and they believe there are no compelling reasons to change the current protocols in their private practices. However, there are actually many advantages to pediatric spay/neuter. Although some have been mentioned before, they are summarized here:

- Veterinarians who are familiar with the surgery and anesthesia concur that pediatric spay/neuter is much less physiologically stressful on younger patients.
- Animals should be fasted for only 2-4 hours in order to prevent them from developing hypoglycemia. This can be an advantage for clients who often forget to withhold food for several hours from adult animals prior to surgery and then object to rescheduling their appointment. (Many surgeons still recommend an overnight fast for adult dogs, although this practice is also falling out of favor.)
- Animals are awake and ambulatory usually within an hour of completion of the surgery, so they can be fed a small meal and then sent home the same day, avoiding a stay in hospitals that frequently do not have staff available to monitor them overnight.
- Once the veterinarian has gained experience, the surgery is much faster and easier, so it is less stressful on both the patient and the surgeon.
- There are fewer perioperative complications associated with pediatric spay/neuter than with spay/neuter performed at an older age.
- Pyometra is a potentially life-threatening condition whose incidence approaches 66% in older unspayed females. It can be very expensive to treat, and it occurs with much greater frequency than some of the other concerns mentioned in this article, such as CCL rupture or cardiac tumors. This major health concern is easily prevented by prepubertal spaying.
- Veterinarians often cite a fear of losing money by performing pediatric procedures. However, many veterinarians also admit that they subsidize the cost of surgically neutering adult animals with other procedures or simply lower the cost and absorb the financial loss. Pediatric surgery is less expensive because of the use of fewer materials, and because less staff time is needed for surgery and pre and postoperative preparation and monitoring.

- Private practitioners are strongly urged to comply with the recommendation in the Cornell study to perform the procedures before the traditional age of 6 to 8 months. Doing so prevents accidental pregnancies and the development of mammary gland tumors in females later in life. If the procedure is performed or scheduled when the last vaccination is given at 3 to 4 months of age, the veterinarian does not have to worry about the client forgetting to return, or shopping around and going elsewhere for the surgery. It can be included as part of a kitten/puppy care package of vaccinations, deworming and neutering. The delay in neutering pets is often responsible for the production of accidental litters that end up at shelters.
- Embracing the concept of “one health” that promotes the link between animal and human health and welfare requires veterinary participation in solving community problems. Studies have shown that intact animals are much more likely to be relinquished to shelters than sterilized ones. Pediatric spay/neuter is an essential component of a comprehensive community strategy to end the euthanasia of unwanted companion animals in the United States.
- Pediatric spay/neuter should not be considered a tool just for humane societies because shelter animals actually represent a small source for acquisition of pets. Simply neutering that population will not have sufficient impact on reducing the overall pet overpopulation problem. The best strategy includes education about responsible pet ownership, increased efforts to improve adoptions, counseling to keep animals with behavior problems in their homes, and the prevention of births of unwanted animals. Surgical sterilization is one part of the solution that only veterinarians can provide.

Conclusion

As with all veterinary procedures, there are potential complications and both advantages and disadvantages to any spay/neuter procedure. Each patient should be evaluated on an individual basis and the veterinarian should discuss both the benefits and risks for spay/neuter surgery with the client. Pediatric spay/neuter is important for humane societies and shelters because with these procedures, almost every animal can be sterilized prior to adoption, which helps prevent the birth of unwanted litters that often end up at the shelter. Private practitioners should also consider performing pediatric spay/neuter on their patients because of the many medical advantages as well.

Lila Miller, DVM, is Vice President of ASPCA Veterinary Outreach.

Look Inside a Puppy Mill



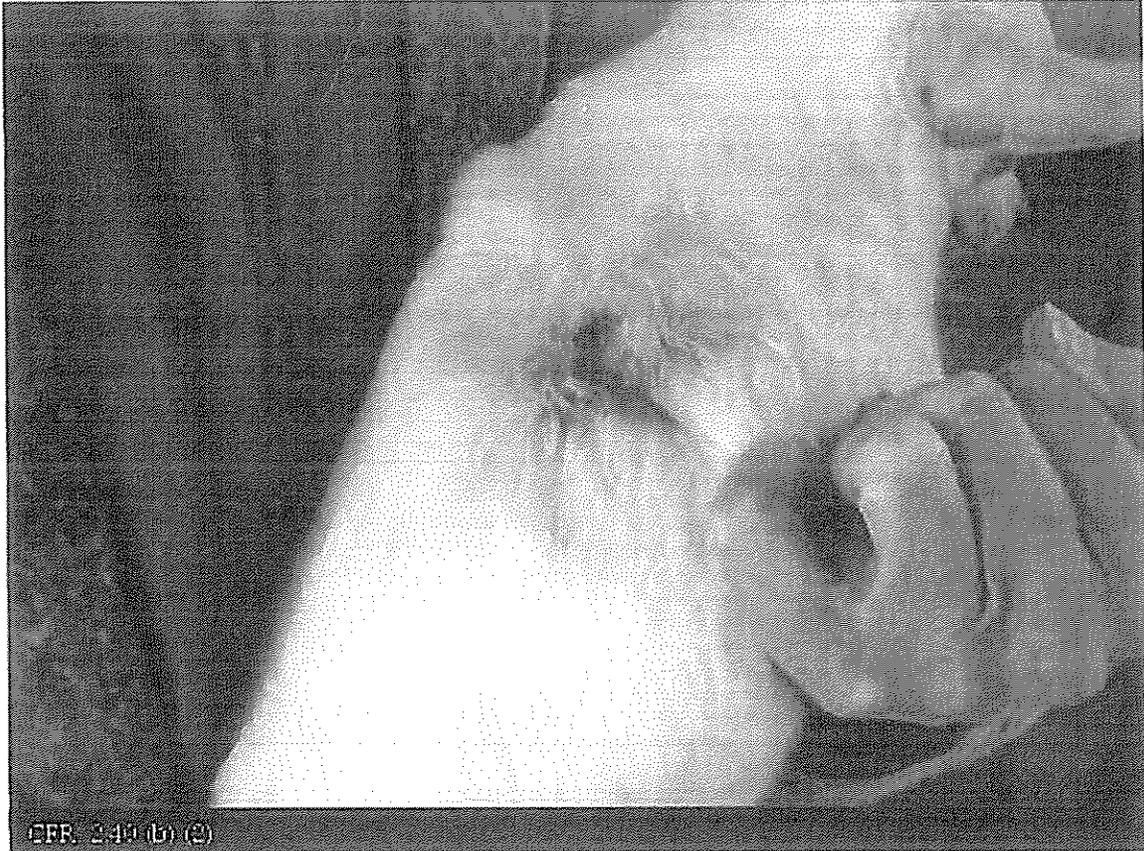
ASPCA

MAKE SURE YOU DO

Health & Welfare



Photographer: C. Proctor, ACD Legal Name: 61-A-0225
Photo Taken: Tue, Sep 18, 12 10:15 am
Description: Overview of dog #1604 showing lesion on neck.



Photographer:	R. Bacon	Legal Name:	48-B-0313
Photo Taken:	Tue, Jan 20, 1998 04:19	AUDREY WOOTEN GAULT	
Inspection:	11/21/21 1030072		
Description:	Ch. 2.49 (b) (2) 100: 1 v 1 a. open wound on right hand side.		



10/10/2020 10:10:10 AM

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10/10/2020



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Photographer: Lori Linn, ACI Legal Name: BARBARA LANTZ, MOSES LANTZ
32-A-0372

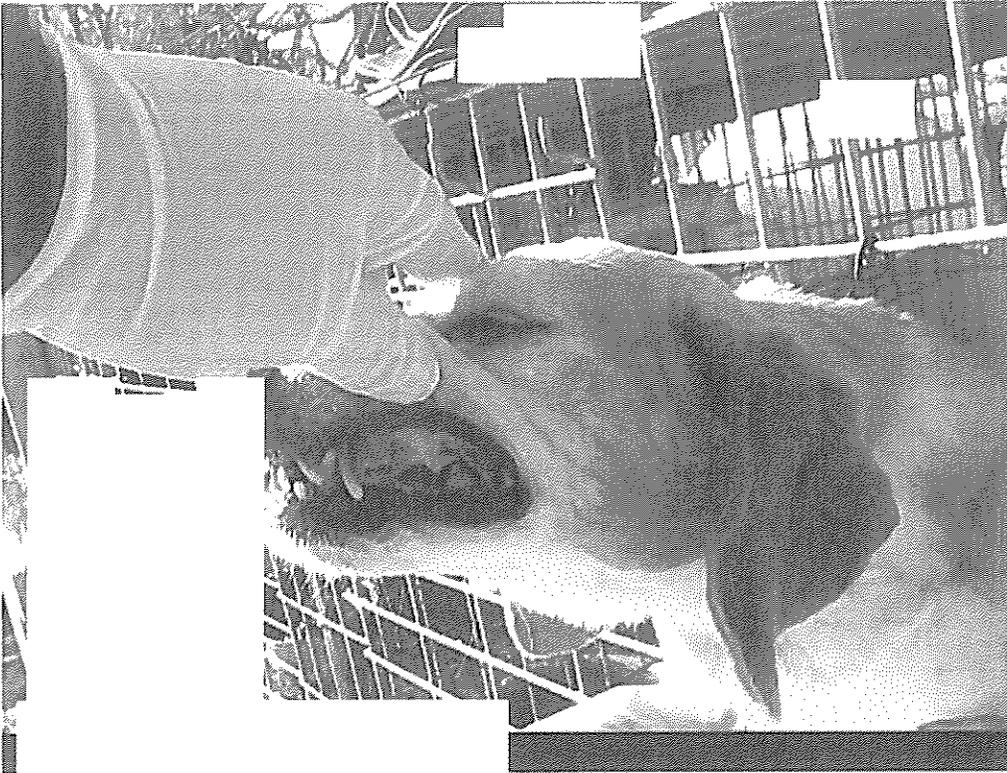
Photo Taken: Tue, May 22, '12

Description: dead maltese puppy with diarrhea covered back end

Inspection: 129120935008915



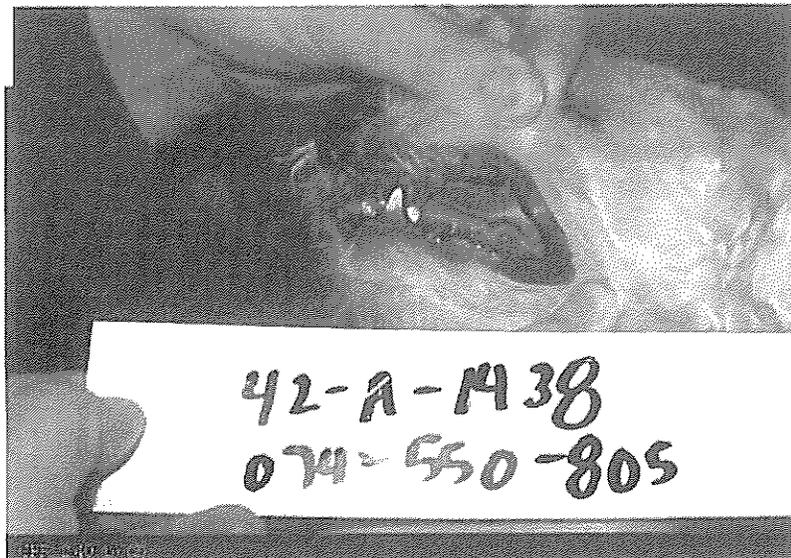
Photographer:	Stephanie Osborne	Legal Name:	43-A-5705
Photo Taken:	Wed, Jan 18, '12	EMILY SKINNER	
Inspection:	19120943170425		
Description:	Female Boxer, no ID, "Roxie" with large walnut sized lump on the top of her head.		



ame: SHAUNA ENGELKEN

PM

red adult female Beagle (microchip number 0A01413910) has a



Photographer: Cynthia M. Neis Legal Name: Menno Borntreger, Toby Borntreger
42-A-1438

Photo Taken: Tue, Apr 10, '12 approximately 1430

Description: Dog 074-550-805 Left view. Thick brownish build up on teeth extending to the gum line.

Shape of individual teeth cannot be visualized. Inspection: 101121730500927



Photographer: R. Bacon Legal Name: TIM CETERS

49-A-1601

Photo Taken: Tue, Mar 27, 12 0:00 PM

Description: Loose jaw of black and white female Terrier (marking harness ID: 87122324540578) did not heal correctly after it was broken.

Inspection: 87122324540578



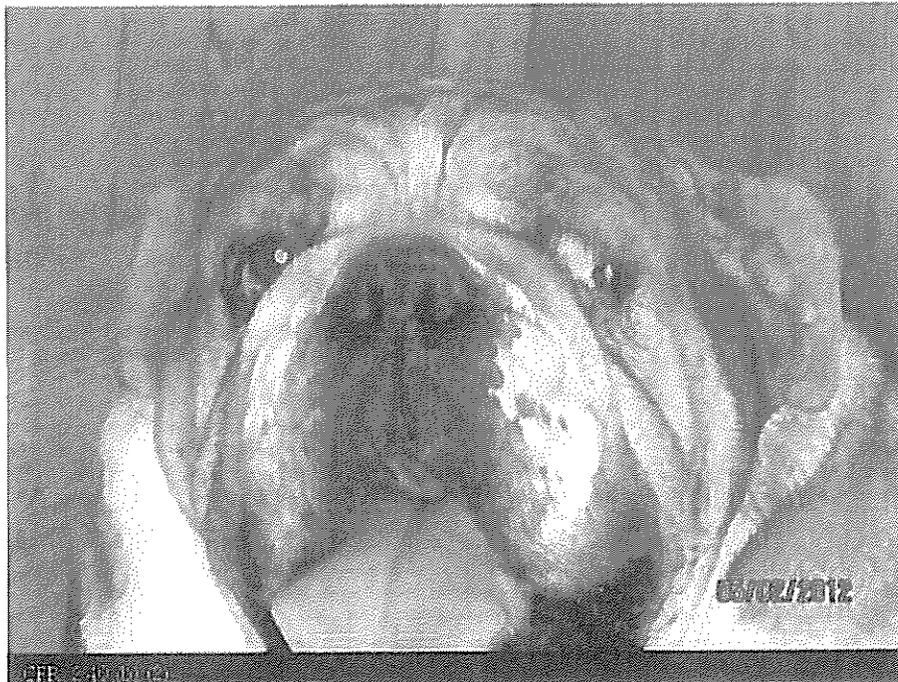
F : Margaret A Shaver Legal Name: Krystal Rottinghaus

41

P Mon, Apr 2, '12 1 pm

Description: Pekinese with microchip 103 616 835 with eye problem.

Inspection: 93122026530796



Photographer: Konnie Plumlee Legal Name: TRINA THOMAS

43-A-5600 Photo Taken: Wed, May 2, '12

Description: Bulldog (chip# 015838522) with thick green discharge covering the left eye.

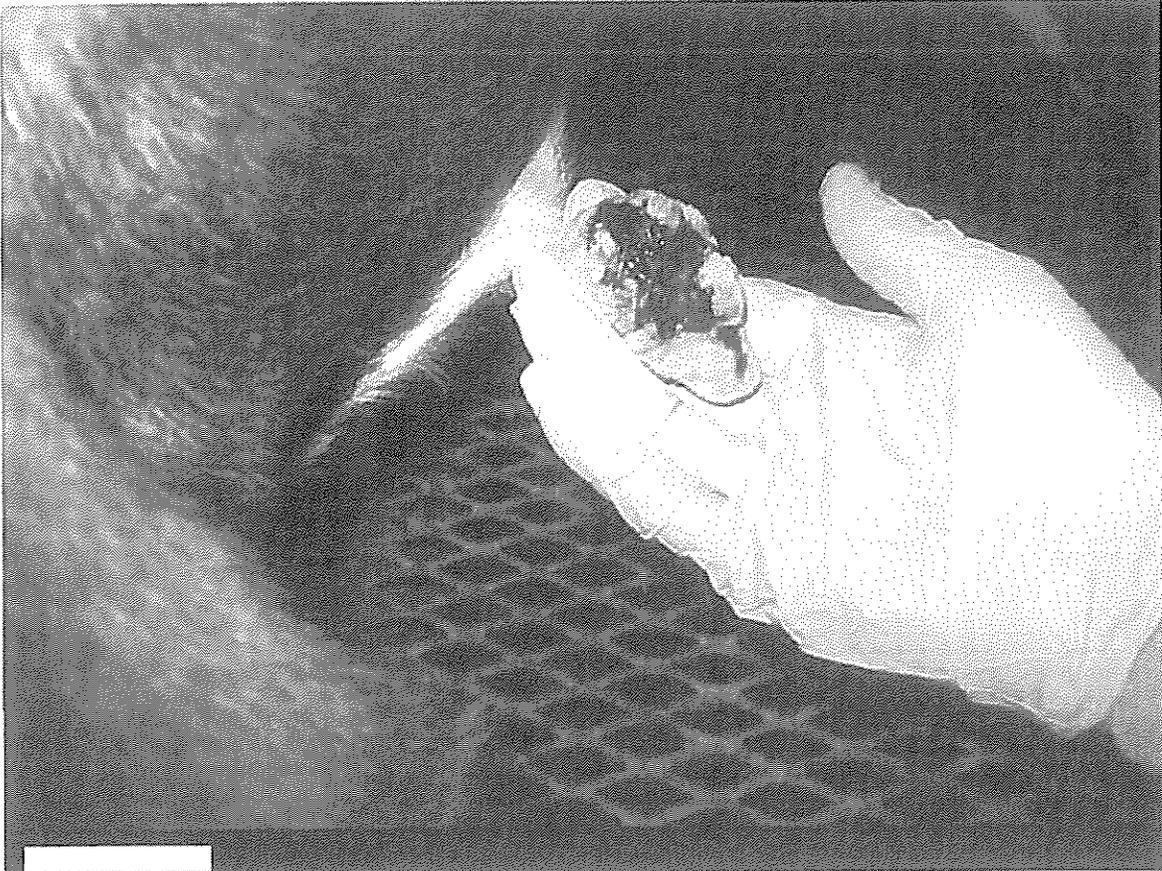
Inspection: 123121326420766



Saker Legal Name: BERTHA PEACHEY, DANIEL PEACHEY

Apr 4, '12

2) - Yorkshire Terrier, 067595266, with mass at end of prepuce
38250549



42-A-1358



Photographer: Lori Linn

Legal Name:
LEROY HOCHSTETLER

32-A-0400

Photo Taken: Mon, Aug 13, '12

Inspection: 223120959057600

Description: min pin puppy # 019 7





Photographer: cb Legal Name: ALLEN MASH
34-A-0187

Photo Taken: Mon, Mar 26, '12

Description: dead black female poodle that the licensee had noticed to be lethargic and thin for several days but did not contact the veterinarian for diagnosis and treatment

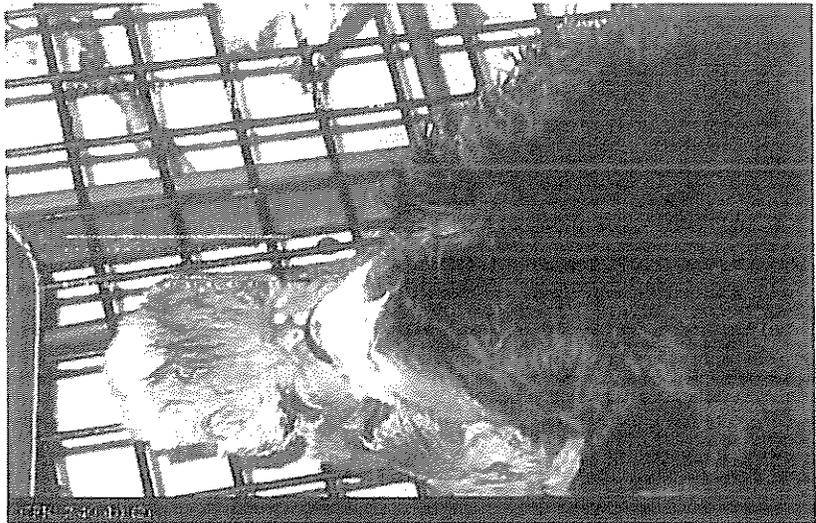
Inspection: 82121508240018



Photographer: Lori Linn, ACI Legal Name: ELMER LAPP
32-A-0363
Photo Taken: Wed, May 23, '12
Description: wound on leg of black shiba inu
Inspection: 129120942381640



Photographer: Elizabeth Taylor Legal Name: JOSEPH GRABER 32 A 0350
Photo Taken: Tue Aug 21, '12 RHODA GRABER
Inspection: 170120948011917
Description: front right paw of bernese mt dog puppy w th bone p otr dng

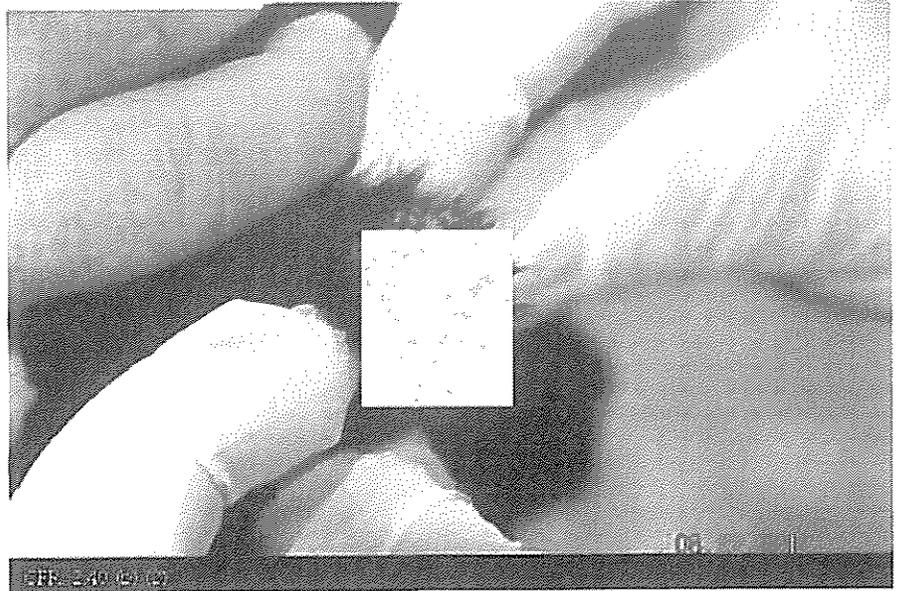


Photographer: Elizabeth Taylor Legal Name: JOSEPH GRABER 32 A 0350
Photo Taken: Tue, Aug 21, '12 RHODA GRABER
Inspection: 170120948011917
Description: front paws with bones protruding of bernese mt dog puppy



Photographer: Elisabeth Taylor Legal Name: JOSEPH GRABER 32 A 0350
Photo Taken: Tue, Aug 21, '12 RHODA GRABER
Inspection: 170120948011817
Description: black secretion from ears of dog @ 107 a female cavalier spaniel

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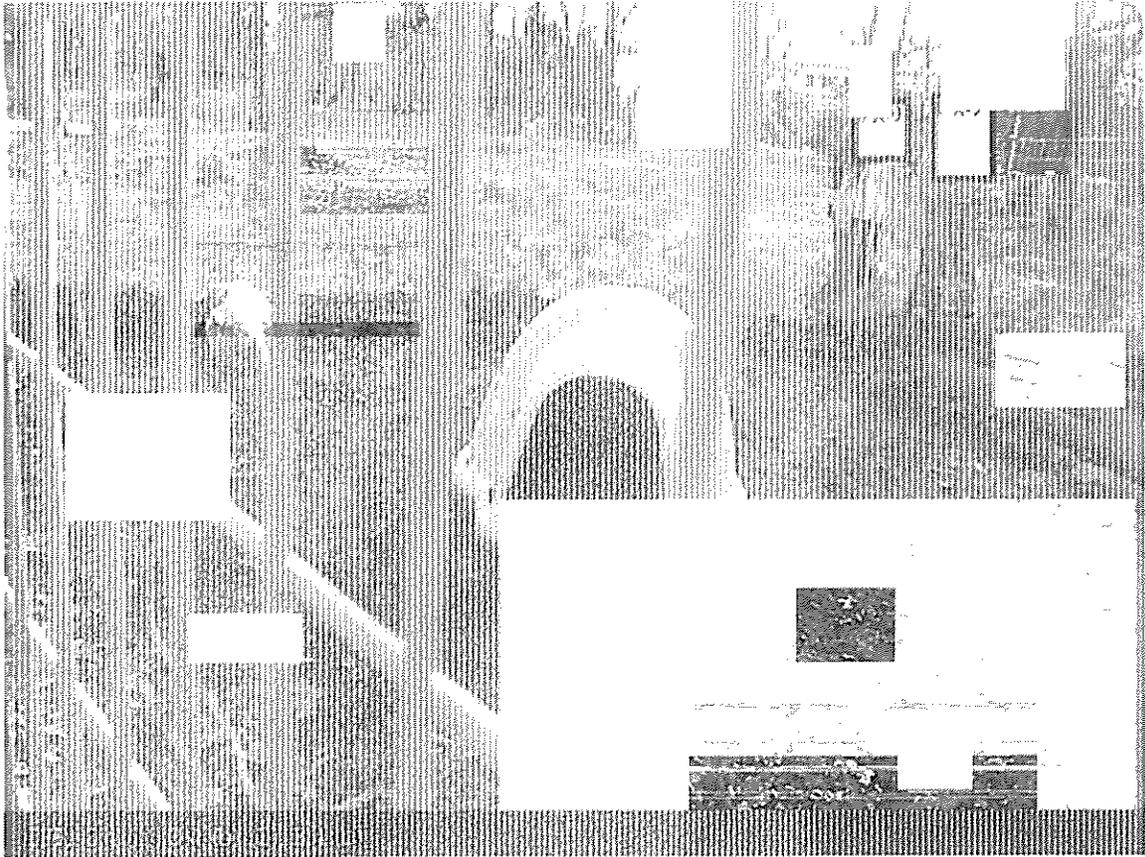


Photographer: Margaret A Shavor, VMO Legal Name: KATHY CLARKE 48 A 1275
Photo Taken: Wed, Aug 22, '12 2pm WILLIAM CLARKE
Inspection: 235122354250175
Description: Accumulation of ticks on margin of ear. Microchip number 077 047 287

Page 199 of 225

Food & Shelter

Food & Shelter



Frontage/Address:	2000 N. 1st St.	Legal District:	43-A-1363
Photo Taken:	10/10/10, 10:00 AM	Address/Parcel:	
Inspector:	10-10-10-10-10-10		
Comments:	Building is in poor condition, needs major work.		



EPR 3.5 (c) (1) (iii)

Photographer: Beverly Hicks

Legal Name:
DEBBIE PHILIPS

43-A 1353

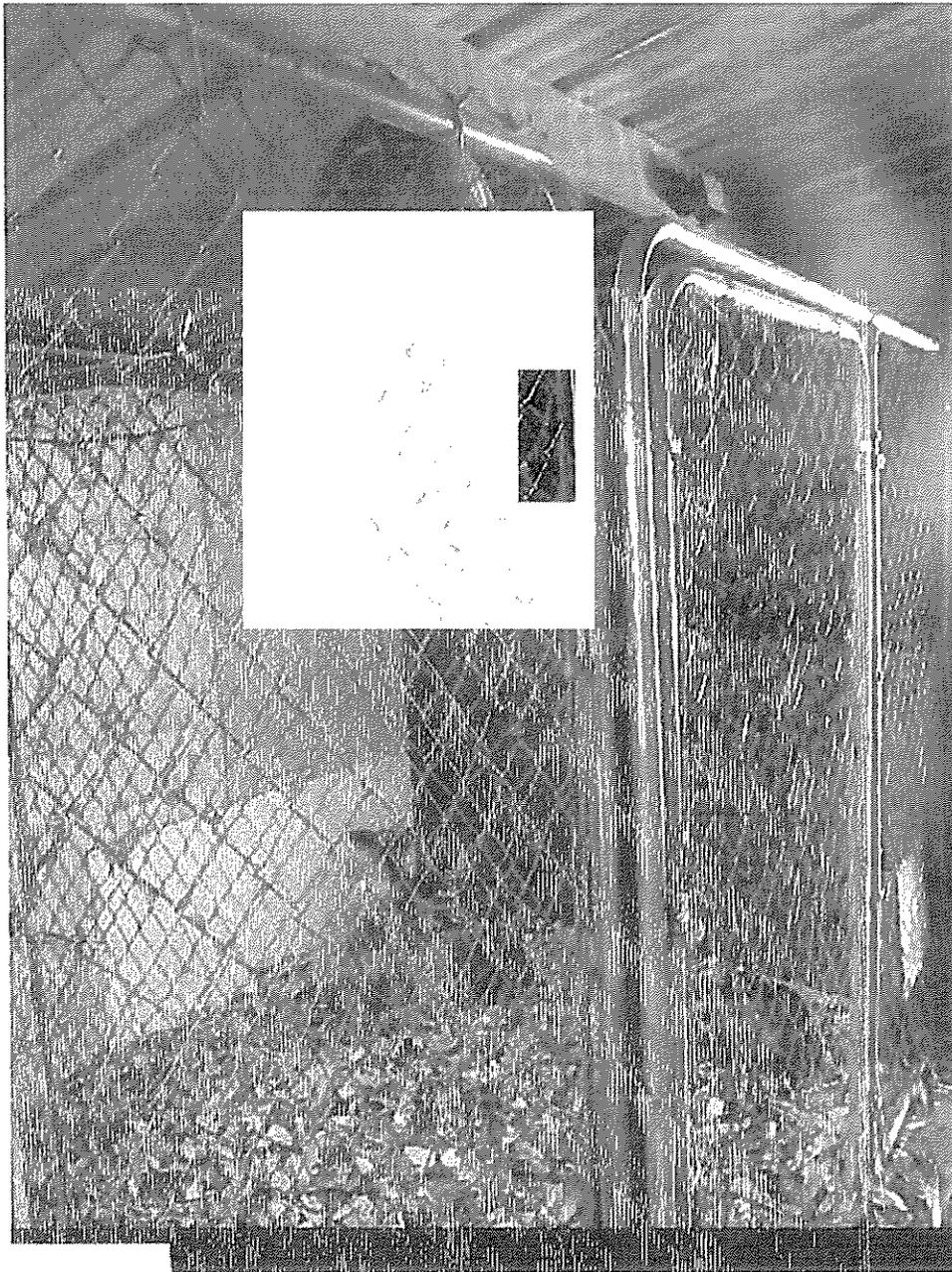
Photo Taken: Wed, Jan 18, '12 1559-1834

Inspection: 18122129200058

Description: Adult dog with limited head space.



Photographer:	Heather Cole	Legal Matter:	42-B-0226
Photo Taken:	wed, Jan 11, 17	Officer:	CONNIE JOHNSON
Inspection:	542 000000001	Officer:	HAROLD JOHNSON
Description:	distal photo taken up of grate and out of the enclosure.		



7

42-B-0228

42-B-0228





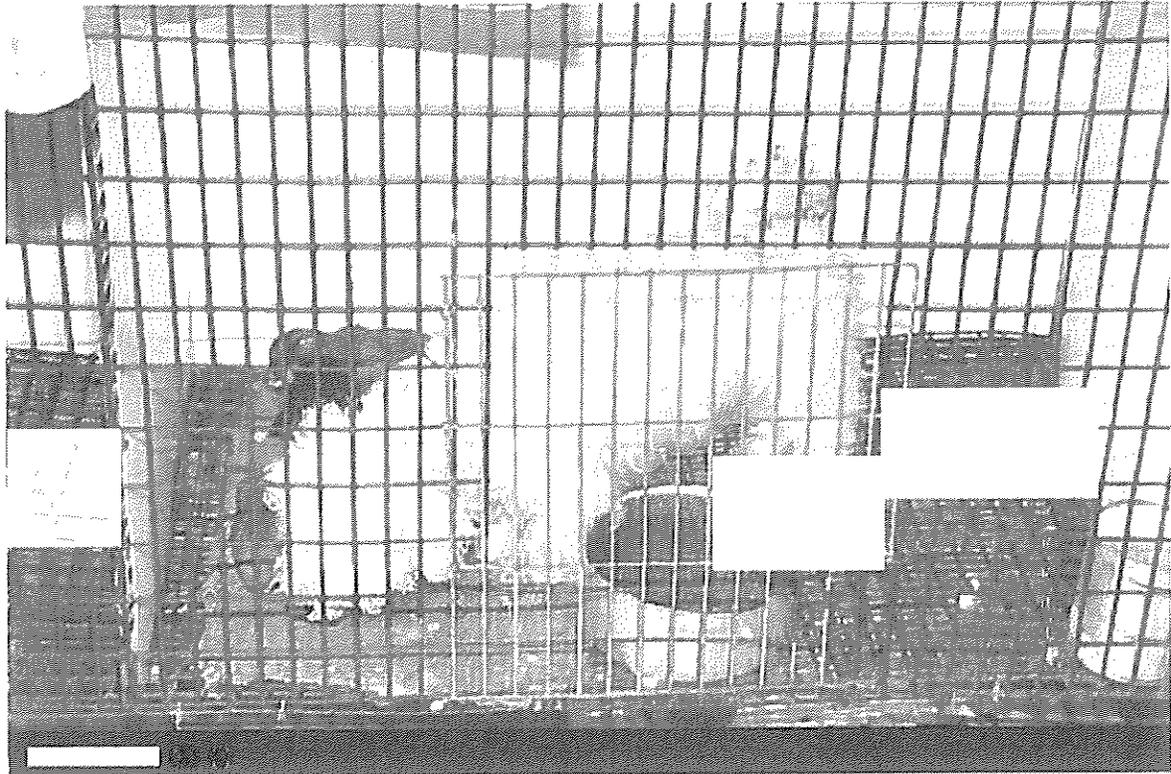
Photographer: _____

43-A-5652

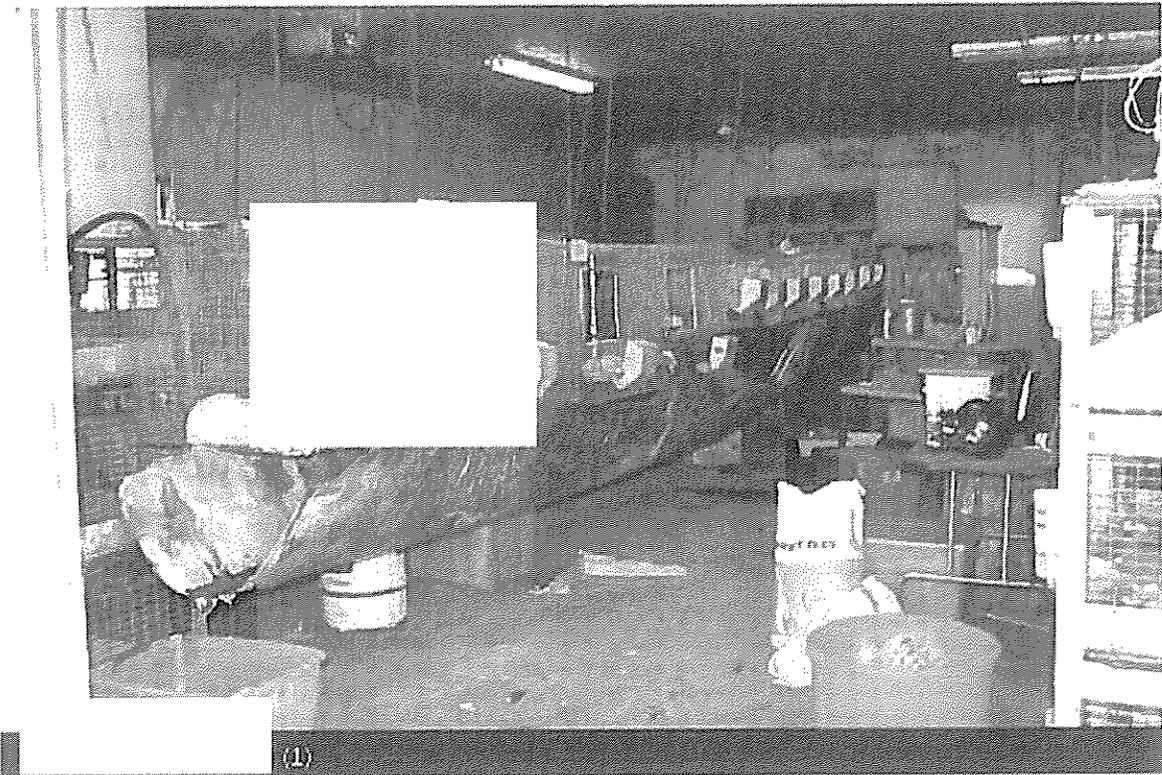
Photo Taken: _____

Inspection: _____

Description: _____

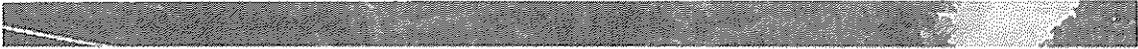








Photographer: Jeremy Steele Legal Name: JEANINE DYER
63-A-0171
Photo Taken: Tue, Mar 27, '12 11:24
Description: dog house for 3 to 4 dogs
Inspection: 87121347450850



Photographer: Lori Linn, ACI Legal Name: BARBARA LANTZ
MOSES LANTZ
32-A-0372
Photo Taken: Tue, May 22, '12
Description: dogs lined up at front of shelter in thin strip of shade
Inspection: 129120935008915

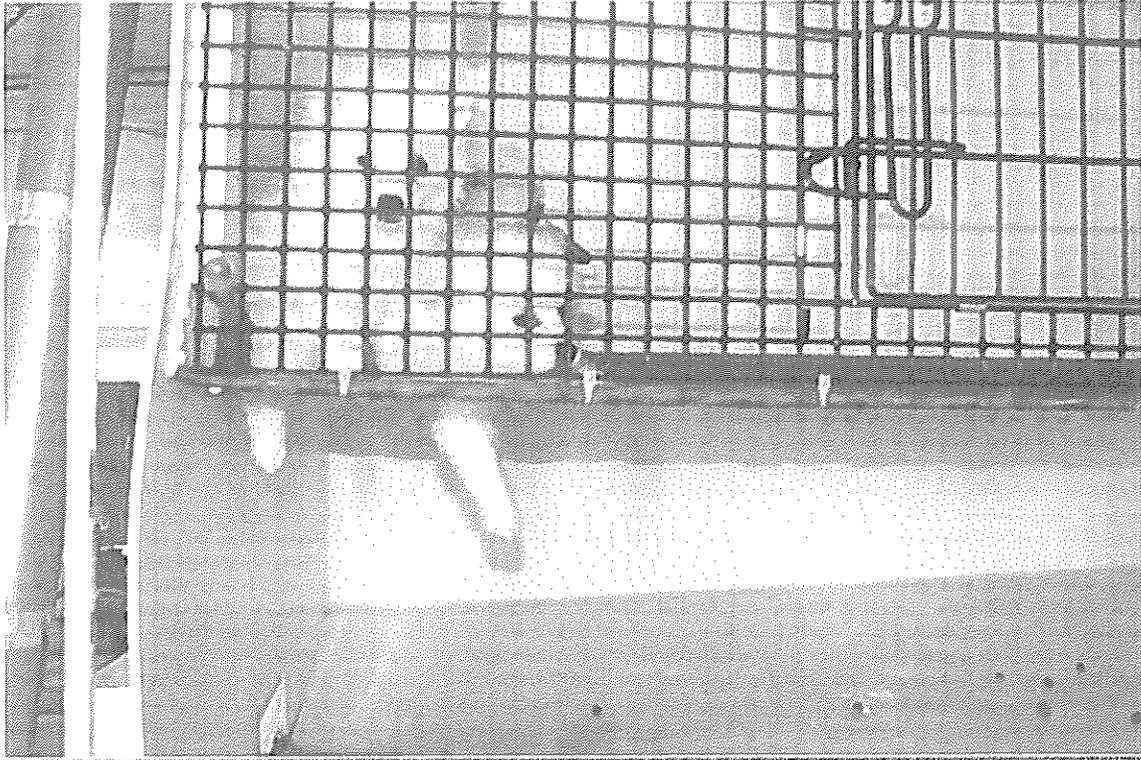


Photo of the dog in the cage at the time of the incident.

Photo Taken: Tue, May 22, '12

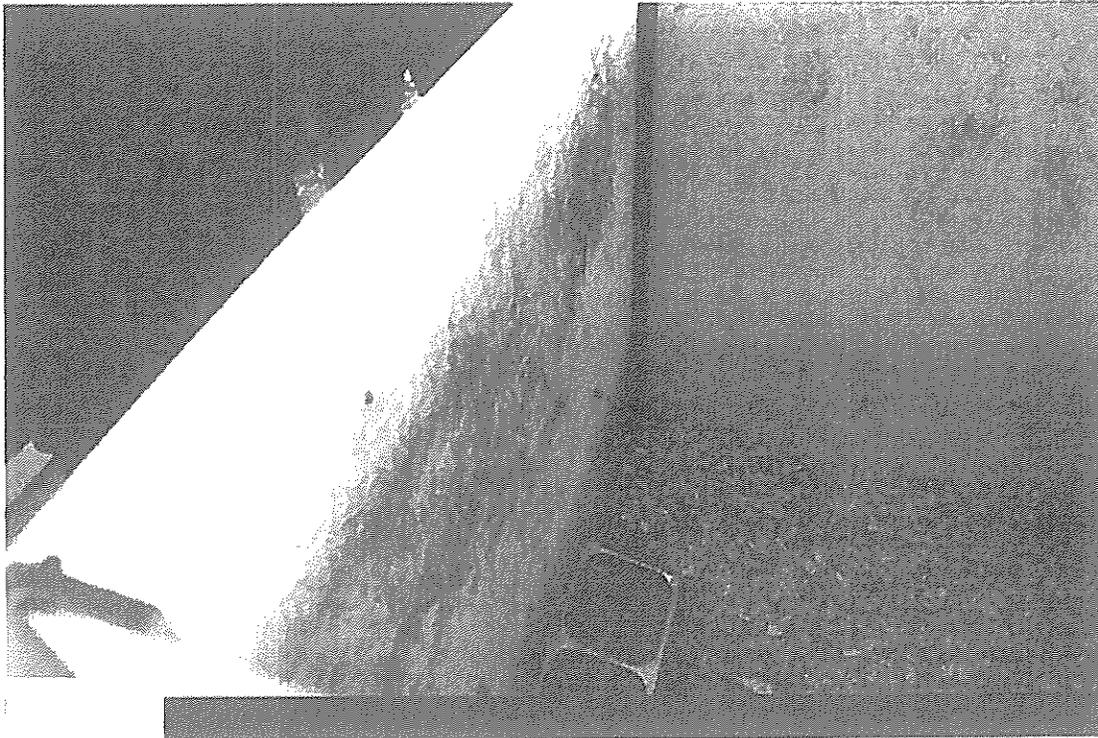
Photo Taken: Tue, May 22, '12



Legal Name:
REBECCA GRABER

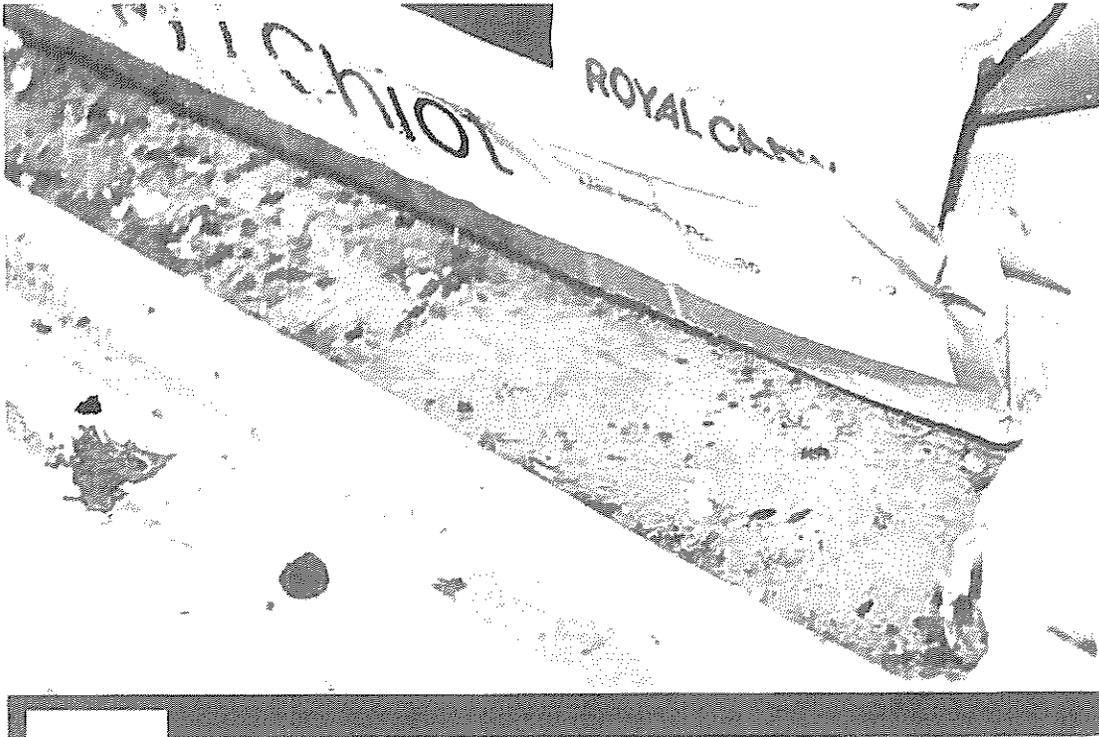
21-A-0159

Sanitation



Photographer:	Jeremy Steele	Legal Name:	32-A-0202
Photo Taken:	Fri, Jan 20, '12 2:00 p.m.	DAVID WAGLER	
Inspection:	19121630130679		
Description:	Dirt on walls of enclosures.		

Sanitation



Photographer:	Jeremy Steele	Legal Name:	32-A-0202
Photo Taken:	Fri, Jan 20, '12 2:00 p.m.	DAVID WAGLER	
Inspection:	15121630 135579		
Description:	Mice droppings around stored bags of feed		



CFR 3.11 (b) (2)

Photographer: Heather Cole

Legal Name:

42-B-0225

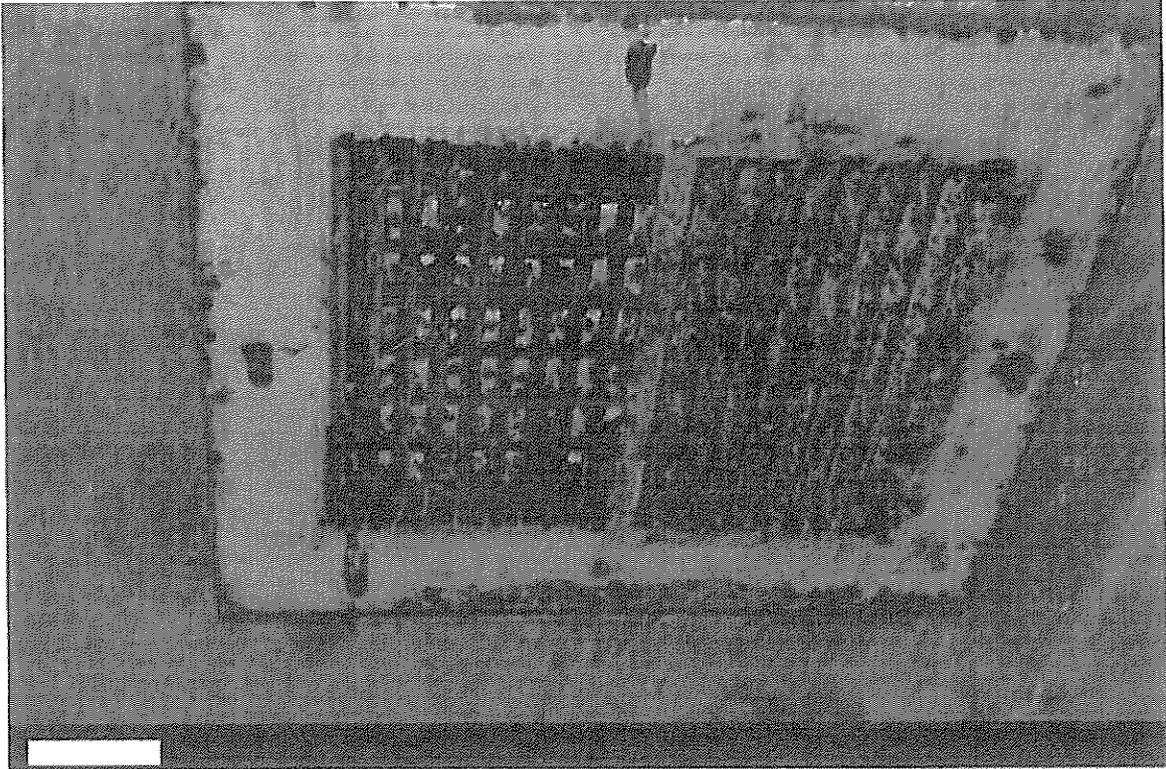
Photo Taken: Wed, Jan 4, '12

CONNIE JOHNSON

HAROLD JOHNSON

Inspection: 6121738300881

Description: Close-up photo. A build up of grime and dirt on the walls and dog door.



43 A-5852

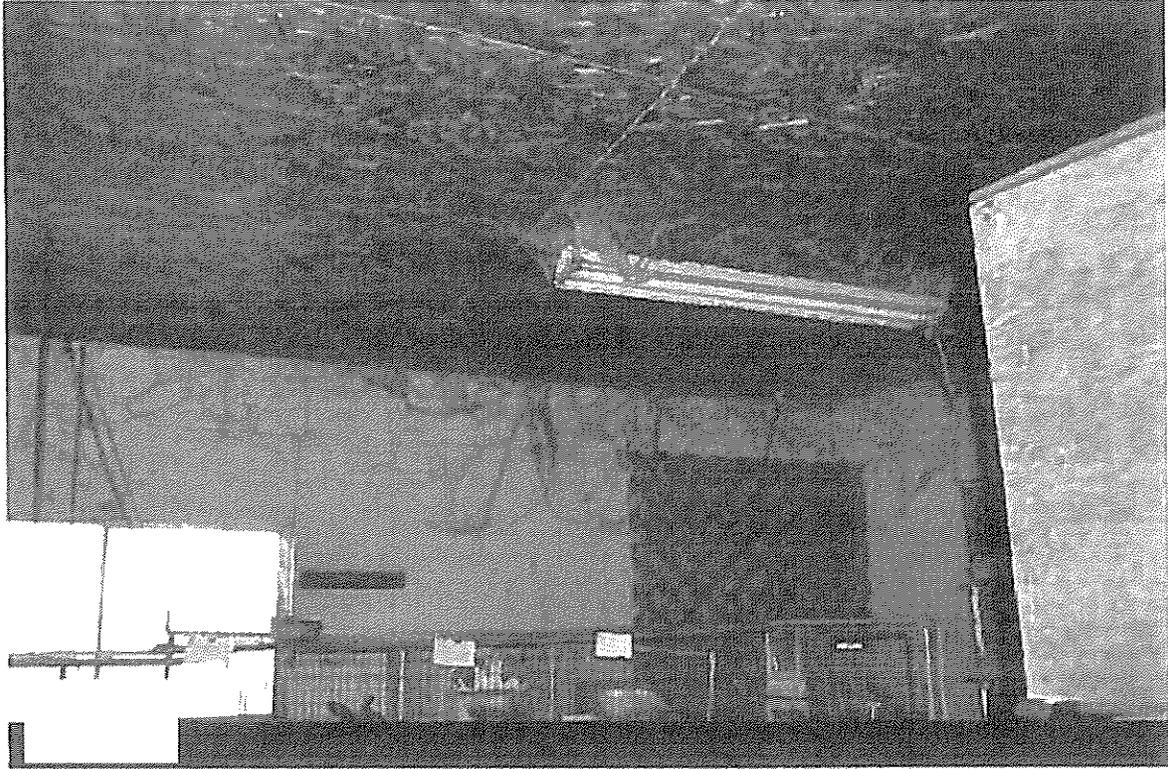
dark material.

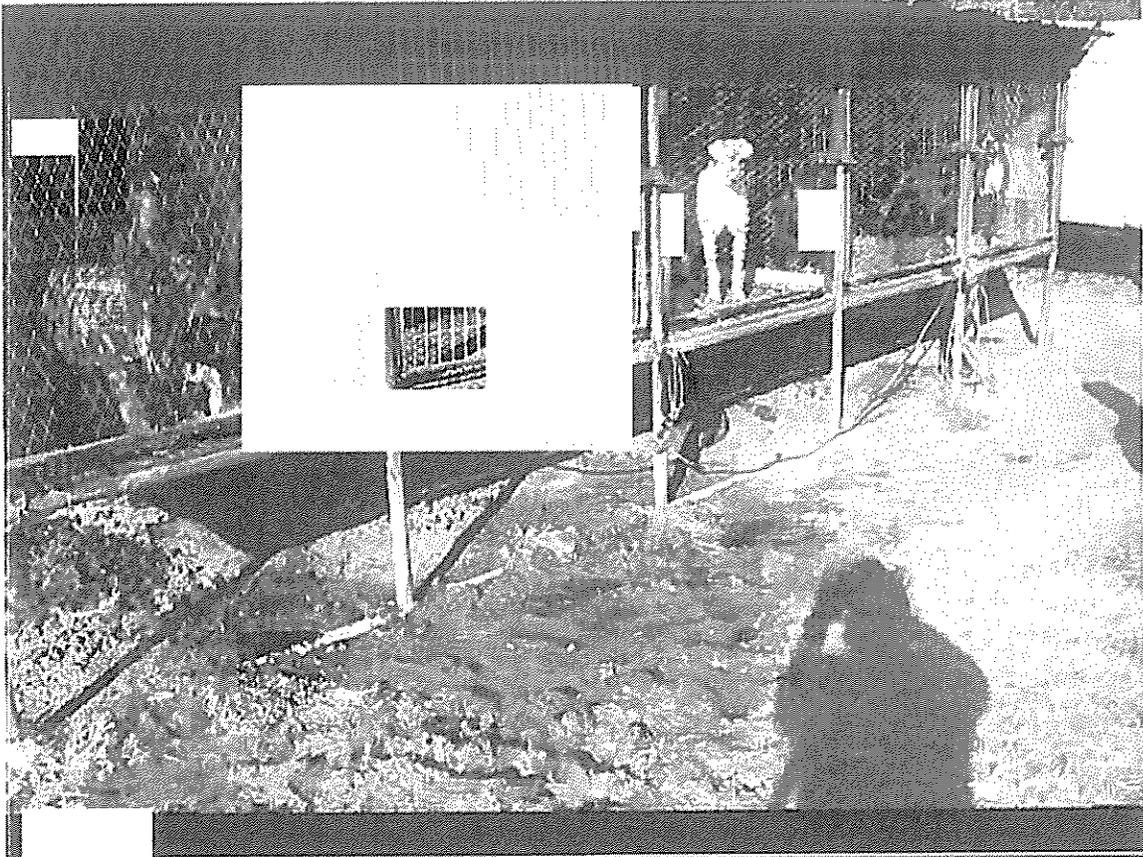


Photographer: Jan Feldner

Legal Name:

43 A-6852





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41
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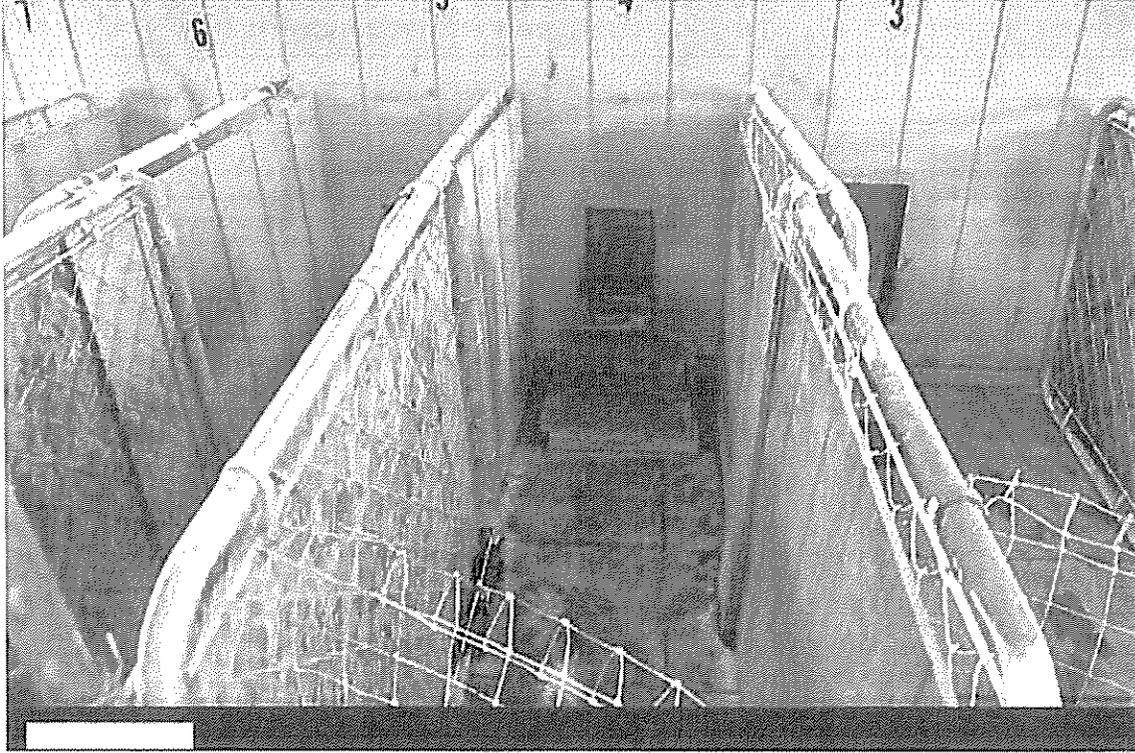
her: R Bacon Legal Name: SHAUNA ENGELKEN

on: Thu, Mar 1, '12 4:00 PM

1: Mixture of water, mud and animal waste collecting next to and under outdoor elevated

SHAUNA ENGELKEN

Inspection: 62121452350451



Photographer: Jeremy Steele Legal Name: JEANINE DYER

63-A-0171

Photo Taken: Tue, Mar 27, '12 11:19

Description: dirty doggie doors

Inspection: 87121347450850





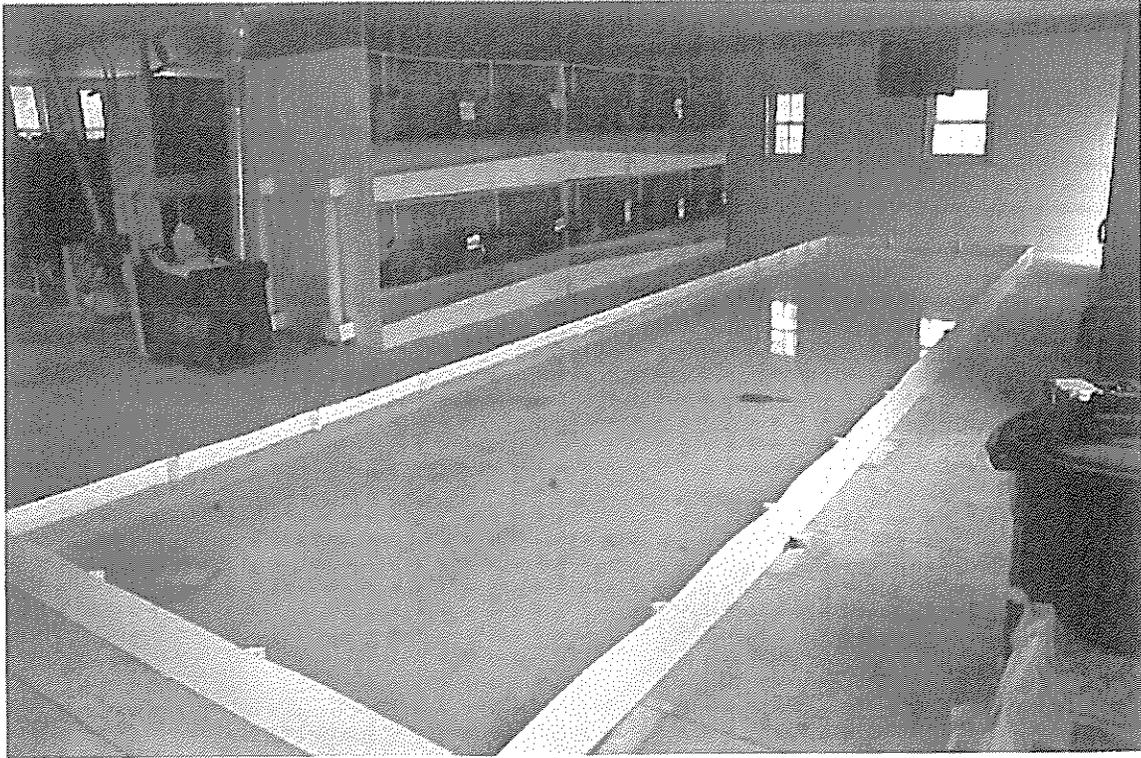
Photographer: Cynthia M. Neis **Legal Name:** Menno Bortreger, Toby Bortreger

42-A-1438

Photo Taken: Tue, Apr 10, '12 approximately 1430

Description: Excessive build up of animal waste on floor.

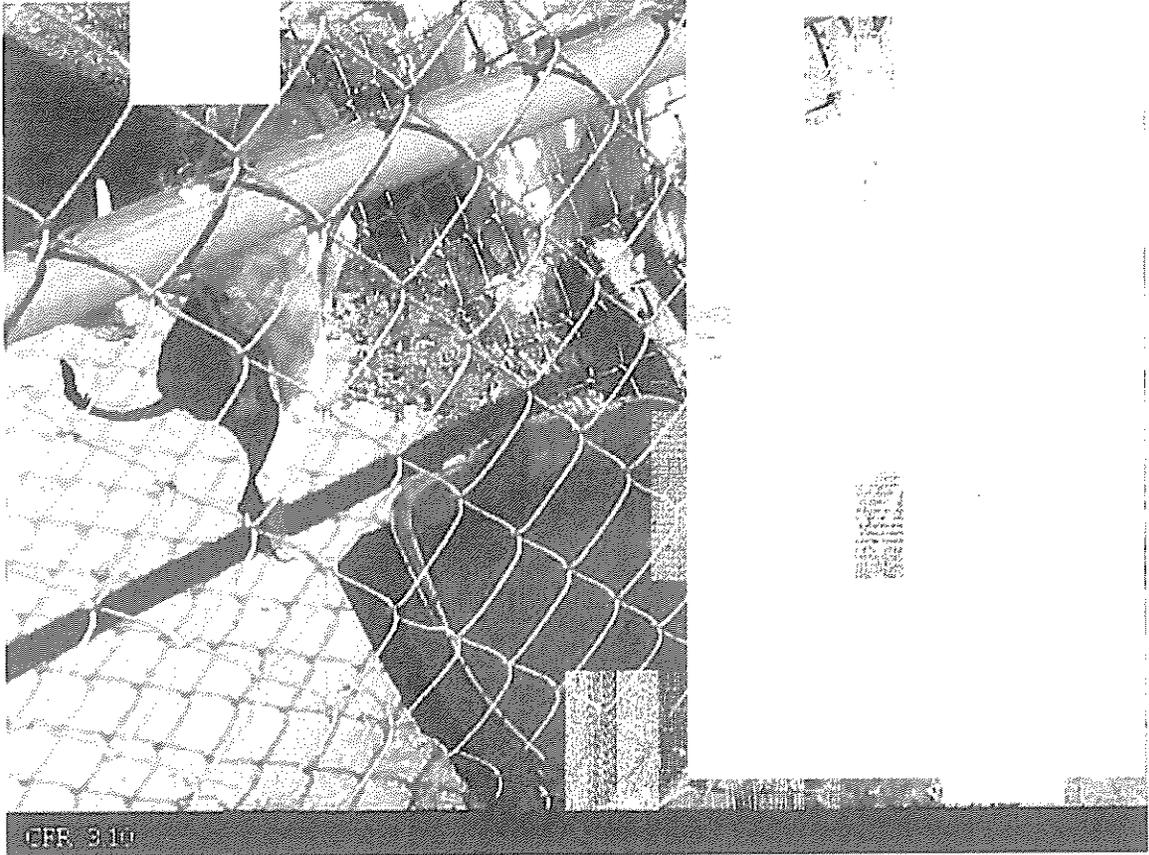
Inspection: 101121730500927

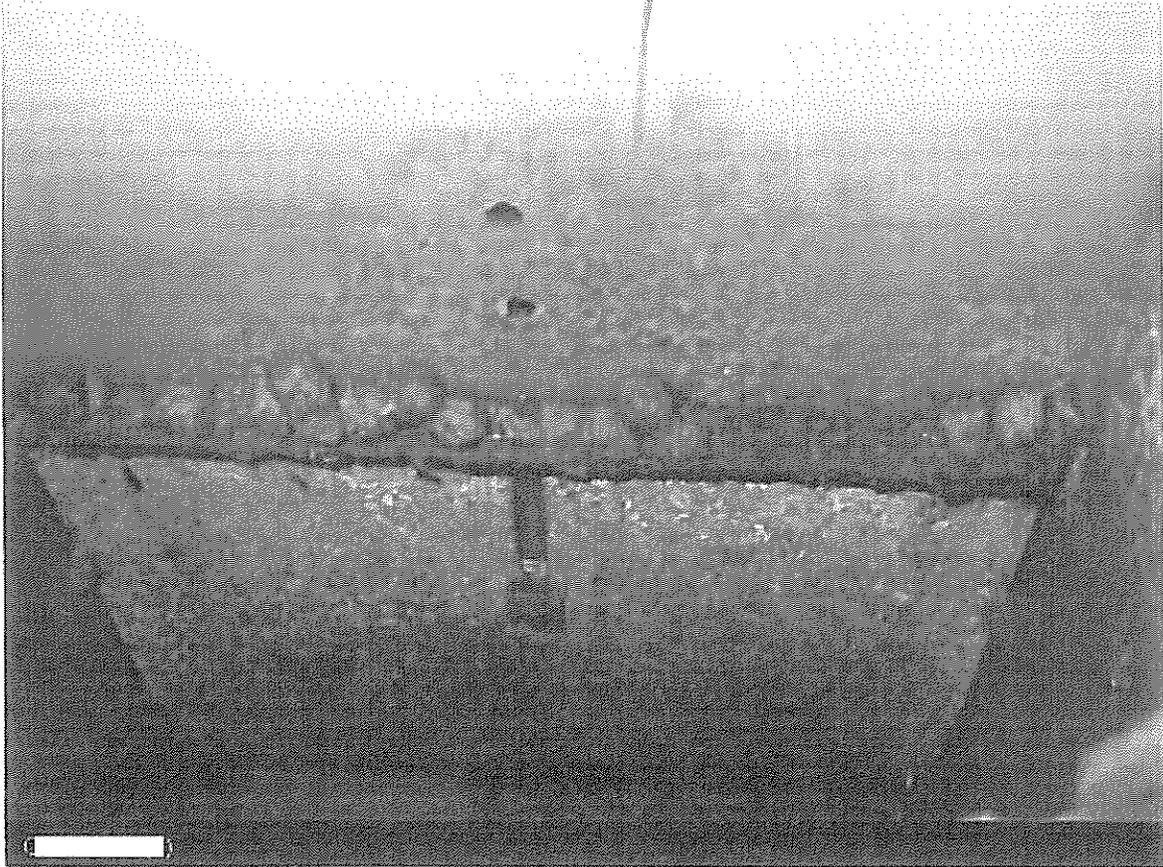


Inspection: 1231209315003015



Photographer: Lori Linn, ACI Legal Name: ELMER LAPP
32-A-0363
Photo Taken: Wed, May 23, '12
Description: feces covered carpet with boston puppies
Inspection: 129120942381640





Region: Europe, Turkey
Status: Top, Aug 17, 197
Location: F77100000, 1017
Height: Unknown, 1000, 1000

32-A-0350



RESPONSIBLE DOG OWNERS ASSOCIATION OF NEW YORK
an AKC Federation

Director: Ms. Ann Lettis
91 Wiman Avenue, Staten Island, NY 10308
917-603-5358
annlettis2001@gmail.com or ann.lettis@friedfrank.com

November 24, 2014

Chairman and Members of the

NYC Council Committee on Health

Good morning. My Name is Ann Lettis and I am Director of Responsible Dog owners of NY. I live in Staten Island and I'm here this morning in opposition to the provision in Introduction 136, which would require that pets sold at pet shops to be spayed or neutered prior to transfer.

First, I would like to thank the committee for changing the definition of a pet shop from anyone who transfers one pet, to those that transfer more than 25. This is a significant improvement, but with all due respect, I believe this is still an inaccurate definition of pet store, as many breeders sell more than 25 pets in a year.

I am also extremely concerned about the detrimental health impacts that early spay/neuter is known to have on the health of dogs. I am submitting copies of documentation that presents factual information with regard to the many numerous health problems which can occur when early neutering/spaying is inflicted upon them. Although neutering/spaying seems to be the #1 preventative to counteract over-population in the U.S.A., this practice is actually against the law in Sweden and a very uncommon practice in progressive Western European countries where there is no animal overpopulation problem.

Rather than take up time going through what I have brought to be distributed, I would like to focus on my position with regard to assumptions that are being made about over-population and basic animal control. In Staten Island, where I live, there is a holding shelter but there's no actual shelter for the borough. I understand this situation isn't unique to Staten Island. But even so, I do not see stray dogs roaming the streets on a daily basis.

In my daily travels around NYC, I also see very few pet stores. I find it hard to believe that pets sold at pet stores or from breeders are causing a huge overbreeding problem in New York City!

If there is a pet overpopulation issue in New York, why aren't we focusing resources on studying the roots of this problem and enforcing the animal control laws we currently have?

I see absolutely no enforcement of animal control or canine related laws in the city. Thankfully, loose dogs are extremely rare. This is a good thing, because if I did see one, my only recourse would be to put the dog in my car and drive him to the holding shelter, which of course is totally unacceptable.

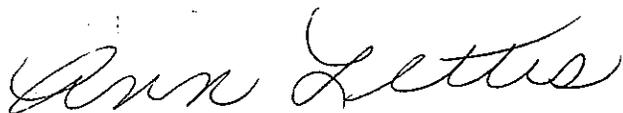
During the April 30th hearing before this Committee, a gentleman from the Dept. of Health was asked why, in his opinion based on the number of dogs owned, so few licenses are purchased. Unfortunately this man could not provide an answer. However, I can tell you from experience that absolutely no one checks to see if dogs, at least on Staten Island, are licensed. Frankly I have not even received a renewal license for my 13 year old neutered male for the past few years. Prior to the cost of the license being raised many did not license their dogs, and since the raise, even less do.

With regard to over population in shelters, there needs to be a law preventing dogs being brought into our NYS shelters from other states. While strict regulations for pet shops and breeders are continually being proposed, the fact remains that all of the rescues and shelters, which are importing dogs into the city from outside, are totally exempt from these restrictions. If we have an overpopulation problem in NY, why are we importing dogs from outside the City? NYC has enough issues; it's not our job to worry about other cities' dog issues. And fixing other people's dog issues certainly isn't something I want my NY taxes to pay for.

The argument was once put to me, if NY shelters didn't have many dogs then that would put shelter employees out of work. Not necessarily so, shelter employees could and should be trained whereas they could offer basic responsible education and training to those in the community, including owners who have adopted from the shelter. Perhaps they could also be empowered to ticket owners who do not pick up after their dogs, and those who walk dogs on leads which are over 6 feet since that is, unknown to many, against NYC law!

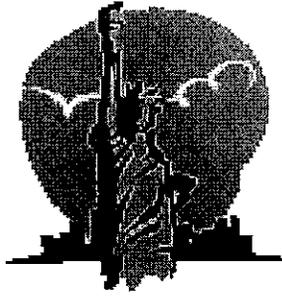
There are many better alternatives to NYC's animal control issues. I respectfully request that some of those I have suggested will be considered. My bio is included and will always make myself available to meet with any Committee member to further discuss issues related to over-population and promoting responsible dog ownership.

Respectfully,

A handwritten signature in cursive script that reads "Ann Lettis". The signature is written in black ink and is positioned below the word "Respectfully,".

Ann Lettis

Director RDOAofNY



RESPONSIBLE DOG OWNERS ASSOCIATION OF NEW YORK
an AKC Federation

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annlettis2001@gmail.com or ann.lettis@friedfrank.com

- In the '70's I served on the BOD for Staten Island Companion Dog Training Club. As a member, I organized obedience demonstrations at local schools
- Served on the BOD's for Staten Island Kennel Club, in addition to being their legislative liaison
- During the early 80's I became involved in canine legislation, and had my first article published, "Ignorance Is Not Bliss" in the Boxer Review magazine.
- In 1987, I began to network information to oppose BSL introduced by the NYC DOH, and kept close contact with bully breed owners in Dade County Florida where their breeds were under fire.
- In 1989, Nancy Barr at the AKC "asked" me to form a NYS Federation. She based her request upon the fact that my ability to network and deal with people was a benefit to the AKC when they took the NYC DOH to Supreme Court to over-turn the regulation. I had also obtained additional plaintiffs for the AKC
- In 1990, working with dog trainers, pet owners, and basically a good range of individuals, we were able to have our present NYC Dangerous Dog Law passed.
- In 1990 I received a Community Service Award, from a SI Rescue Group, for my work in legislation
- I have served as Secretary for Therapy Dog International and was instrumental in having them adapt the CGC to the testing they use to test potential therapy dogs.
- I sponsored the first CGC seminar in the country, held on Staten Island.
- AKC's Jim Dearinger with forumated the CGC presented me with one of 10 14k gold pendants embossed with the CGC logo as thanks for my work in promoting the CGC, and traveling the TriState area helping teach clubs how to run the test.
- For several years I ran the CGC and TDI testing for the Colonial Rottweiler Club,.
- I have been a guest speaker at all breed and breed clubs, numerous times on a variety of topics. The topic most recently has been "Legislation 101", helping people understand the process and how to be most effective. Sheila Goffe, Director of AKC Government Relations Dept. and I have worked together on these presentations.
- At the request of Lehigh Valley Kennel Club, I have twice presented seminars at their educational weekend, the end of Jan.
- To date I have been the only person to twice receive the AKC's Community Service Award

- I and my networking group worked with the Long Island Coalition of Dog Fanciers to see the passage of our present NYS Dangerous Dog Law. Sue Weiss, the LICDF's president and I have attended meetings with legislators, which have resulted in stopping the passage of either local or state BSL or other unjust legislation. These meetings go so far back that I can't even remember the names of the sponsors. Some where when Stephanie Robinson worked at the AKC and Noreen Baxter wasn't even the VP of legislation.
- I along with others was featured in the AKC's legislation video. My segment was filmed in my home and also included my meeting with then, Assemblywoman Elizabeth Connelly
- A few years ago the AKC wanted to do a video for children, title Safety Video for Kids, Your Safety Begins With You. This was based entirely upon the school presentations I did at 15 Staten Island schools prior to 9/11
- Throughout the year I maintain contact with my local legislators, their staff and work for them during their respective campaigns.
- Each year at the AKC's Meet The Breeds 2 day event held at the Javits Center I assist Sheila Goffe and Jennifer Clark at the Government Relations booth meeting and greeting many of the legislators who come from the NY, NJ and CT area.
- For approximately 30 years I have worked in conjunction with those in the AKC legislation department.
- **In addition to the above memberships, I have also been a member of:**
The American Boxer Club where I was their AKC education/legislation liaison and received their gold pin for my work in legislation
Dog Owners Education League, Staten Island Chapter
Staffordshire Terrier Club of America
- **Currently a member of:**
Staffordshire Bull Terrier Club of America - past VP, legislative liaison and currently serving on the by-laws committee
Somerset Hills Kennel Club
AKC Delegate for the Grand River Kennel Club
Charter Member National Museum American Indian
Lifetime member of US War Dog Association
Member PBR (Professional Bull Rider)

For the past 32 years I have worked for Fried Frank Harris Shriver & Jacobson LLC, one of the largest law firms in the U.S. with offices also located in D.C., UK, France, Germany and China.

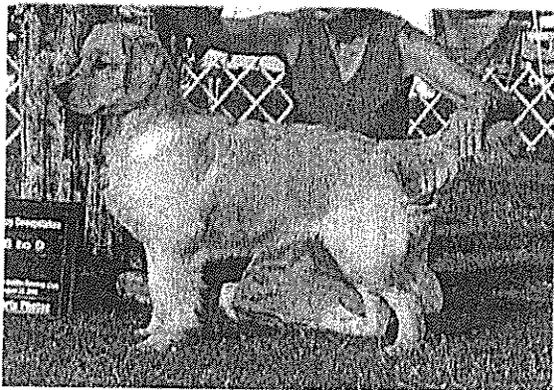
The past 31 years I have owned Boxers, American Staffordshire Terrier and currently Staffordshire Bull Terriers, all of which I owner/handled successfully. To date I show Staffords down from my line for others who maintain the type and temperament I bred for.

SUNBEAM GOLDEN RETRIEVERS

Home | Golden Retrievers | About Breeders | Sunbeam Dogs | Puppies |
 Future of Purebred Dogs |

THE ADVERSE HEALTH EFFECTS OF EARLY SPAY AND NEUTER IN GOLDEN RETRIEVERS

Most of us are bombarded with messages about taking the socially correct actions and that includes early spay and neuter of our dogs. *But we need to be aware that early spay and neuter can leave dogs with their long-term health impaired and in the case of Golden Retrievers, it significantly increases the likelihood they will die of hemangiosarcoma, one of the most common types of cancer in Goldens.*



Golden Retriever.

In Sweden spaying and neutering is against the law, under the animal cruelty ordinances. It is a very uncommon practice in Western Europe and yet there is no animal overpopulation problem in those countries. The reason is responsibility. Puppies are produced either because people breed dogs on purpose, whether or not they should be doing so. Or we get puppies from accidental breedings because owners were not knowledgeable or did not pay attention. Since you are reading this website we assume you are responsible and are trying to learn about how to best acquire and care for a

How Did We Get Here?

How did we get to this place where it is socially preferable to subject our dogs to invasive surgeries that leave them less healthy than just to be responsible for their behavior? There are a tremendous number of people who get their dogs from shelters and unlike responsible hobby breeders, the shelters cannot screen who is allowed to take their dogs. We know that in California 47% of the dogs adopted from shelters end up back in the shelters. So in that case it is appropriate to help society, even as it hurts the long-term health of the dogs, by making sure all shelter animals are altered before they are adopted.

What Does The Science Say?

For a long time there was no research done on this. Dogs were altered, they lived, no one followed sets of altered and unaltered dogs until recently, when medicine for dogs has become a profitable business. The **only** side by side study of effects of early spay and neuter was done by Canine Companions for Independence. CCI would like to alter their trainee puppies as soon as possible to make life easier for their puppy raisers. CCI found that animals altered early could not be used as service dogs because of behavior issues.

Nature gave animals endocrine glands for the same reason people have them. They play a large part in behavior and physical development, the rate at which bones develop, the size of the dog and how the dogs behave. It is only in the last ten years that veterinary medicine has been profitable enough to fund the studies that are not being done, most of which provide surprising data on early spay and neuter. There are a number of attachments on this subject, some more technical than others. I would urge you to read at least the one by Christine Zink, DVM. See the bottom of the page.

Many uninformed people and veterinarians would probably tell you that six months of age is the optimum time. But there is absolutely no research to support this. Your veterinarian probably attended a vet school before this research was available. And they may have attended a school supported by HSUS (Humane Society of the United States). HSUS* promotes early spay and neuter without regard for the health of the dogs but even they no longer promote mandatory spay and neuter.



What About Goldens Specifically?

If you are considering a Golden Retriever, we assume temperament and behavior matters to you. If you have not considered Golden Retriever rescue, they have some wonderful dogs. If you feel you need to know more about the breeding, health and temperament of a potential family pet, that may be why you are at this website. And if you are wanting a Golden that looks like the dogs on this website, let me assure you that *a Golden Retriever puppy that is altered early will have longer legs, less bone, a narrow and longer muzzle, be a couple inches taller and not resemble its littermates. It will NOT look like the dogs you are seeing here.*

Benefits

But let's start with the benefits of early spay and neuter and there are some. Bitches that are spayed prior to their first season will not develop mammary cancer and not get pyometra. Dogs that are neutered have no testicles and therefore no testicular cancer. These are all low-incidence events and usually easily treated surgically.

Risks

Females

Urinary incontinence.

Increased barking and aggression toward people and dogs.

The likelihood of getting hemangiosarcoma (a non-treatable cancer that is the most common cancer in Golden Retrievers) is increased by 5 times.

Tripled the risk of hypothyroidism.

If done before one year increases the risk of osteosarcoma.

Increases the risk of orthopedic disorders, possibly including hip dysplasia.

Recurrent urinary tract infections.

Increases the risks of adverse reactions to vaccines.

Increases the risk of obesity by 1.6 - 2 times.

Males

Quadruples the small risk of prostate cancer.

Increased barking and aggression toward people and dogs.

The likelihood of getting hemangiosarcoma is increased by at least 1.4 times.

Tripled the risk of hypothyroidism.

*If done before one year increases the risk of osteosarcoma.
Increases the risk of CCL injuries.
Significantly increases the risk of orthopedic disorders, including hip dysplasia.
Triples the risk of obesity.
Increases the risks of adverse reactions to vaccines.
Increases the risk of geriatric positive impairment.*



For these reasons anyone who acquires a Golden Retriever from Sunbeam is contractually obligated to leave their dog intact until it is mature. We realize in most communities that means paying a license fee that is significantly higher. But you need to weigh that against treating a lifetime of avoidable health problems.

Please feel free to share this information with your veterinarian. We support spaying and neutering dogs that are not part of a breeding program at the appropriate time. We are opposed to early spay and neuter of Golden Retrievers whether voluntary or mandatory. And if you

would like more articles, please email us at sunbeamgr@me.com.

* HSUS operates no shelters; in fact the HSUS President, Wayne Pacelle has said this about distinct breeds "One generation and out. We have no problem with the extinction of domestic animals. They are creations of human selective breeding." He has also stated: "*I don't have a hands-on fondness for animals... To this day I don't feel bonded to any non-human animal. I like them and I pet them and I'm kind to them, but there's no special bond between me and other animals*".

We urge donations to your local animal shelter, not to HSUS.

Article from Dr. Chris Zink

Opinion of the Society of Theriogenology (A specialty group in the AVMA)

AVMA Letter on MSN



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Health Implications in Early Spay and Neuter in Dogs

02/25/2013

Recent results from research funded by the AKC Canine Health Foundation have the potential to significantly impact recommendations for spaying and neutering dogs in the United States. Most dogs in the United States are spayed or neutered, and for years the procedures have been completed prior to maturity. The study, published in the prominent, open access journal PLOS One, suggests that veterinarians should be more cautious about the age at which they spay and neuter in order to protect the overall health of dogs.

A team of researchers led by Dr. Benjamin L. Hart at the University of California, Davis has completed the most detailed study performed to date that evaluates incidence of cancer diagnoses and joint problems in one breed -- Golden Retrievers -- by neuter status: early (before 12 months old), late (12 months or older), and intact. Consistent with previous studies on the topic, the results showed increased likelihood of hemangiosarcoma, lymphoma, mast cell tumors, and canine cruciate ligament (CCL) rupture in neutered dogs.

The most profound observations were in hip dysplasia in male dogs when comparing early and late-neutering. The risk of development of hip dysplasia doubles, and disease occurs at a younger age in the early-neuter group compared to both the intact and late-neuter group. No occurrence of CCL disease was observed in intact male or intact female dogs, or in late-neutered females. In early-neutered dogs, the incidence of CCL was 5.1 percent in males and 7.7 percent in females, suggesting that neutering prior to sexual maturity significantly increases a dog's risk of developing CCL disease. With respect to cancer, cases of lymphoma were 3-fold greater in the early-neutered males. Interestingly, incidence of mast cell tumors (male and female dogs) and hemangiosarcoma (female dogs only) were highest in the late-neuter group.

"Dr. Hart's landmark study is the first to provide evidence for when to spay or neuter dogs. For years the veterinary community has been aware that early-spay and neuter may impact orthopedic health in dogs. Through a very detailed analysis and inclusion of body condition score as a risk factor, Dr. Hart was able to show that timing of spay and neuter does indeed have health implications," said Dr. Shila Nordone, Chief Scientific Officer for the AKC Canine Health Foundation.

"CCL disease is painful, debilitating, and costs dog owners \$1 billion annually to treat. The AKC Canine Health Foundation is committed to funding research, like Dr. Hart's study, that can lead to evidence-based health recommendations. Armed with prudent guidelines for when to spay and neuter dogs we will have a significant impact on the quality of life for dogs," continued Dr. Nordone.

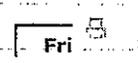
Importantly, the task at hand is now to determine if the observations in this study are indeed true across all breeds and mixed breeds of dogs. Dr. Hart is interested in continuing his work by studying Labrador Retrievers, German Shepherd Dogs, and Dachshunds. Additionally, gaps in knowledge continue to exist concerning the complex relationship between sex hormones and cancer.

Last summer the AKC Canine Health Foundation released a podcast interview with Dr. Hart on his early-spay and neuter research as part of a series dedicated to the health of the canine athlete. To listen to the podcast visit www.akcchf.org/canineathlete

The publication "Neutering Dogs: Effects on Joint Disorders and Cancers in Golden Retrievers" is available online through the open access journal PLOS One. The work was funded by the AKC Canine Health Foundation with sponsorship from the Golden Retriever Foundation, Schooley's Mountain Kennel Club, the Siberian Husky Club of America, and the Vizsla Club of America Welfare Foundation.

RELATED GRANTS

- [01468-A: Health Implications of Spay and Neuter, Golden Retriever and Labrador Retriever](#)



RELATED MULTIMEDIA

- [Early Spay and Neuter](#)

LISTEN TO THE LATEST PODCAST

Periodontal Disease and Dental Health in Dogs
11/11/2014

In this podcast we hear from Dr. Jan Bellows of All Pets Dental Clinic in Weston, Florida. Dr. Bellows is a Diplomate of the American Board of Veterinary Practitioners and a Diplomate of the American Veterinary Dental College. Dr. Bellows received his DVM from Auburn University and completed a small animal internship at The Animal Medical Center in New York City. He is the current President of the American Veterinary Dental College and in this podcast he discusses periodontal disease and dental health in dogs.

For more information about maintaining healthy teeth and gums for your dogs as well as approved dental products, please visit the Veterinary Oral Health Council.

This podcast was made possible thanks to the generous support of the Kenneth A. Scott Charitable Trust, A KeyBank Trust.

[LISTEN](#)

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4th Annual



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Ballroom D*

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Tickets are \$75 per person.

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Neutering Dogs: Effects on Joint Disorders and Cancers in Golden Retrievers

Gretel Torres de la Riva, Benjamin L. Hart, Thomas B. Farver, Anita M. Oberbauer, Locksley L. McV. Messam, Neil Willits, Lynette A. Hart

Published: February 13, 2013 • DOI: 10.1371/journal.pone.0055937

Abstract

In contrast to European countries, the overwhelming majority of dogs in the U.S. are neutered (including spaying), usually done before one year of age. Given the importance of gonadal hormones in growth and development, this cultural contrast invites an analysis of the multiple organ systems that may be adversely affected by neutering. Using a single breed-specific dataset, the objective was to examine the variables of gender and age at the time of neutering versus leaving dogs gonadally intact, on all diseases occurring with sufficient frequency for statistical analyses. Given its popularity and vulnerability to various cancers and joint disorders, the Golden Retriever was chosen for this study. Veterinary hospital records of 759 client-owned, intact and neutered female and male dogs, 1–8 years old, were examined for diagnoses of hip dysplasia (HD), cranial cruciate ligament tear (CCL), lymphosarcoma (LSA), hemangiosarcoma (HSA), and mast cell tumor (MCT). Patients were classified as intact, or neutered early (<12 mo) or late (≥12 mo). Statistical analyses involved survival analyses and incidence rate comparisons. Outcomes at the 5 percent level of significance are reported. Of early-neutered males, 10 percent were diagnosed with HD, double the occurrence in intact males. There were no cases of CCL diagnosed in intact males or females, but in early-neutered males and females the occurrences were 5 percent and 8 percent, respectively. Almost 10 percent of early-neutered males were diagnosed with LSA, 3 times more than intact males. The percentage of HSA cases in late-neutered females (about 8 percent) was 4 times more than intact and early-neutered females. There were no cases of MCT in intact females, but the occurrence was nearly 6 percent in late-neutered females. The results have health implications for Golden Retriever companion and service dogs, and for oncologists using dogs as models of cancers that occur in humans.

Figures

Citation: Torres de la Riva G, Hart BL, Farver TB, Oberbauer AM, Messam LL M, et al. (2013) Neutering Dogs: Effects on Joint Disorders and Cancers in Golden Retrievers. PLoS ONE 8(2): e55937. doi:10.1371/journal.pone.0055937

Editor: Bart O. Williams, Van Andel Institute, United States of America

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Competing interests: The authors have declared that no competing interests exist.

Introduction

The overwhelming majority of companion dogs maintained in the U.S. are spayed or castrated (both referred to herein as neutered) [1]. Increasingly in the U.S. neutering is being performed early, demarcated in the present study as prior to one year of age. The impetus for this widespread practice is presumably pet population control, and is generally considered responsible pet ownership. However, this societal practice in the U.S. contrasts with the general attitudes in many European countries, where neutering is commonly avoided and not generally promoted by animal health authorities. For example, a study of 461 dogs in Sweden reported that 99 percent of the dogs were gonadally intact [2], and an intact rate of 57 percent was reported in a Hungarian study [3]. In the United Kingdom, a 46 percent intact rate was reported [4].

In the last decade, studies have pointed to some of the adverse effects of neutering in dogs on several health parameters by looking at one disease syndrome in one breed or in pooling data from several breeds. With regard to cancers, a study on osteosarcoma (OSA) in several breeds found a 2-fold increase in occurrence in neutered dogs relative to intact dogs [5]. Another study on OSA, to explore the use of Rottweilers as a model for OSA in humans, found that neutering prior to 1 year of age was associated with an increased occurrence of OSA; 3–4 times that of intact [6].

Hemangiosarcoma is a cancer that is affected by neutering in females. A study of cardiac tumors in dogs found that cardiac HSA for spayed females was greater than 4 times that of intact females [7]. A study on splenic HSA found the spayed females had more than 2 times the risk of developing this tumor as intact females [8]. Neither of these studies separated early- versus late-spayed females with regard to increased risk, and neither focused on just one breed. A study on the epidemiology of LSA (lymphoma) in dogs, for comparison with human lymphoma, found that intact females had a significantly lower risk of developing this cancer than neutered females or neutered males or intact males [9]. Another cancer of concern is prostate cancer, which occurs in neutered males about four times as frequently as in intact males [10]. A study on cutaneous mast cell tumors (MCT) in several dog breeds, including the Golden Retriever, examined risk factors such as breed, size, and neuter status. Although early versus late neutering was not considered, the results showed a significant increase in frequency of MCT in neutered females; four times greater than that of intact females [11].

In contrast to the rather strong evidence for neutering males and/or females as a risk factor for OSA, HSA, LSA, MCT, and prostate cancer, evidence for neutering as protection against a dog acquiring one or more cancers is weak. The most frequently mentioned is mammary cancer (MC) [12]. However, a recent systematic review of published work on neutering and mammary tumors found the evidence that neutering reduces the risk of mammary neoplasia to be weak, at best [13].

With regard to joint disorders affected by neutering, one study documents a 3-fold increase in excessive tibial plateau angle – a known risk factor for development of CCL – in large dogs [14]. A paper on CCL found that, across all breeds, neutered males and females were 2 to 3 times more likely than intact dogs to have this disorder [15]. In this study, with sexes combined, neutering significantly increased the likelihood of HD by 17 percent over that of intact dogs.

Given the widespread practice of neutering in the U.S., especially with public campaigns promoting early neutering, and the contrast with neutering practices in other developed countries, the objective of this project was to retrospectively examine the effects of neutering on the risks of several diseases in the same breed, distinguishing between males and females and early or late neutering versus remaining intact using a single hospital database. Because neutering can be expected to disrupt the normal physiological developmental role of gonadal hormones on multiple organ systems, one can envision the occurrence of disease syndromes, including those listed below, to possibly be affected by neutering as a function of gender and the age at which neutering is performed. The study focused on the Golden Retriever, which is one of the most popular breeds in the U.S. and Europe. In this breed, HD, CCL, LSA, HSA, MCT, OSA, and elbow dysplasia (ED) are listed as being of particular concern [16].

Methods

Ethics Statement

No animal care and use committee approval was required because, in conformity with campus policy, the only data used were from retrospective veterinary hospital records. Upon approval, faculty from the University of California, Davis (UCD), School of Veterinary Medicine, are allowed restricted use of the record system for research purposes. The final dataset used for statistical analyses is available to qualified investigators, upon request, from the corresponding author.

Data Collection

The dataset used in this study was obtained from the computerized hospital record system (Veterinary Medical and Administrative Computer System) of the Veterinary Medical Teaching Hospital (VMTH) at UCD. The subjects included were gonadally intact and neutered female and male Golden Retrievers, 1 to 8 years of age and admitted to the hospital between January 1, 2000 and December 31, 2009. Data from patients less than 12 months of age and 9 years or older were not considered. Additional inclusion criteria were requirements for complete information on date of birth, date of neutering (if neutered) and date of diagnosis (or onset) of the joint disorder or cancer. Patients were classified as intact or neutered; the neutering was sub-classified as "early" if done before 12 months of age and "late" if done at 12 months of age or older. For all neutered patients, the neuter status at the time of each visit was reviewed to ensure that neutering occurred prior to onset of the first clinical signs or diagnosis of any disease of interest.

While the study set out to estimate incidence rates related to age at the time of neutering, patients were diagnosed at different ages and with differing durations of the disease as well as varying years of exposure to the effects of gonadal hormone removal. For those intact, early-neutered and late-neutered dogs diagnosed with a disease, the age of diagnosis was recorded. Follow-up times were recorded for each patient and determined by age of the dog at the initial clinical signs or diagnosis, minus the age of the dog when first included in the study. For dogs with no disease, follow-up times were the age at the last visit to the VMTH minus the age when the dog was first included in the study.

With the goal of obtaining a sample size sufficiently large for statistical analysis, the database records were initially screened using disease-related keywords to evaluate the frequency of occurrence of HD, CCL, HSA, LSA, MCT, ED, OSA, and MC. Extensive reviews of patient records were then performed for specific evidence and information on each joint disorder or cancer for every patient included in the study. Only diseases with at least 15 cases found using this screening were included in the study.

For all patients where age at time of neutering was not available in the record, an effort was made to obtain the information by telephone from the referring veterinarian. At the same time, age of onset of the disease in question was also sought. If the information was not available from the referring veterinarian, an attempt was made to reach the dog owner for this information. In order to optimize success in obtaining information, these efforts were focused on patients born in 2000, or later, and that were admitted to the VMTH between January 1, 2005 and December 31, 2009.

Table 1 defines the categories of diagnoses based on information in the record of each case. A patient was considered as having a disease of interest if the diagnosis was made at the VMTH or by a referring veterinarian and later confirmed at the VMTH. Patients clinically diagnosed with HD and/or CCL presented with clinical signs such as difficulty standing up, lameness, or joint pain; diagnosis was confirmed with radiographic evidence and/or orthopedic physical examination. Clinical diagnoses of the various cancers were accompanied by clinical signs such as enlarged lymph nodes, lumps on the skin or presence of masses, and confirmed by imaging, appropriate blood cell analyses, chemical panels, histopathology and cytology. When a diagnosis was suspected based on clinical signs, but the diagnostic tests were inconclusive or not done, telephone calls were made to referring veterinarians and owners to confirm the diagnosis. Lacking a conclusive confirmation, the case was excluded from the analysis for that specific joint disorder or cancer. Finally, body condition scores (BCS), ranging from 1 to 9 and obtained from the patient records (when available) were taken into account because BCS, as an indication of weight on the joints, is considered to play a role in the onset of these joint disorders [17], [18]. Also, neutering has been implicated in an increase in body weight, especially as indicated by body condition score [18].

Category	Description
Diagnosis	Diagnosis made at the VMTH or by a referring veterinarian and later confirmed at the VMTH.
Diagnosis confirmed	Diagnosis confirmed by radiographic evidence and/or orthopedic physical examination.
Diagnosis suspected	Diagnosis suspected based on clinical signs, but the diagnostic tests were inconclusive or not done.
Diagnosis confirmed by phone	Diagnosis confirmed by telephone calls to referring veterinarians and owners.
Diagnosis excluded	Diagnosis excluded from the analysis for that specific joint disorder or cancer.

Table 1. Categories used in determining diagnosis for joint disorders and cancers of interest in Golden Retrievers (1–8 years old) admitted to the Veterinary Medical Hospital, University of California, Davis, from 2000–2009.
doi:10.1371/journal.pone.0055937.t001

Statistical Analyses

Kaplan-Meier survival analysis (K-M) [19] was used to estimate survival curves for each disease and neuter status by gender, and then log-rank and generalized Wilcoxon tests were used for post hoc comparisons between a set of two curves and thus to evaluate differences in occurrence of the diseases of interest in each comparison group. Incidence rate estimates (IR) [20] were used to evaluate the rates of disease onset using time-at-risk of the disease, in this case, dog-years at risk. Time-at-risk for a disease is the duration of time each patient was observed prior to the disease occurrence. For late-neutered dogs, time-at-risk prior to neutering was used in the IR estimation for intact dogs and time observed after neutering was used in the IR estimate for late-neutered dogs. For each disease, rate ratios (RR) and their corresponding 95 percent confidence intervals (95% CI) were used to compare the rates of acquiring each disease with regard to neuter status (i.e., intact vs. early neutered, intact vs. late-neutered, and early- vs. late-neutered). To examine the role of BCS in the development of HD and CCL, Cox proportional hazard (CPH) models were used, in which both BCS and age at the time of neutering were included as predictors. The resulting tests of the neutering effect are adjusted for differences in BCS among the groups. Statistical level of significance was set at the 5 percent level for all analyses.

Results

Table 2 presents the sample size for each joint disorder or cancer of patients meeting all inclusion criteria, separately for males and females according to neuter status classification as to intact, early-neutered, and late-neutered. The number of subjects available for analyses of each disease varied because a patient could be excluded from the analyses for one disease, if for example, the diagnosis was made prior to one year of age or after 8 years, but would be included for analyses of all other diseases that may occur within the ages 1 to 8 years. A case could be considered as intact for one disease if onset was prior to neutering and as late-neutered for another disease that may have occurred after neutering. Meeting all inclusion criteria were 145 intact males, 178 early-neutered males, 72 late-neutered males, 122 intact females, 172 early-neutered females, and 70 late-neutered females (Table 2). The overall percentages of cases in the sample for the five diseases affected by early and/or late neutering considered for statistical analyses are presented in Figure 1 for males and in Figure 2 for females. Mean follow-up times for all the diseases of interest in intact, early-neutered and late-neutered dogs are listed in Table 3.

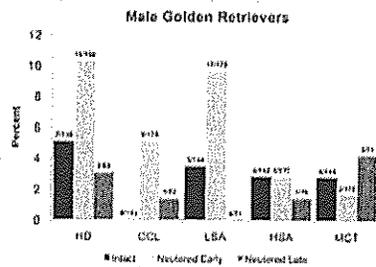


Figure 1. Percentages and number of cases over the total sample size for each neutering status group; intact and neutered early or late for male Golden Retrievers (1–8 years old) diagnosed with hip dysplasia (HD), cranial cruciate ligament tear (CCL),

lymphosarcoma (LSA), hemangiosarcoma (HSA), and/or mast cell tumor (MCT) at the Veterinary Medical Teaching Hospital of the University of California, Davis, from 2000–2009.

For HD and LSA, the differences between early-neutered and intact or late-neutered groups were statistically significant (K-M), as were differences for CCL between intact and early-neutered groups.

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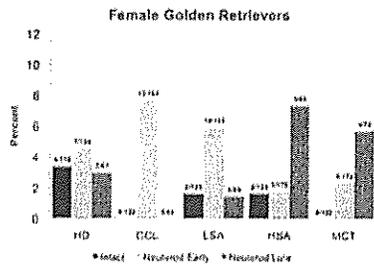


Figure 2. Percentages and number of cases over the total sample size for each neutering status group; intact and neutered early or late for female Golden Retrievers (1–8 years old) diagnosed with hip dysplasia (HD), cranial cruciate ligament tear (CCL), lymphosarcoma (LSA), hemangiosarcoma (HSA), and/or mast cell tumor (MCT) at the Veterinary Medical Teaching Hospital of the University of California, Davis, from 2000–2009.

For CCL the difference between intact and early-neutered was statistically significant (K-M). For HSA, the differences between early and late-neutered and intact and late-neutered groups were statistically significant (RR), as were differences for MCT between early and late-neutered groups. A similar statistical comparison for late neutering and intact groups was not possible for MCT because there were 0 cases in the intact group.

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Disease	Total	Intact	Neutered Early	Neutered Late
Males				
HD	359	138	156	65
CCL	391	143	176	72
LSA	391	144	176	71
HAS	389	143	177	70
MCT	393	144	178	71
Total*	385	145	178	72
Females				
HD	319	118	154	47
CCL	368	122	169	69
LSA	361	123**	169	69
HAS	361	123**	170	68
MCT	364	122	172	70
Total*	364	122	172	70

*Total number of dogs meeting all inclusion criteria.
 **Includes patients that were diagnosed with a disease of interest prior to eventual late neutering.
 doi:10.1371/journal.pone.0055937.t002

Table 2. Total sample sizes obtained for male and female Golden Retrievers (1–8 years old) admitted to the Veterinary Medical Hospital, University of California, Davis, from 2000–2009 according to neuter status classification: intact, early-neutered, and late-neutered.

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Disease	Intact	Early Neutered	Late Neutered
Males			
No Disease	2.12	3.16	1.77
HD	2.61	2.11	0.99
CCL	NA	3.37	NA
LSA	3.36	1.67	NA
MCT	3.45	3.53	2.58
HAS	3.03	4.57	NA
Females			
No Disease	1.46	2.48	1.40
HD	1.12	2.15	0.05
CCL	NA	3.16	NA
LSA	1.62	4.99	NA
MCT	6.70	2.48	2.26

Neuter Category	Mean Follow-up Time (years)	Standard Deviation (years)	Number of Dogs
Intact	5.37	2.20	123
Early-Neutered	5.37	2.20	123
Late-Neutered	5.37	2.20	123

Table 3. Mean follow-up times for male and female Golden Retrievers (1–8 years old) admitted to the Veterinary Medical Hospital, University of California, Davis, from 2000–2009 by disease status for each neuter category.
doi:10.1371/journal.pone.0055937.t003

As shown in Table 4, K-M survival analysis revealed that early neutering was associated with an increased occurrence of HD, CCL, and LSA. As shown in this table, comparisons of the IR analyses reveal that late neutering was associated with the subsequent occurrence of MCT and HSA in females. After the initial screening, ED, OSA, and MC occurred in such low numbers that statistical analyses were not feasible. MC was diagnosed in only two cases in the total number of 364 females, both in late-neutered females.

Neuter Category	Mean Follow-up Time (years)	Standard Deviation (years)	Number of Dogs
Intact	5.37	2.20	123
Early-Neutered	5.37	2.20	123
Late-Neutered	5.37	2.20	123

Table 4. Summary of some Kaplan-Meier post hoc comparisons using log-rank (LR) and generalized Wilcoxon (W) tests for male and female Golden Retrievers (1–8 years old) admitted to the Veterinary Medical Hospital, University of California, Davis, from 2000–2009.
doi:10.1371/journal.pone.0055937.t004

Hip Dysplasia

Perusal of Figure 1 and Table 4 reveals that HD in early-neutered males, affecting 10.3 percent, was more than double the proportion of intact males with the disorder, which was 5.1 percent, a significant difference (K-M: $p < 0.01$). There was also a significant difference between early and late neutering in males (K-M: $p < 0.05$). The mean ages of HD onset for intact, early-neutered, and late-neutered male dogs were 4.4, 3.6, and 4.7 years, respectively. No difference was found between early-neutered dogs with and without HD when compared with respect to their BCS, (means 6.1 and 5.7, respectively; CPH: $p = 0.22$). No other comparisons of HD occurrence were significant; HD was not increased in occurrence by early or later neutering in females (Figure 2).

Cranial Cruciate Ligament Tear

As revealed in Figures 1 and 2, there was no occurrence of CCL in either intact male or intact female dogs, or in late-neutered females. However, in early-neutered dogs, the occurrence reached 5.1 percent in males and 7.7 percent in females, representing significant differences in occurrence from both intact and late-neutered dogs (K-M: $p < 0.05$, Table 4). The mean age of CCL onset in early-neutered males was 3.6 years and the single late-neutered male dog diagnosed with CCL was 7.4 years. The mean age of onset of CCL for early-neutered female dogs was 4.8 years. For CCL, no differences were found between neutered males with and without CCL with regards to their BCS (means 5.8 and 5.8 respectively; CPH: $p = 0.48$). Likewise, no differences in mean BCS were found between neutered females with and without CCL (means 5.8 and 5.8 respectively; CPH: $p = 0.26$).

Lymphosarcoma

Although the rates of occurrence of this disease were lower in both male and female intact dogs, than in the early-neutered dogs, the difference was statistically significant only in males. Early-neutered males had nearly 3 times the occurrence of LSA as intact males and no cases of LSA were observed in the late-neutered males (K-M: $p < 0.05$, Table 4, Figure 1). The mean ages of LSA onset for intact and early-neutered male dogs were 5.3 and 5.8 years respectively.

Hemangiosarcoma

Figure 2 reveals that late-neutered females at 7.4 percent were diagnosed with HSA over 4 times more frequently than intact females with 1.6 percent and early-neutered females with 1.8 percent, both significant differences (RR = 6.10, 95% CI = 1.18, 31.37 and RR = 7.48, 95% CI = 1.79, 31.30). The mean ages of HSA onset for intact, early-neutered, and late-neutered female dogs were 6.4, 7.6, and 3.2 years, respectively. No differences were apparent in males with regard to neutering and the occurrence of HSA (Figure 1).

Mast Cell Tumor

Figure 2 portrays the findings regarding MCT in female dogs, which did not occur in intact females, but was diagnosed in 2.3 percent of early-neutered females and 5.7 percent of late-neutered females. The RR cannot be estimated when disease occurrence is zero in one comparison group, as in the intact females. However, the wide difference in MCT occurrence between intact and late-neutered females was meaningful, given that the MCT occurrence in late neutered females and early neutered females was significant (RR = 4.46, 95% CI = 1.11, 17.82). The

mean ages of MCT onset for the early-neutered and late-neutered female dogs were 6.2 and 6.5 years, respectively. No differences were found in the occurrence of MCT in male Golden Retrievers (Figure 1).

Discussion

This is the first study of the effects of neutering on an array of joint disorders and cancers in the same breed of dog, using a single data base and examining the variables of gender and early and late neutering versus leaving the dogs gonadally intact. No cases of MC were diagnosed in intact females in this study. This finding is partially explained by the relatively low frequency in which MC is diagnosed in Golden Retrievers [16]. While this finding contrasts with the general concern expressed about the risk of MC in gonadally intact females [12], [21], [22], it is consistent with the recent findings from a systematic meta-analysis finding a weak link, if any, between neutering and reduced risk of MC [13].

For all five diseases analyzed in the present study, the disease rates in males and/or females were significantly increased when neutering was performed early and/or late. When a disease occurred in intact dogs, the occurrence was typically one-fourth to one-half that of early- and/or late-neutered dogs. When no intact dogs were diagnosed with a disease, such as with CCL in both sexes and MCT in females, the occurrence in early- and/or late-neutered dogs ranged between 4 and 8 percent of the sample.

The results are consistent with all of the previously reported findings, mentioned in the introduction, of neutering in males and/or females in increasing the likelihood of HSA, LSA, MCT and CCL by about the same degree. However, this is the first study to specifically report an effect of late neutering on MCT and HSA. In the case of HD, which was doubled in the early-neutered males in the present study, the previous study reported a significant increase by only 17 percent in neutered dogs grouped together [15]. These contrasting differences with the effects of neutering on HD profile the value of the approach of the present study in focusing on just one breed and separating out the effects of gender and early versus late neutering.

An important point to make is that the results of this study, being breed-specific, with regard to the effects of early and late neutering cannot be extrapolated to other breeds, or dogs in general. Because of breed-specific vulnerabilities, certain diseases being affected by neutering in Golden Retrievers may not occur in other breeds. By the same token, different joint disorders or cancers may be increased in likelihood in a different breed. A full understanding of the disease conditions affected by neutering across an array of different breeds will require several more breed-specific studies.

A logical question to ask with regard to the joint disorders of HD and CCL is if those neutered dogs diagnosed with the disorder were carrying relatively more weight on their joints, which may have predisposed them to the disorder. Therefore, once an effect of early neutering was found with regard to HD (males) and CCL (males and females), the CPH model was applied to reexamine the effect of early neutering, after adjusting for differences in BCS. While neutering is expected to lead to a greater gain in body weight than in intact dogs [17], [18], the BCS of early-neutered dogs with the disorders and the early neutered comparison groups without the disorders were not significantly different – and, in fact quite similar – indicating that weight on the joint was not a major determinant in the occurrence of these joint disorders. Using the CPH model to compare early-neutered with intact dogs, for both HD and CCL, neither neutering status nor BCS was significant, indicating that the two factors are fairly highly confounded. This implies that the occurrence of HD and CCL in early-neutered dogs is a combined function of the effect of neutering on growth plates, as well as the increase in weight on the joints brought on by neutering. As mentioned, when only early-neutered dogs with and without HD or CCL were compared with respect to their BCS, no differences were found between early-neutered males with and without these joint disorders.

As for the pathophysiological reasons for the joint disorders, one can point to the role of gonadal hormones in controlling the closure of bone growth plates [23], [24]. An atypical growth plate closure, resulting from the absence of gonadal hormones, may increase the chance of a clinically apparent joint disorder, such as HD, CCL, and possibly ED. Confounding factors that may influence the nature of a neuter-related joint disorder are the breed-specific gender vulnerabilities, including growth rate differences, as well as the timing of growth plate closure, which occurs more quickly in males than in females. In the males of this study, the occurrence of HD was doubled in the cases with early androgen removal as compared with intact males, but in females, removal of the ovaries did not appear to be associated with an increased likelihood of HD. This presumably reflects the effect of gender on growth-plate development. However, growth-plate disturbance in both males and females seems to have played a role in the occurrence of CCL in early-neutered dogs. This joint disorder was not diagnosed in either intact males or females. The mean age of CCL onset was later in life than in HD (about 4 years and 2 years, respectively).

The role of gonadal hormone removal in the occurrence of various cancers appears to be more complicated. The effects of early neutering on the increased rate of LSA, especially in males, contrast with the effects of late neutering in females on MCT and HSA. The effects of late neutering associated with the occurrence of MCT and HSA in females bring up the issue of the role of timing of estrogen alteration. One possibility is suggested by the role of estrogen removal and microsatellite instability in colon cancer development in women. Based on clinical findings, it is speculated that estrogen secretion may sensitize the pathways involved in microsatellite instability. While estrogen remains in the system, it is protective against microsatellite instability-positive cancer cell activation and reduces the risk of colon cancer. However, upon estrogen removal, microsatellite instability-positive cancer cells become activated resulting in an increased occurrence of colon cancer [25].

Applying this concept to the role of neutering on HSA and MCT in female dogs, this study suggests that with early neutering, before an estrous period, the cells that could become neoplastic are not sensitized to estrogen and neutering would not affect disease occurrence. However, after exposure to estrogen through several estrous cycles, potentially neoplastic cells could be sensitized, but as long as the female is left intact, the estrogen is protective. Then, if neutered after several estrous cycles, the estrogen-sensitized cells could become neoplastic, hence a higher rate of HSA and especially MCT in late-neutered than early-neutered females. Obviously, much remains to be learned that could be explored with a large database with regard to the specific effects of estrogen in these cancers.

The findings presented here are clinically relevant in two realms. For dog owners and service dogs trainers and caretakers using the popular Golden Retriever as the service dog, the study points to the importance of acquiring information needed for deciding upon if and when to

neuter. Specifically for Golden Retrievers, neutering males well beyond puberty should avoid the problems of increased rates of occurrence of HD, CCL, and LSA and should not bring on any major increase in the rates of HSA and MCT (at least before nine years of age). However, the possibility that age-related cognitive decline could be accelerated by neutering should be noted [26]. For females, the timing of neutering is more problematical because early neutering significantly increases the incidence rate of CCL from near zero to almost 8 percent, and late neutering increases the rates of HSA to 4 times that of the 1.6 percent rate for intact females and to 5.7 percent for MCT, which was not diagnosed in intact females.

The findings of this study also have important implications for investigators looking for canine models for research on various forms of cancer [27], [28]. For some cancers of interest, not only may breeds vary in predisposition but also the possibility of interactions between gender, gonadal hormone influences, and timing of gonadal hormone alteration (if any), should be taken into account in selecting the model and in investigating causal factors to be explored.

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Author Contributions

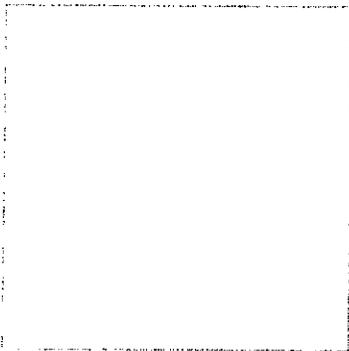
Interpreting results and editing manuscript: AMO. Conceived and designed the experiments: BLH LAH GT. Performed the experiments: GT LAH BLH. Analyzed the data: GT TBF LLM NW. Wrote the paper: GT BLH LAH.

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EARLY SPAY-NEUTER

Article #1 Neuter Medical Facts by Barbara Andrews

Article #2 Early Spay-Neuter Considerations for the Canine Athlete One Veterinarian's Opinion by Chris Zink DVM, PhD, DACVP

SPAY & NEUTER MEDICAL FACTS

by Barbara (BJ) Andrews

Should you spay or neuter your dog? Neutering is castration. Spaying is hysterectomy. "Spay", "neuter", "get them fixed" – no matter what you call it, those non-threatening acronyms stop vital hormone production.

Surgical castration for your pet?The American Veterinary Medical Assoc. (AVMA) official policy says "Mandatory spay/neuter is a bad idea." The AVMA has taken this stance in direct contradiction to the Humane Society (HSUS) stated goals which is to end all animal ownership.

No, that's not shooting themselves in the foot because it's a long walk to that goal and in the meantime, "Animal Rights" veterinarians make a fortune spaying and neutering every pet they can persuade owners to put under the knife.

AVMA policy is particularly brave because the AVMA is under assault by the newest of the Humane Society's creations, the HSVA. The AVMA boasts over 70,000 members. No one knows how many members the Humane Society Veterinary Assoc. actually has but with millions of non-taxable HSUS dollars behind it, the Humane Society Vets will probably prevail in the spay-neuter goldmine.

Even so, the AVMA deals HSUS a blow in its straightforward policy statement "potential health problems associated with spaying and neutering have also been identified, including an increased risk of prostatic cancer in males; increased risks of bone cancer and hip dysplasia in large-breed dogs associated with sterilization before maturity; and increased incidences of obesity, diabetes, urinary tract infections, urinary incontinence, and hypothyroidism." Ref: AVMA.org

Whether/when to spay or neuter has been studied by other veterinary groups. Linda Witouski, TheDogPress Legislative Editor, sent this Journal

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of American Veterinary Assoc. (JAVMA) report which also points out the myriad of health risks.

Spaying or neutering can cause prostate or bone cancer, obesity, urinary incontinence, thyroid problems, and much more! In a study of well over a million dogs, information on breed, sex, and age was collected and reported to the Veterinary Medical Database between 1964 and 2003. Results—Castrated male dogs were significantly more likely than other dogs to have hip dysplasia (CHD) than other dogs and spayed females were significantly more likely to have cranial cruciate ligament deficiency (CCLD).

Dogs up to 4 years old were significantly more likely to have HD whereas dogs over 4 years old were significantly more likely to have CCLD. In general, large- and giant-breed dogs were more likely than other dogs to have HD, CCLD, or both.

Prevalence of HD and CCLD increased significantly over the 4 decades for which data were examined. There was no data reflecting the decade-by-decade increase but one might suspect that the significantly increased rate of spay and castration procedures may be a factor in the overall forty-year increase. ref: June 15, 2008 Journal of the American Veterinary Medical Association.

Cystitis, urinary incontinence, noise phobias, obesity added to bone and joint problems.

There are other adverse effects of surgical neutering, particularly when the surgery is performed on puppies, obliquely referred to as “early-age” spay/neuter, pediatric spay/neuter, or juvenile spay/neuter, presumably depending on age at which ovariohysterectomy or orchiectomy is performed on the puppy. Another study published in the Journal of Am. Veterinary Medicine, noted an “increased rate of cystitis and decreasing age at gonadectomy was associated with increased rate of urinary incontinence. Among male and female dogs with early-age gonadectomy, hip dysplasia, noise phobias, and sexual behaviors were increased, whereas obesity, separation anxiety, escaping behaviors, inappropriate elimination when frightened...”

These are not insignificant problems. Urinary incontinence and uncontrolled elimination will banish a dog to the outdoors and more often than not, to the “shelter.” Hip dysplasia, worsened by obesity, will bring valued family dogs in to the veterinary office where costly hip surgery may be performed. Other dogs, owned by families of lesser means or smaller hearts, will be dumped at the pound. The same can be said of dogs with noise phobias, separation anxieties, and embarrassing sexual behaviors. Dogs that habitually escape will inevitably be run over or taken to the local shelter.

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While all agree that surgical castration and hysterectomy are the only viable options for sterilization, Chris Zink DVM, PhD, DACVP explains risks for the canine athlete, covering the subject in an easy to read format.

If you must spay or neuter your dog...

In summary, knowledgeable breeders agree; pets should not be spayed or neutered before puberty and not until growth plates have closed and then only if their behavior becomes an annoyance to the family. Note that onset of puberty varies depending on the breed's growth rate.

Thanks to the Animal Rights Extremists and the Humane Society of the U.S. (HSUS), none of which rescue, adopt, or shelter unwanted dogs, it is almost impossible to adopt a shelter puppy that isn't already spayed or castrated. That may have some benefits for adoptive owners but that spay and neuter policy has virtually no benefit to the animal. None whatsoever.

Unwanted pregnancy can be prevented by keeping the animal inside the home or a secure fence. By the way, an electric fence does not prevent other dogs from getting to your female dog!

Whether and When to have surgical sterilization performed should be up to the owner, not the government or local bureaucrats. Who knows more about your dog's health than your veterinarian? Even though promoting early spay and neuter profits vets in the long run; honest, knowledgeable vets who learn from clinical experience and vet school instead of animal "rights" activists will veto spay/neuter particularly when performed on puppies.

So talk to your vet. Then contact a responsible breeder who is as knowledgeable as your good vet. Breeders have been a little bit brainwashed but if you convince them that you want only to delay premature, risky removal of sex hormone organs, they will listen. And please, don't buy into the "adopt from a shelter" push. By far, your healthiest, soundest, most reliable and predictable choice is a purebred puppy or retired adult from a knowledgeable breeder.

Your choice should not be limited to a shelter mongrel that may or may not fit your family; that may be in a shelter because of behavior or health problems and certainly not a dog that was subjected to early spay or neuter. You have only to think of the consequences of surgical sterilization in humans to realize why the health is then protected by hormone prescriptions.

The spay/neuter choice should be yours and it should be an informed choice, not an automatic compliance of something you don't understand, the results of which could keep you in and out of the vet's office for the lifetime of your pet!

Early Spay-Neuter Considerations for the Canine Athlete – One Veterinarian's Opinion

Those of us with responsibility for the health of canine athletes need to continually read and evaluate new scientific studies to ensure that we are taking the most appropriate care of our performance dogs. This article provides evidence through a number of recent studies to suggest that veterinarians and owners working with canine athletes should revisit the standard protocol in which all dogs that are not intended for breeding are spayed and neutered at or before 6 months of age.

Orthopedic Considerations

A study by Salmeri *et al*/in 1991 found that bitches spayed at 7 weeks grew significantly taller than those spayed at 7 months, who were taller than those not spayed (or presumably spayed after the growth plates had closed).(1) A study of 1444 Golden Retrievers performed in 1998 and 1999 also found bitches and dogs spayed and neutered at less than a year of age were significantly taller than those spayed or neutered at more than a year of age.(2) The sex hormones, by communicating with a number of other growth-related hormones, promote the closure of the growth plates at puberty (3), so the bones of dogs or bitches neutered or spayed before puberty continue to grow. Dogs that have been spayed or neutered well before puberty can frequently be identified by their longer limbs, lighter bone structure, narrow chests and narrow skulls. This abnormal growth frequently results in significant alterations in body proportions and particularly the lengths (and therefore weights) of certain bones relative to others. For example, if the femur has achieved its genetically determined normal length at 8 months when a dog gets spayed or neutered, but the tibia, which normally stops growing at 12 to 14 months of age continues to grow, then an abnormal angle may develop at the stifle. In addition, with the extra growth, the lower leg below the stifle likely becomes heavier (because it is longer), and may cause increased stresses on the cranial cruciate ligament. In addition, sex hormones are critical for achieving peak bone density.(4) These structural and physiological alterations may be the reason why at least one recent study showed that spayed and neutered dogs had a higher incidence of CCL rupture.(5) Another recent study showed that dogs spayed or neutered before 5 1/2 months had a significantly higher incidence of hip dysplasia than those spayed or neutered after 5 1/2 months of age, although it should be noted that in this study there were no standard criteria for the diagnosis of hip dysplasia.(6) Nonetheless, breeders of purebred dogs should be cognizant of these studies and should consider whether or not pups they bred were spayed or neutered when considering breeding decisions.

Cancer Considerations

A retrospective study of cardiac tumors in dogs showed that there was a 5 times greater risk of hemangiosarcoma, one of the three most common cancers in dogs, in spayed bitches than intact bitches and a 2.4 times greater risk of hemangiosarcoma in neutered dogs as compared to intact males.(7) A study of 3218 dogs demonstrated that dogs that were neutered before a year of age had a significantly increased chance of developing bone cancer.(8) A separate study showed that neutered dogs had a two-fold higher risk of developing bone cancer.(9) Despite the common belief that neutering dogs helps prevent prostate cancer, at least one study suggests that neutering provides no benefit.(10) There certainly is evidence of a slightly increased risk of mammary cancer in female dogs after one heat cycle, and for increased risk with each subsequent heat. While about 30 % of mammary cancers are malignant, as in humans, when caught and surgically removed early the prognosis is very good.(12) Luckily, canine athletes are handled frequently and generally receive prompt veterinary care.

Behavioral Considerations

The study that identified a higher incidence of cranial cruciate ligament rupture in spayed or neutered dogs also identified an increased incidence of sexual behaviors in males and females that were neutered early.(5) Further, the study that identified a higher incidence of hip dysplasia in dogs neutered or spayed before 5 1/2 months also showed that early age gonadectomy was associated with an increased incidence of noise phobias and undesirable sexual behaviors.(6) A recent report of the American Kennel Club Canine Health Foundation reported significantly more behavioral problems in spayed and neutered bitches and dogs. The most commonly observed behavioral problem in spayed females was fearful behavior and the most common problem in males was aggression. (12)

Other Health Considerations

A number of studies have shown that there is an increase in the incidence of female urinary incontinence in dogs spayed early (13), although this finding has not been universal. Certainly there is evidence that ovarian hormones are critical for maintenance of genital tissue structure and contractility.(14, 15) Neutering also has been associated with an increased likelihood of urethral sphincter incontinence in males.(16) This problem is an inconvenience, and not usually life-threatening, but nonetheless one that requires the dog to be medicated for life. A health survey of several thousand Golden Retrievers showed that spayed or neutered dogs were more likely to develop hypothyroidism.(2) This study is consistent with the results of another study in which neutering and spaying was determined to be the most significant gender-associated risk factor for development of hypothyroidism.(17) Infectious diseases were more common in dogs that

were spayed or neutered at 24 weeks or less as opposed to those undergoing gonadectomy at more than 24 weeks.(18) Finally, the AKC-CHF report demonstrated a higher incidence of adverse reactions to vaccines in neutered dogs as compared to intact.(12) I have gathered these studies to show that our practice of routinely spaying or neutering every dog at or before the age of 6 months is not a black-and-white issue. Clearly more studies need to be done to evaluate the effects of prepubertal spaying and neutering, particularly in canine athletes. Currently, I have significant concerns with spaying or neutering canine athletes before puberty. But of course, there is the pet overpopulation problem. How can we prevent the production of unwanted dogs while still leaving the gonads to produce the hormones that are so important to canine growth and development? One answer would be to perform vasectomies in males and tubal ligation in females, to be followed after maturity by ovario hysterectomy in females to prevent mammary cancer and pyometra. One possible disadvantage is that vasectomy does not prevent some unwanted behaviors associated with males such as marking and humping. On the other hand, females and neutered males frequently participate in these behaviors too. Really, training is the best solution for these issues. Another possible disadvantage is finding a veterinarian who is experienced in performing these procedures. Nonetheless, some do, and if the procedures were in greater demand, more veterinarians would learn them. I believe it is important that we assess each situation individually. For canine athletes, I currently recommend that dogs and bitches be spayed or neutered after 14 months of age.

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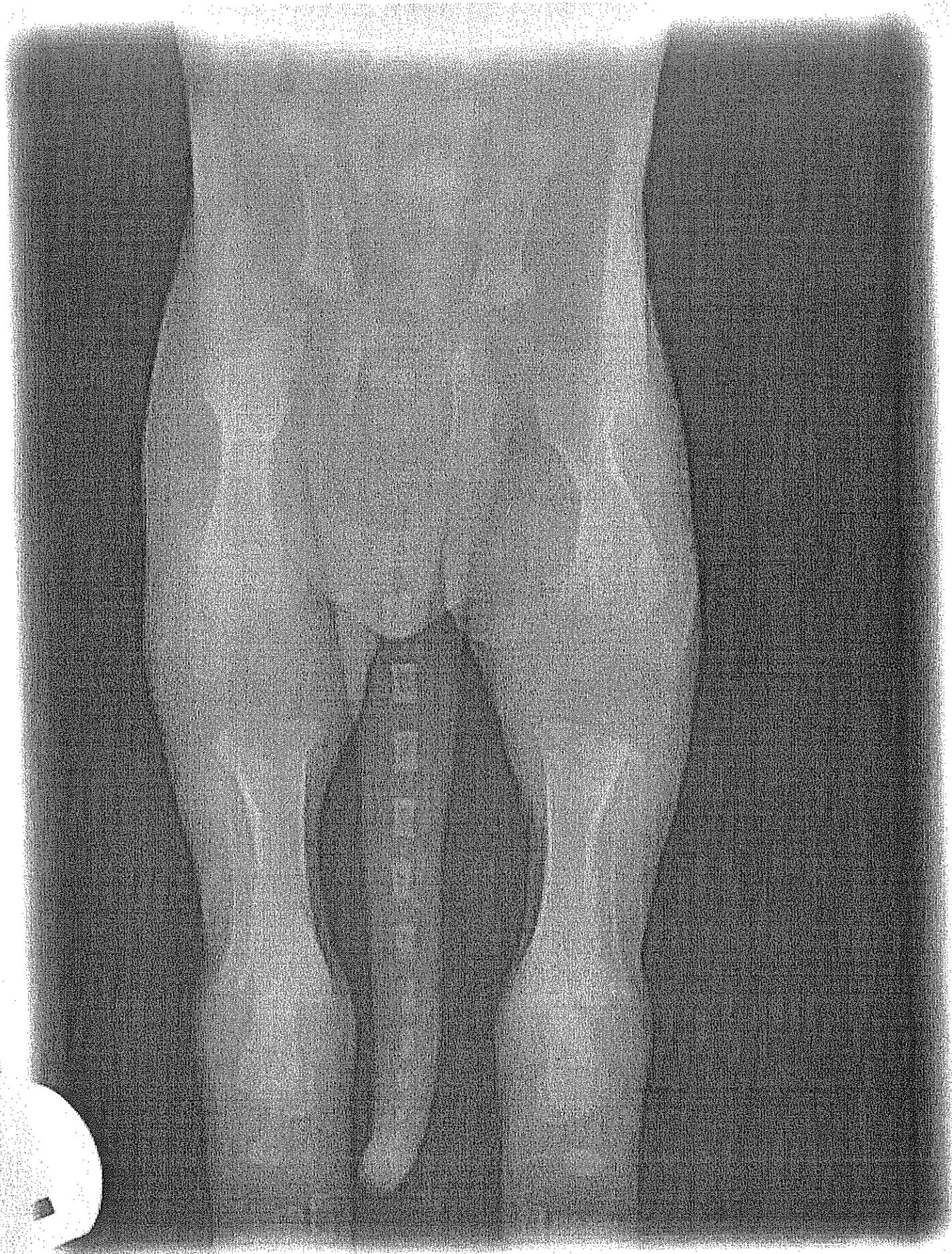
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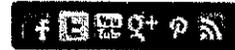
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Don't Neuter Your Dog YET – Read This Life-Saving Information First!



February 17, 2011 235,134views

A very legitimate concern, pet overpopulation, has been the primary driving force behind 30 years of national and local spay/neuter campaigns.

When it comes to deciding at what age a companion animal should be sterilized, the standard for most spay/neuter campaigns has been *sooner rather than later*. This is especially true in the case of adoptable abandoned and rescued pets that wind up in shelters and foster care.

Recently, however, some animal health care experts have begun to question whether early sterilization is a good idea for every pet.

Dr. Alice Villalobos, a well-known pioneer in the field of cancer care for companion animals, asks the question:

"But what if large-scale studies found that early neutering jeopardizes the health of our pets?"

"What if we found enough epidemiological evidence that early neutering of pet dogs may open them to orthopedic, behavioral, immunologic and oncologic issues?"

Back in 1977, Dr. Villalobos founded a rescue organization called the Peter Zippi Fund for Animals, which has to date rescued and re-homed nearly 12,000 pets. Her organization was one of thousands that looked at the tragic situation in U.S. shelters and determined early spay/neuter was the best way to lessen the suffering and ultimate euthanasia of so many feral and abandoned animals.

As a veterinary oncologist and founder of the pet hospice program Pawspice, Dr. Villalobos concedes, *"It is earth shattering to consider that some of the cancers we have been battling may have been enhanced by early neutering instead of the reverse."*

Dr. Becker's Comments:

It's unfortunately true that a growing body of research is pointing to early sterilization as the common denominator for development of several debilitating and life-threatening canine diseases.

On one hand, we certainly want to know what's causing our precious canine companions to develop disease. On the other hand, it's troubling to learn a procedure we've historically viewed as life-saving and of value to

the pet community as a whole, has likely played a role in harming the health of some of the very animals we set out to protect.

The same amount of evidence has not been compiled for early spay/neuter of cats, but it's not clear how well the subject is being studied for kitties. Funding for research into feline health issues falls well below dollars allocated for their canine counterparts.

Cardiac Tumors

A Veterinary Medical Database search of the years 1982 to 1995 revealed that in dogs with tumors of the heart, the relative risk for spayed females was over four times that of intact females.

For the most common type of cardiac tumor, hemangiosarcoma (HAS), spayed females had a greater than five times risk vs. their intact counterparts. Neutered male dogs had a slightly higher risk than intact males.

The study concluded that, "... neutering appeared to increase the risk of cardiac tumor in both sexes. Intact females were least likely to develop a cardiac tumor, whereas spayed females were most likely to develop a tumor. Twelve breeds had greater than average risk of developing a cardiac tumor, whereas 17 had lower risk."

Bone Cancer

In a study of Rottweilers published in 2002, it was established the risk for bone sarcoma was significantly influenced by the age at which the dogs were sterilized.

For both male and female Rotties spayed or neutered before one year of age, there was a one in four lifetime risk for bone cancer, and the sterilized animals were significantly more likely to develop the disease than intact dogs of the same breed.

In another study using the Veterinary Medical Database for the period 1980 through 1994, it was concluded the risk for bone cancer in large breed, purebred dogs increased twofold for those dogs that were also sterilized.

Prostate Cancer

It's commonly believed that neutering a male dog will prevent prostatic carcinoma (PC) – cancer of the prostate gland.

But worthy of note is that according to one study conducted at the College of Veterinary Medicine at Michigan State University, "...castration at any age showed no sparing effect on the risk of development of PC in the dog."

This was a small study of just 43 animals, however. And researchers conceded the development of prostate cancer in dogs may not be exclusively related to the hormones produced by the testicles. Preliminary work indicates non-testicular androgens exert a significant influence on the canine prostate.

Abnormal Bone Growth and Development

Studies done in the 1990's concluded dogs spayed or neutered under one year of age grew significantly taller than non-sterilized dogs or those not spayed/neutered until after puberty. And the earlier the spay/neuter procedure, the taller the dog.

Research published in 2000 in the Journal of Pediatric Endocrinology and Metabolism may explain why dogs sterilized before puberty are inclined to grow abnormally:

At puberty, estrogen promotes skeletal maturation and the gradual, progressive closure of the epiphyseal growth plate, possibly as a consequence of both estrogen-induced vascular and osteoblastic invasion and the termination of chondrogenesis.

In addition, during puberty and into the third decade, estrogen has an anabolic effect on the osteoblast and an apoptotic effect on the osteoclast, increasing bone mineral acquisition in axial and appendicular bone.

It appears the removal of estrogen-producing organs in immature dogs, female and male, can cause growth plates to remain open. These animals continue to grow and wind up with abnormal growth patterns and bone structure. This results in irregular body proportions.

According to Chris Zink, DVM:

"For example, if the femur has achieved its genetically determined normal length at 8 months when a dog gets spayed or neutered, but the tibia, which normally stops growing at 12 to 14 months of age continues to grow, then an abnormal angle may develop at the stifle. In addition, with the extra growth, the lower leg below the stifle likely becomes heavier (because it is longer), and may cause increased stresses on the cranial cruciate ligament."

Higher Rate of ACL Ruptures

A study conducted at Texas Tech University Health Sciences Center on canine anterior cruciate ligament (ACL) injuries concluded that spayed and neutered dogs had a significantly higher incidence of ACL rupture than their intact counterparts. And while large breed dogs had more ACL injuries, sterilized dogs of all breeds and sizes had increased rupture rates.

Hip Dysplasia

In a retrospective cohort study conducted at Cornell University's College of Veterinary Medicine, and published in the *Journal of the American Veterinary Medical Association*, results showed that both male and female dogs sterilized at an early age were more prone to hip dysplasia.

Other Early-Age Spay/Neuter Health Concerns

Early gonad removal is commonly associated with urinary incontinence in female dogs and has been linked to increased incidence of urethral sphincter incontinence in males.

Spayed and neutered Golden Retrievers are more likely to develop hypothyroidism.

A cohort study of shelter dogs conducted by the College of Veterinary Medicine at Texas A&M University concluded that infectious diseases were more common in dogs that were sterilized at less than 24 weeks of age.

The AKC's Canine Health Foundation issued a report pointing to a higher incidence of adverse reactions to vaccines in sterilized dogs.

Among the reports and studies pointing to health concerns associated with early spaying and neutering, you can also find mention of increased incidence of behavioral problems including:

- Noise phobias

- Fearful behavior
- Aggression
- Undesirable sexual behaviors

Risks versus Benefits of Early Sterilization

Every important decision in life comes with risks as well as benefits.

As responsible animal guardians, I believe we owe it to our pets to make the best health choices we can for them.

As responsible members of society, we owe it to our communities to proactively protect our intact pets from unplanned breeding at all costs. We must hold ourselves to the highest standard of reproductive control over the intact animals we are responsible for.

Clearly, there are health benefits to be derived from waiting until after puberty to spay or neuter your dog.

However, there are also significant risks associated with owning an intact, maturing pet.

- How seriously you take your responsibility as a pet owner is the biggest determining factor in how risky it is to leave your dog intact until he or she matures. If you are responsible enough to **absolutely guarantee** your unsterilized pet will not have the opportunity to mate, I would encourage you to wait until your pet is past puberty to spay or neuter.
- If you are unable to **absolutely guarantee** you can prevent your dog from mating and adding to the shameful, tragic problem of pet overpopulation, then I strongly encourage you to get your animal sterilized as soon as it's safe to do so.

Please note: I'm not advocating pet owners keep their dogs intact indefinitely (see below). I'm also not suggesting that shelters and rescues stop sterilizing young animals before re-homing them. Shelter organizations can't determine how responsible adoptive pet owners will be. In this situation, the risk of leaving adoptable animals intact is simply unacceptable. Shelters and rescues must immediately spay/neuter pets coming into their care.

If you've adopted or rescued a dog sterilized at an early age, I encourage you to talk with your holistic veterinarian about any concerns you have for your pet's future well-being, and what steps you can take now to optimize her health throughout her life.

There is no one perfect answer to the spay/neuter question that fits every pet, and each situation should be handled individually.

For Responsible Pet Owners, Decisions About When to Spay or Neuter Should be Part of a Holistic Approach to Your Pet's Health and Quality of Life

If you own an intact pet, I can offer a general guideline for timing a spay/neuter procedure.

Your dog should be old enough to be a balanced individual both physically and mentally. This balance isn't achieved until a dog has reached at least one year of age. Although some breeds reach maturity faster than others, many giant breed dogs are still developing at two years of age.

Other considerations include your dog's diet, level of exercise, behavioral habits, previous physical or emotional trauma, existing health concerns, and overall lifestyle.

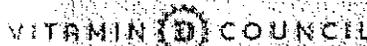
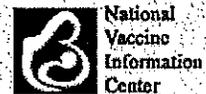
If you own an intact animal and need to make a spay/neuter decision, I encourage you to first learn all you can about [surgical sterilization options](#) and the risks and benefits associated with the procedures.

Talk with reputable breeders and other experienced dog owners, and consult a holistic vet to understand what steps you can take to ensure the overall health and longevity of your pet.

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American Kennel Club Testimony to New York City Council Committee on Health

Sheila Goffe, Director, Government Relations

Re: Intros. 136-A, 55-A, and 146-A

November 24, 2014

Mr. Chairman and Members of the New York City Council Committee on Health:

Thank you for the opportunity to speak to you this morning. My name is Sheila Goffe and I am Director of Government Relations for the American Kennel Club (AKC).

As you may know, the American Kennel Club is a not-for-profit organization that has been devoted to the advancement and wellbeing of dogs for more than 130 years. We are headquartered here in Manhattan.

Together with our more than 5,000 dog clubs throughout the country -- including 20 in New York City -- the AKC works actively to promote responsible dog ownership, advocate for the purebred dog as a family and working companion, advance the health and wellbeing of all dogs, and protect the rights of responsible dog owners.

We are here today because we love dogs. Everything we do is focused towards protecting the health and wellbeing of dogs and promoting responsible dog ownership. This includes:

- AKC public education programs and resources designed to help people choose the right dog for their family, learn how to be responsible dog owner, and even help children learn how to properly approach and meet dogs.

- AKC's Canine Good Citizen program, which has been recognized by the State of New York as a gold standard for dog training and responsible dog ownership.
- Establishment and funding the AKC Canine Health Foundation, which has funded more than 760 studies and \$33 million in research grants to study, prevent, treat and cure canine disease.
- Our affiliate AKC Reunite – the largest not-for-profit pet recovery program in North America – which has reunited more than 400,000 lost pets with their owners. AKC Reunite also supports Search and Rescue teams and disaster relief, and has provided more than \$5 million to search and rescue dog teams, veterinary units, and not-for-profit animal shelters and other organizations.
- The AKC Humane Fund, which supports breed rescue and enables domestic violence shelters to allow victims to bring their pets with them. After Superstorm Sandy, the Humane Fund also developed the Sandy Fund Grant to support rescues, shelters, clubs and animal hospitals in times of natural disaster.
- More than 20,000 family-friendly & educational dog events across the United States – including such events as the Westminster Kennel Club show here in New York City – that reward the highest levels of breeding and training, strengthen owners' bonds with their pets, and promote responsible dog ownership. In 2013, AKC sanctioned 31 official events across New York's five boroughs, plus our annual *Meet the Breeds* event in Manhattan, where tens of thousands of New Yorkers join us in celebrating dogs and learning more about responsible dog ownership.

On behalf of the American Kennel Club and our local New York City dog clubs, we thank you for the many changes you made to Introductions 136, 55, and 146 to protect responsible hobbyists, breeders, and pet owners in the city.

In particular, we thank you for listening to our concerns regarding the initial definition of pet shop in these measures. Many of these changes have improved the proposals and will protect both dogs and the rights of responsible dog owners in New York City.

However, we still have some concerns on several items and we respectfully ask for some additional changes.

Introduction 136-A

As currently written, introduction 136-A mandates that dogs sold by pet shops and certain breeders must be sterilized before being transferred to their new home, and removes previous exemptions for owners concerned about the impact on their health of the dog.

This proposal is extremely disturbing because it will negatively impact the long-term health and wellbeing of dogs in New York City. As currently written, it deprives dog owners and future dog owners of the opportunity to make the best possible healthcare decisions for their dogs –and it mandates major sterilization surgeries on puppies at a very young age – in many cases, as young as 8 weeks old!

We are also very concerned that this proposal mandates juvenile spay/neuter policies when scientific evidence increasingly indicates that these procedures may result in serious, long-term harm to the health of a dog.

Recent scientific studies have found that spaying and neutering when a dog is too young can lead to: cancer, hip dysplasia, ligament damage, shorter lifespan, and even chronic incontinence (which creates housetraining issues, and is one of the more common reasons dogs are surrendered to shelters).

As part of our written testimony I have submitted additional specific information and studies regarding the negative health impacts of juvenile spay neuter. These include:

- Findings from the American College of Theriogenologists (veterinarians who specialize in reproduction) stating that spaying and neutering “prior to puberty or sexual maturity may make the risks of some diseases higher in certain breeds or individual [dogs ; and therefore] the option to leave an animal intact must be available to the pet owner.”¹
- A study conducted by Rutgers University which indicates that sterilizing a dog before 1 year of age “significantly increases the risk of osteosarcoma (bone cancer)...”²
- A Study from Purdue University which found that the longevity of some breeds appeared adversely impacted by juvenile spay/neuter.³
- A study of Golden Retrievers at UC-Davis found that “...early neutering was associated with an increase in the occurrence of hip dysplasia, cranial cruciate ligament tear, lymphosarcoma, hemangiosarcoma, and mast cell tumors.”⁴

The American Kennel Club believes that the decision of whether to spay or neuter a dog – and when it should be done– is an important health decision that should be made by an owner in conjunction with their veterinarian.

¹ American College of Theriogenologists. “Basis for Position on Mandatory Spay-Neuter in the Canine and Feline.” http://c.ymcdn.com/sites/www.therio.org/resource/resmgr/docs/spay-neuter_basis.pdf

² Sanborn, Laura J., M.S. “Long-Term Health Risks and Benefits Associated with Spay/Neuter in Dogs.” May 2007.

³ “Rottweiler study links ovaries with exceptional longevity.” JAVMA News. February 18, 2010. <https://www.avma.org/News/JAVMANews/Pages/100301g.aspx?PF=1>

⁴ “Study finds neutering-disease link in Golden Retrievers.” JAVMA news. March 20, 2013. <https://www.avma.org/news/JAVMANews/Pages/130401s.aspx?PF=1>

We join a broad range of other animal advocates including the American Veterinary Medical Association, the ASPCA, No-Kill Advocacy Center, the American College of Theriogenologists, and the National Animal Interest Alliance in opposing the concept of mandatory spay/neuter. This is a diverse group of organizations that don't always agree on everything; but they recognize that mandatory sterilization laws are not in the best interest of dogs or local communities.

Mandatory spay/neuter laws are ineffective because they fail to address underlying issues of responsible dog ownership. They punish responsible dog owners who choose to keep a dog intact for health reasons or to participate in events such as AKC dog shows, while irresponsible owners will largely avoid or ignore the laws.

Communities that have implemented MSN have also found them ineffective in addressing population concerns. In many cases, the laws have actually created new economic and safety issues for a community. For example, after Dallas, Texas enacted MSN policies in 2008, the city experienced a 22 percent increase in animal control costs and an overall decrease in licensing compliance.

The AKC believes a better solution to animal control and pet ownership issues is to focus on encouraging low cost spay/neuter clinics and responsible dog ownership programs that help citizens make responsible decisions before acquiring a pet and to help them care properly for those they own.

For these reasons, we respectfully ask that requirements for mandatory spay neuter and juvenile spay/neuter be removed from city law, and that dog owners be allowed to make, in conjunction with their veterinarian, the best possible health care decisions for their pets. The AKC and our local New York City

dog clubs would be pleased to work with you on public education programs that promote responsible dog ownership in our city.

Introduction 55-A

I would also like to address Introduction 55-A. The AKC thanks the committee for the many changes that have been made to this proposal, and we ask for a few further clarifications.

There have been questions as to whether pet stores will be limited in the sources from which they can obtain animals. In particular, there is concern that pet stores will no longer be able to obtain dogs from USDA Class B dealers, who serve as regulated intermediaries between breeders and pet shops. We are asking that the proposal be clarified so that pet stores may obtain pets from USDA Class B dealers as well as Class A licensees, as long as those sources meet the requirements set out in this proposal.

Introduction 146-A

Finally, on behalf of our affiliate AKC Reunite, I would like to address a provision in 146-A regarding microchipping. As I mentioned earlier, AKC Reunite is the largest not-for-profit pet identification and recovery service in North America. It should be no surprise that strongly believe that pet identification is an essential part of being a responsible pet owner. Our concern is that this proposal, as currently written, requires pets sold at pet stores to be implanted with a microchip *by a veterinarian*. However, to ensure compliance with USDA and other regulations, most dogs sold in pet stores are microchipped before they leave their state of origin. Also, most states also allow the microchip to be implanted by the breeder or distributor. While we understand there are similar requirements in state law, we believe that to require a veterinarian to implant a microchip again here in New York would be duplicating efforts and is unnecessary. We ask that the measure be modified to address this.

The American Kennel Club and our affiliated organizations, as well as our New York City dog clubs, are proud to call NY home and proud of our long tradition of protecting the health and welfare of dogs in the city and across the United States. We thank you for considering our previous concerns, for the positive changes already made to these proposals, and we respectfully ask that you consider these additional requests that will benefit the long term wellbeing of NYC dogs and their owners.

Thank you again for your consideration. We look forward to working with you to promote the humane, responsible care of dogs in our city.



AMERICAN KENNEL CLUB

November 20, 2014

**Re. Files 136, 55, 73, 146
AKC Appreciates Changes, Requests Additional Amendments**

Dear Chairman Johnson and Members of the New York City Council Committee on Health:

On behalf of the American Kennel Club and our local New York City dog clubs, we wish to thank you for your consideration of our concerns regarding the initial versions of Files 136, 55, 73, and 146. We greatly appreciate the revisions you have made to these measures to protect the wellbeing of dogs and the rights of responsible dog enthusiasts, breeders, and pet owners to act in the best interest of their dogs.

We respectfully ask for several additional changes/clarifications to ensure the best interest of dogs is protected in these proposals:

Introduction 136-A: **This measure mandates the sterilization of pets prior to transfer.** Government mandated spay/neuter laws have been found ineffective throughout the country in addressing animal population concerns. *Furthermore, increasing scientific evidence demonstrates that radical sterilization surgeries such as spay/neuter—particularly when conducted on puppies as young as 8 weeks of age—are harmful to the long-term health of a dog.* The decision to spay or neuter a dog is a decision that should be made by the pet's owner after careful discussion with a veterinarian.

We respectfully ask that this requirement be removed from the proposal, and that dog owners be allowed to choose in conjunction with their veterinarian the best health care decisions for their pets.

The American Kennel Club joins a broad range of other animal advocates including the American Veterinary Medical Association, the ASPCA, No-Kill Advocacy Center, the American College of Theriogenologists, and the National Animal Interest Alliance in opposing the concept of government-mandated spay/neuter. These position statements are included as Addendum 1 to this letter.

Harmful impacts of juvenile sterilization: New scientific studies increasingly demonstrate that juvenile sterilization has long-term harmful impacts on the health of the animal.

- The American College of Theriogenologists, for example, states that spaying and neutering “prior to puberty or sexual maturity may make the risks of some diseases higher in certain breeds or individual [dogs; therefore], the option to leave an animal intact must be available to the pet owner.”¹
- A study conducted by Rutgers University indicates that sterilizing a dog before 1 year of age “significantly increases the risk of osteosarcoma (bone cancer)...” In the introduction to this study, Larry S. Katz, Chair of the Animal Sciences department at the university, states that “The decision of females may be more complex, further

¹ American College of Theriogenologists. “Basis for Position on Mandatory Spay-Neuter in the Canine and Feline.” http://c.ymcdn.com/sites/www.therio.org/resource/resmgr/docs/spay-neuter_basis.pdf

emphasizing the need for individualized veterinary medical decisions, not standard operating procedures for all patients.”²

- Some studies have shown that specific breeds are significantly impacted by the effects of juvenile spay/neuter. A study conducted by the Center for Exceptional Longevity Studies at Purdue University found, for example, that Rottweilers spayed after they were six years old were 4.6 times more likely to reach 13 years of age than those sterilized at a younger age.³
- Another study conducted by the UC-Davis School of Veterinary Medicine, published by the online scientific journal PLOS ONE, and highlighted by the Journal of the American Veterinary Medical Association (JAVMA) in 2013, highlights other concerns. This study, focused on Golden Retrievers, found that “...early neutering was associated with an increase in the occurrence of hip dysplasia, cranial cruciate ligament tear, lymphosarcoma, hemangiosarcoma, and mast cell tumor.”⁴
- Additional information and studies discussing the health dangers associated with mandatory sterilization are attached as Addendum 2 to this letter.

Better Alternatives are Available: A better alternative is to focus on encouraging affordable spay-neuter and responsible dog ownership programs. Low cost spay/neuter clinics and responsible dog ownership programs designed to help citizens make responsible decisions before acquiring a pet and to help them care for those they own are a much more effective solution for addressing pet ownership issues. The AKC and our local New York City dog clubs would be pleased to work with you on public education programs that promote responsible dog ownership in our city.

Introduction 55-A: The AKC appreciates the many changes made to this proposal and thanks the committee for your willingness to consider our concerns, as well as those of many responsible breeders, hobbyists, and dog owners in the city. We respectfully ask for the following clarifications:

Conditions under which pet stores may obtain pets from both Class A and Class B USDA licensed dealers/brokers not in violation of USDA welfare requirements. §17-1702, 3(a) references circumstances under which pet stores may source pets from USDA licensed brokers and dealers as long as they are not in violation of USDA animal welfare regulations. The text references both dealers (class A) and brokers (class B) as “class A” licensees. We ask that this be clarified to allow pet stores to obtain pets from qualified USDA Class B brokers, as long as they meet the requirements set out in this proposal. We further ask that this proposal and any subsequent regulations adopted ensure that pet sellers are not overregulated to such an extent that they are unable to continue to offer healthy, purpose-bred dogs to New York City customers.

Opportunity for correction should be permitted prior to dog seizures. §17-380 allows for dogs to be seized if pet shops are operating without a permit. We respectfully ask for a clarification to ensure the pet

² Sanborn, Laura J., M.S. “Long-Term Health Risks and Benefits Associated with Spay/Neuter in Dogs.” May 2007.

³ “Rottweiler study links ovaries with exceptional longevity.” JAVMA News. February 18, 2010. <https://www.avma.org/News/JAVMANews/Pages/100301g.aspx?PF=1>

⁴ “Study finds neutering-disease link in Golden Retrievers.” JAVMA news. March 20, 2013. <https://www.avma.org/news/JAVMANews/Pages/130401s.aspx?PF=1>

shops are allowed an opportunity to come into compliance prior to dogs being seized, assuming the dogs are being treated in a safe and humane manner.

Clarification on which entities must obtain a permit. §17-372a indicates that those who meet the definition of “pet shop” must obtain a permit. In the next subparagraph, the proposal states that no person may operate a business or conduct an activity regulated by this subchapter without the permit. We presume this also refers to pet shops, and does not refer to breeders and others defined in Subchapter 9.

Clarification that not all who meet the definition of pet shop will be USDA-regulated. This proposal requires all pet shops to make their USDA inspection reports available upon request. As the definition applies to all who sell at least 25 dogs in a year, it is conceivable that someone could meet the definition and not be USDA-licensed. We respectfully ask for a clarification that they provide USDA inspection reports if available.

We thank you in advance for these clarifications.

Introduction 146-A: AKC Reunite, an affiliate of the American Kennel Club, is the largest not-for-profit pet identification and recovery service in North America. We agree that pet identification is an essential part of responsible dog ownership.

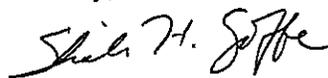
This proposal would mandate that all microchips be implanted by a licensed veterinarian. Microchips are a powerful tool to ensure unique identification of pets and return lost pets to their owners. To ensure compliance with USDA and other rules and regulations, most dogs sold in pet stores are microchipped before they leave their state of origin. In most states, the microchip may be lawfully implanted by the breeder or distributor. Therefore, most of the microchips are not inserted by a veterinarian. To require a microchip implanted by a licensed veterinarian would result in a duplicative procedure to implant a second microchip in order to be in compliance with this requirement. While we understand that this provision is based in part on state law, we respectfully ask that it be clarified to address this concern.

The American Kennel Club and our local New York City dog clubs and owners greatly appreciate the significant work that has gone into the amended version of these measures, we support many of the changes included. AKC would welcome the opportunity to work with you to address these additional concerns.

We look forward to working with you to protect the health of dogs and the rights of responsible New York City dog enthusiasts. Please do not hesitate to contact me or the AKC Government Relations team at 212-696-8200 ext.3720 if you have questions or we may be of assistance in developing alternative solutions.

Thank you for your consideration.

Sincerely,



Sheila Goffe
Director, Government Relations



AMERICAN
KENNEL CLUB

**ADDENDUM #1: Selected Organization Position Statements on
Mandatory/Spay Neuter**

The following are links to organizational position statements on mandatory spay/neuter:

- American Kennel Club – “Canine Population Issues”
- American Kennel Club – “Spaying and Neutering”
- American Kennel Club – “Why Mandatory Spay/Neuter Laws Are Ineffective”
- American College of Theriogenologists – “Mandatory Spay/Neuter”
- American Society for the Prevention of Cruelty to Animals – “Position Statement on Mandatory Spay/Neuter Laws”
- American Veterinary Medical Association – “AVMA: Mandatory spay/neuter a bad idea”
- American Veterinary Medication Association – “Dog and Cat Population Control”
- National Animal Interest Alliance – “Mandatory Spay/Neuter Laws a Misguided Approach to Stabilizing Pet Populations”
- No-Kill Advocacy Center – “The Dark Side of Mandatory Licensing and Neutering Laws”



AMERICAN
KENNEL CLUB®

Canine Legislation Position Statement

CANINE POPULATION ISSUES

AKC® commends experienced breed enthusiasts who are educating the public and other breeders about the need for long term commitments and responsibilities. We encourage them to help new owners address issues that could result in the relinquishment of pets. National research organizations have reported that the majority of unwanted dogs in the United States come from owners who are unable or unwilling to train, socialize, and care for their dog. The American Kennel Club also encourages pet owners to spay or neuter their dogs if they do not want to participate in AKC conformation events or engage in responsible breeding programs.

The American Kennel Club further supports programs dedicated to teaching the pet-buying public how to find a responsible breeder and how to make well-informed decisions when buying a dog rather than buying on impulse. Such programs help to ensure that pet purchasers find a puppy or dog that is a good match for their lifestyle, at an appropriate time in their lives, thereby increasing the likelihood that the animal will stay with the owner for its entire life. The AKC encourages owners and potential dog owners to visit our website at www.akc.org to locate AKC Parent Clubs which are the national organizations that represent breeds recognized by the AKC.

The American Kennel Club believes euthanasia should be employed only as a last resort when all reasonable efforts to place adoptable dogs have failed. At the same time, AKC recognizes that not all dogs are adoptable due to temperament and health issues.



AMERICAN
KENNEL CLUB®

Canine Legislation Position Statement

SPAYING AND NEUTERING

The American Kennel Club encourages pet owners to spay or neuter their dogs as a responsible means to prevent accidental breedings resulting in unwanted puppies. The American Kennel Club encourages breeders to discuss spaying and neutering options with puppy buyers who do not wish to participate in conformation events.



Issue Analysis: Why Mandatory Spay/Neuter Laws are Ineffective

No dog should ever go unloved or unwanted. Stories of dogs being relinquished to shelters break the hearts of every dog lover.

These issues are the result of a variety of causes. National research organizations have reported that the majority of unwanted dogs in the United States come from owners who are unable or unwilling to train, socialize, and care for their dogs.

As part of encouraging responsible dog ownership, the American Kennel Club (AKC) urges pet owners to spay and neuter their dogs if they do not want to participate in AKC dog shows or performance events or use them in a responsible breeding program. The AKC supports public education programs that teach future pet-buyers and help current

mandatory sterilization policies.

Identifying the Problem

Although MSN may sound like a logical solution to the problem of unwanted dogs, they only address a symptom of the problem. A truly effective solution will require addressing this larger issue.

National studies and anecdotal experiences of shelters across the country demonstrate that economics also plays a significant role in animal relinquishment. Unemployment, tighter budgets, and other monetary concerns including unexpected relocation all contribute to families to giving up pets.

As communities recognize that there are irresponsible dog owners who do not properly train their dogs and who allow

basic animal control laws they are already tasked with enforcing.

Many communities that enact MSN laws find that enforcement can be expensive. A mandatory spay/neuter law enacted in Dallas, Texas, in 2008 resulted in a 22 percent increase in animal control expenditures, as well as an overall decrease in licensing projected to reduce revenue by \$400,000. The City of Santa Cruz, California, experienced a 56% cost increase over the first 12 years of implementation. The City of Los Angeles' budget ballooned from \$6.7 million to \$18 million following implementation. Similar increases in animal control costs following the establishment of mandatory spay/neuter laws have been experienced in communities

“Nearly one in every two families in the United States has a dog, generating a significant demand for well-bred puppies.”



BULLDOG- ISABELLE FRANCAIS FOR AKC

dog owners understand the great responsibility that comes with dog ownership.

Some policymakers and groups assert that the solution is mandatory spay/neuter (MSN) laws. The AKC disagrees. Unlike voluntary programs, mandatory spay/neuter laws have proven to be ineffective. Numerous studies have found they result in significant cost increases and many other unintended consequences for responsible dog owners, local shelters, and the community at large – *without addressing the real underlying issue of irresponsible dog ownership.*

For these reasons, the American Kennel Club is joined by numerous organizations including the American Veterinary Medical Association, the National Animal Interest Alliance, and the American Society for the Prevention of Cruelty to Animals in opposing

their dogs to roam or otherwise create a nuisance, it becomes increasingly evident that most problems stem from owner irresponsibility. Mandatory spay/neuter laws will not address these problems; however, they will punish law-abiding citizens who wish to keep an intact animal, while those who already neglect their responsibilities will likely continue that behavior.

Unintended Consequences

Mandatory spay/neuter laws also have a tendency to create problems for communities because they are very difficult to enforce and can be easily evaded by avoiding dog licensing.

MSN laws also greatly increase the workload for animal control officers, who must now also verify the sterilization of residents' pets in addition to the

throughout the country from Colorado to North Carolina to Washington.

Mandatory spay/neuter policies prove expensive for the public as well. When these laws are established, many cities find that their publicly-funded low-cost spay/neuter programs cannot meet the demand, which forces dog owners to pay full price for the procedure. This can be a huge financial burden for low-income dog owners, who may ultimately be forced to choose between harboring an illegal unsterilized dog and turning it over to a shelter because they cannot afford the procedure.

Unintended broader public health and safety consequences should also be considered. The American Veterinary Medical Association's "Dog and Cat Population Control" policy notes that the mandatory nature of these laws may

Continued on next page

result in pet owners avoiding rabies vaccinations and other general veterinary care in order to hide their lack of compliance.

Another disturbing trend arises when these laws prevent responsible breeders from being able to breed and raise quality family pets. Nearly one out of every two families in the United States has a dog. This generates a significant demand for well-bred puppies. Responsible breeders are committed to raising healthy purebred dogs and provide the opportunity for local residents to purchase a quality dog from an expert in the breed who is also knowledgeable about the needs, temperament, and background of the puppy offered for sale. These breeders help potential new owners understand the breed and ensure that a prospective buyer is a good lifestyle fit with the new puppy.

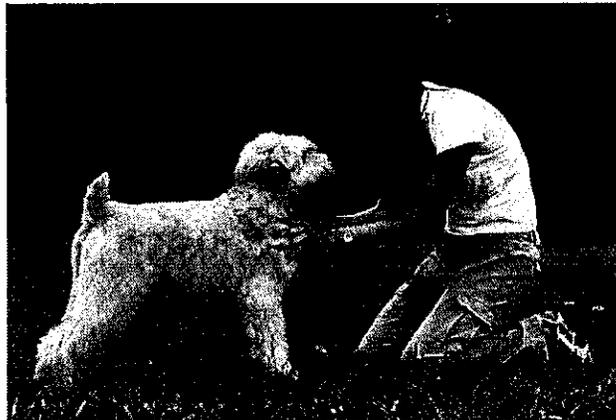
If responsible breeders are forced out of business, those who wish to purchase a purebred dog are forced to seek other avenues. This may include buying puppies over the Internet, where the dogs may be imported from countries with fewer health and safety standards than the United States. Anecdotal evidence has shown a significant increase in the number of dogs being transported into the country, with little to no veterinary oversight and care before the dogs are given to the new owners. A number of these dogs have become seriously ill with diseases such as rabies that are dangerous to both the dog and humans.

Why Exemptions Aren't Enough

Sometimes, instead of an outright spay/neuter mandate, lawmakers will opt to enact laws with stricter regulations on those who choose to not sterilize their dogs. Intact animal permits and differential licensing require those who choose not to sterilize their dogs to obtain a license that is often significantly more expensive than those for sterilized dogs. Some communities do not require licenses unless a dog is intact. Other policies provide exemptions for owners whose dogs are listed with a nationally-recognized registry.

These policies, including exemptions,

punish responsible dog owners simply because they choose to own an intact dog. Responsible dog breeders and owners have a right to own an intact dog if they so choose without being subject to regulations beyond those of other dog owners.



SOFT COATED WHEATEN TERRIER- MARY BLOOM © AKC

“Public education about responsible dog ownership improves public safety, reduces economic burdens on a community, and preserves the rights of dog owners – all while helping dog owners learn how to care for their pets.”

The AKC encourages dog owners to sterilize their pets unless they wish to participate in responsible breeding programs, performance events, or AKC conformation dog shows. As conformation shows are ultimately designed to judge the quality of breeding stock, all dogs entered into these events must be intact. Mandatory spay/neuter defeats the whole purpose of traditional dog shows!

Some laws offer exemptions to MSN policies for “show dogs”. However, this exemption misses the point that spaying/neutering should be an individual decision made by an owner, not forced by the state. It is also very difficult to prove whether or not a dog is being kept for exhibition. Some mandatory spay/neuter schemes require a dog to be shown at least once a year in order to be exempted from the sterilization policies, but not all breeders show all their dogs every year. In addition, many breeders choose to breed their female show dogs after they have finished showing them to their championships. Other owners may choose to see how a dog develops before making a decision about whether to show

the dog. There are many valid reasons for an exhibitor not to show a dog every year, and this choice should be respected.

What's the Solution?

Targeting the issue of irresponsible ownership is the best solution for addressing dog-related issues in a community. This begins with gathering data about the extent and nature of a possible problem in a community. Does the community have reliable statistics on unowned or unwanted animal populations? Does the community currently have comprehensive animal control statutes to address at-large dogs, nuisance dogs, and stray animals? If so, how are they enforced?

Does enforcement include appropriate fines and penalties? Does the community need additional support to enforce these laws? If existing laws are not being followed or enforced, then adding more laws will not improve the situation. Communities may also want to consider encouraging private organizations to provide/subsidize low-cost

spay/neuter clinics to help give low-income individuals the opportunity to sterilize their dogs if they wish.

One of the most effective ways to ensure compliance is through strong public education programs. These programs cover the basics of responsible dog ownership and local dog laws. The American Kennel Club has a wealth of materials to help shelters, community organizations, schools, and other public organizations educate the public about responsible dog ownership. The AKC also provides resources through thousands of local kennel clubs, located in all 50 states, who are willing to assist local leaders in designing and implementing positive canine education programs.

Addressing irresponsible dog ownership through strict enforcement of animal control laws and strong public education programs are effective and cost-efficient ways to address animal control issues. Public education about responsible dog ownership improves public safety, reduces economic burdens on a community, and preserves the rights of responsible caring dog owners – all while helping dog owners learn how to care for their pets.

SFT/ACT Position Statements



*The Boards of Directors of the Society for Theriogenology
and the American College of Theriogenologists
Montgomery, Alabama*

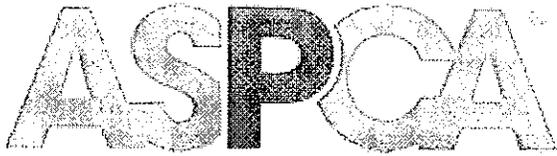


Mandatory Spay/Neuter

The American College of Theriogenologists and The Society for Theriogenology believe that companion animals not intended for breeding should be spayed or neutered; however, both organizations believe that the decision to spay or neuter a pet must be made on a case by case basis, and this decision should be made between the pet's owner and its veterinarian, taking into consideration the pet's age, breed, sex, health status, intended use, household environment and temperament. While there are health benefits to spaying and neutering these must be weighed against the health benefits of the sex steroids. In general, the advantages of spaying or neutering a pet include effective population control, decreased aggression, decreased wandering, decreased risk of being hit by a car, and decreased risk of mammary, testicular and ovarian cancer. On the other hand, the disadvantages of spaying or neutering may include increased risk of obesity, diabetes, osteosarcoma, hemangiosarcoma, prostatic adenocarcinoma, transitional cell carcinoma, urinary tract infections, urinary incontinence, autoimmune thyroiditis, hypothyroidism and hip dysplasia. Therefore, the decision to spay or neuter a dog or cat should be made solely by the pet's owner with the direct input of their veterinarian and will be dependent on each particular animal's situation.

Additionally, research has shown that in locations where mandatory spay and neuter programs have been instituted, a decrease in the number of vaccinated and licensed animals has been seen due to poor program compliance from pet owners' fears of seeking veterinary care if their animals are still intact. This may result in decreased preventive care and regular wellness examinations which may then diminish the pet's quality of life because of increasing undiagnosed health issues. It also may result in an increase in zoonotic diseases, such as hookworm and roundworm infection in children due to poor deworming programs, and decreased compliance with routine rabies vaccination.

The ACT and SFT make the following recommendations to continue moving toward effective methods of reducing the number of abandoned, unwanted and euthanized dogs and cats in the US and other countries where similar problems exist: (1), provide increased jurisdictional control to the AVMA Governmental Relations division, Animal Welfare Committee, and the APHIS-Animal Care division; (2), ensure suppliers to pet stores are providing adequate care for breeding stock and offspring; (3), support programs to expand the public awareness of pet overpopulation, acceptable breeding standards, and responsibilities of pet ownership; (4), provide the public a means to access assistance with concerns of pet health, ownership, behavior and management issues; (5), work with state and local rescue and humane societies to assemble accurate data on causes for relinquishment of dogs and cats to enable these organizations, federal and local governments, and veterinary organizations to address the fundamental causes of abandonment; (6), provide low cost spay/neuter facilities for economically disadvantaged persons and communities; (7), continue to work on reduction of feral cat populations; (8), establish programs to ensure access of breeders to proper reproductive care and counseling; and (9), provide local or federal governmental assistance to registered rescue organizations to facilitate placement of unwanted pets.



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Position Statement on Mandatory Spay/Neuter Laws



Background

Per capita shelter intake and euthanasia have been in a steady decline nationwide for the past several decades. Research indicates that the main reason for this decline is the increasing incidence of spayed and neutered animals in the pet population (Zawistowski et al., 1998; Irwin, 2001; Clancy & Rowan, 2003). In fact, the veterinary community recently formally acknowledged the importance of safe, efficient, accessible sterilization programs as the “best antidote to the mass euthanasia of cats and dogs resulting from overpopulation” (Looney et al., 2008). There is, however, variation in shelter intake and euthanasia rates across communities as well as a difference between that for dogs and cats. As a result, many communities are currently searching for methods to reach those who are still contributing disproportionately to companion animal overpopulation. Attempts to reduce shelter intake and euthanasia through the passage of legislation mandating the spaying and neutering of companion animals has recently garnered much attention and debate.

To the knowledge of the ASPCA, the only method of population control that has demonstrated long-term efficacy in significantly reducing the number of animals entering animal shelters is the voluntary sterilization of owned pets (Clancy & Rowan 2003; FIREPAW, 2004; Secovich, 2003). There is also evidence that sterilizing very specific, at-risk sub-populations of companion animals, such as feral cats and animals in shelters, can also contribute to reductions in overpopulation (Zawistowski et al., 1998; Clancy & Rowan 2003; Levy et al., 2003; Lord et al., 2006; Natoli et al., 2006). However, the ASPCA is not aware of any credible evidence demonstrating a statistically significant enhancement in the reduction of shelter intake or euthanasia as a result of the implementation of a mandatory spay/neuter law.

Caution must therefore be applied when interpreting existing claims regarding the effects of local mandatory spay/neuter (MSN) laws. First, because per capita shelter intake and euthanasia are in decline due to voluntary spaying and neutering, it is impossible to determine the effect of an MSN law without comparing a community's trends in shelter intake and euthanasia for several years before and after the law was enacted to trends in adjacent, similar communities without MSN legislation. Furthermore, to determine with confidence the effects of any spay/neuter program on the animal population, which naturally fluctuates somewhat from year to year, population trends must be examined over a period sufficiently long to absorb those natural fluctuations. Claims based on one or two years of data can be misleading.

In addition, it is imprudent to generalize about the effects of MSN laws. One reason is that the definition of “mandatory” varies greatly across communities. In some localities, a citation may be issued for any animal over the age of four months seen unaltered, while in other communities, a citation results only when another animal control offence has been committed or if more than one unspayed female lives in the household. Another complication is that it can be extremely difficult for even a veterinary professional to visually determine if an animal, particularly a female, has been sterilized; it would be virtually impossible for an animal control officer to make those determinations in the field. For these reasons, and due to variation across communities in law enforcement funding and personnel support, actual enforcement of MSN laws varies widely, making comparisons between MSN laws or predictions about their impact very difficult.

Another reason for caution when interpreting the effects of MSN legislation is that shelter intake and euthanasia statistics are often presented as a total number of dogs and cats. In some communities, the number of dogs entering and being euthanized in shelters is dropping significantly while the number of cats is declining more slowly or even increasing. Therefore it is critical to examine population and shelter statistics for dogs and cats separately, so that reductions in dog intake and euthanasia do not mask increases in cat intake and euthanasia. This issue is particularly critical in the analysis of the effect of MSN laws, since feral and unowned stray cats continue to represent a substantial proportion of the shelter population and euthanasia. This major contributing factor is not addressed by MSN laws that, by nature, target owned animals.

Even when an MSN law seems to have a positive effect on one aspect of animal welfare, it may have a negative effect on another. For instance, in at least one community that enacted an MSN law, fewer pets were subsequently licensed, likely due to owners’ reluctance to pay either the high fee for keeping an unaltered animal or the fee to have the pet altered (Office of Legislative Oversight, 1997).

The ASPCA is also concerned that some communities may rely primarily or exclusively on MSN legislation to reduce shelter intake and euthanasia even though the animal shelter population is actually very heterogeneous with no single cause or source (National Council on Pet Population Study and Policy, 2001). Many social, cultural and economic factors as well as animal health and behavioral issues contribute to shelter intake; therefore, no single program or law can be relied on to solve the problem.

Furthermore, one of the main barriers to spaying and neutering of pets is accessibility of services, which is not addressed simply by making spaying and neutering mandatory. Cost is one of the primary barriers to spay/neuter surgery in many communities (Patronek et al., 1997; Ralston Purina, 2000; Frank, 2001). In fact, low household income and poverty are statistically associated with having a sexually intact cat (Patronek et al, 1997; Chu et al., 2009), with relinquishment of pets to shelters (Patronek et al., 1996), and with shelter intake (Frank, 2003). As a result, the proportion of pets from poor communities who are being euthanized in shelters remains high; shelter euthanasia rates in the poorest counties in states such as California and New Jersey are several times higher than those in the most affluent counties (Handy, 2002; Marsh, 2008).

Each community is unique, however, in terms of the particular sources and causes of companion animal overpopulation and the primary barriers that exist to having pets altered. No one-size-fits-all solution is therefore possible. In examining communities around the country that are having significant success in reducing companion animal overpopulation, it

appears that the common denominator is a *multifaceted, targeted* community program that:

- is based on careful research to determine which segments of the animal population are actually significantly contributing to shelter intake and euthanasia and then targets efforts to those segments of the population;
- focuses on the particular barriers to spay/neuter that are predominant and strives to overcome them;
- is well-supported and well-funded; and
- has an efficient voluntary spay/neuter infrastructure in place to service the populations it targets.

ASPCA Position

The ASPCA does not support mandatory spay/neuter laws, however, based on currently available scientific information, the ASPCA strongly supports spay/neuter as an effective means to reduce companion animal overpopulation. In particular, the ASPCA supports voluntary, affordable spay/neuter programs for owned pets, Trap-Neuter-Return (TNR) programs for feral cats and the mandatory sterilization of shelter animals and certain individual, owned animals based on their or their owners' behavior (such as animals deemed dangerous under local ordinances or those repeatedly caught at-large). In order to assure the efficacy of any spay/neuter program designed to reduce shelter intake and euthanasia, the ASPCA believes that each community must conduct credible research into the particular causes of relinquishment and abandonment and the sources of animals in its shelters, including the barriers to spay/neuter services that are faced by those populations contributing disproportionately to the problem. Each community must address these issues with a tailored, multifaceted approach as described below:

- 1) The community should have in place an adequately funded, readily accessible, safe, efficient, affordable spay/neuter program.
- 2) Community research should identify the particular segments of the population that are contributing disproportionately to shelter intake and euthanasia, and the community should produce programs that are targeted to those populations.
- 3) The community should strive to maximize the accessibility of spay/neuter services and provide compelling incentives to have the surgery performed.
- 4) The spay/neuter program should be developed with the guidance of veterinary professionals who are committed to delivering high quality spay/neuter services to all patients (Looney et al., 2008).
- 5) The program must adequately address the contribution that feral and stray animals make to overpopulation.
- 6) The program must be adequately supported in terms of financing, staffing and infrastructure.
- 7) The efficacy of all aspects of the program must be monitored and revisions made as necessary to achieve its goals.

In summary, the ASPCA recognizes that sterilization is currently the best method to reduce companion animal overpopulation, and therefore to reduce shelter intake and euthanasia. The most important step a humane community can take to decrease companion animal overpopulation is to make a safe, effective, voluntary spay/neuter program available and readily accessible to the community, and create programs and incentives targeted to the populations known to be contributing disproportionately to shelter intake and euthanasia.

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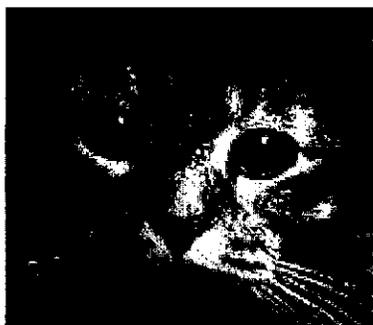
AVMA NEWS

May 15, 2009

EXECUTIVE BOARD COVERAGE

AVMA: Mandatory spay/neuter a bad idea

posted May 1, 2009



The AVMA policy on "Dog and Cat Population Control" has been revised to express the Association's nonsupport for regulations or laws mandating spay/neuter of privately owned, nonshelter dogs and cats.

The Animal Welfare Committee recommended the changes to the policy, which reads, in part, as follows: "The AVMA does not support regulations or legislation mandating spay/neuter of privately owned, non-shelter dogs and cats. Although spaying and neutering helps control dog and cat populations, mandatory approaches may contribute to pet owners avoiding licensing, rabies vaccination and veterinary care for their pets, and may have other unintended consequences."

The policy was adopted in November 2004 and considered by the AWC in accord with the five-year review directive. After review and discussion, committee members agreed that the AVMA should not support regulations or legislation mandating spay/neuter of privately owned, nonshelter dogs and cats for a number of reasons, which were provided in the background of the recommended policy changes.

Although spay/neuter is an important part of effective population control programs, and may benefit individual dogs and cats if performed at the appropriate time, whether and when to spay/neuter specific animals requires the

application of science and professional judgment to ensure the best outcome for veterinary patients and their owners. Prevention of unexpected litters; reduced incidences of some cancers and reproductive diseases; and prevention and amelioration of certain undesirable behaviors have been documented as benefits to spaying/neutering dogs and cats. However, potential health problems associated with spaying and neutering have also been identified, including an increased risk of prostatic cancer in males; increased risks of bone cancer and hip dysplasia in large-breed dogs associated with sterilization before maturity; and increased incidences of obesity, diabetes, urinary tract infections, urinary incontinence, and hypothyroidism.

There are conflicting reports regarding euthanasia rates and animal control costs achieved in communities that have enacted mandatory spay/neuter.

Mandating spay/neuter can increase canine, feline, and zoonotic disease risks because some people will attempt to avoid detection of their unaltered pets by failing to seek veterinary care.

The AVMA policy on "Dog and Cat Population Control" can be read along with other Association policies at www.avma.org in the Scientific section under Policy.

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Dog And Cat Population Control

The population of dogs and cats in the United States currently exceeds the capacity of our society to care and provide homes for them as companion animals. As a result, millions do not have homes and are euthanized annually by animal control agencies, humane organizations, and veterinarians in private practice. Dogs and cats that are not adopted can become victims of trauma, starvation, or disease. The AVMA concludes that dog and cat population control is a primary welfare concern of our society.



A. Public Policy

The AVMA does not support regulations or legislation mandating spay/neuter of privately owned, non-shelter dogs and cats. Although spaying and neutering helps control dog and cat populations, mandatory approaches may contribute to pet owners avoiding licensing, rabies vaccination and veterinary care for their pets, and may have other unintended consequences.

The AVMA believes that state and local governments must evaluate their needs and resources to develop appropriate and effective dog and cat population control programs. This would include:

1. Providing sufficient funding to animal control agencies to facilitate:
 - a. Strict enforcement of existing animal control laws, and
 - b. Licensing of all dogs and cats.
2. Prohibiting the sale or adoption of intact dogs and cats by humane organizations and animal control agencies.
3. Promoting surgical and nonsurgical sterilization of intact dogs and cats. Just as for other veterinary medical and surgical procedures, veterinarians should use their best judgment in recommending at what age sterilization should be performed for individual animals.
4. Requiring licensing, rabies vaccination and permanent identification through microchipping.

B. Research

1. The AVMA encourages research into the development and use of nonsurgical methods of sterilization.
2. The AVMA encourages research to better define and quantify the dog and cat overpopulation problem.

C. Education

1. The AVMA supports public education campaigns that help pet owners be more responsible and concerned.
2. Comprehensive public education campaigns to prevent relinquishment require the commitment and cooperation of state and local governmental agencies, humane organizations, and veterinary associations.
3. Education to prevent relinquishment should include tenets of responsible pet ownership, including appropriate selection, the importance of spaying and neutering, keeping pets indoors or in restricted environments, preventing or solving behavioral problems, and consulting with veterinarians for

information on these issues.

4. The AVMA encourages all independent sources of pets (e.g., breeders, pet shops, shelters, animal control facilities, private individuals) to educate new owners about the importance of surgical or nonsurgical sterilization and regular veterinary care.
5. Schools of veterinary medicine and veterinary technology should emphasize the prevention and/or solution of behavioral problems and other factors leading to dog and cat relinquishment.

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Mandatory Spay/Neuter Laws a Misguided Approach to Stabilizing Pet Populations

By: Patti Strand Date: 02/22/2010 Category: | Uncategorized |

Background

Many states and localities have considered laws mandating that pets be spayed or neutered. They typically stop short of effectively eliminating all dog and cat breeding by instituting a process whereby breeders must obtain licenses to avoid the forced sterilization of their pets.

Our Position

NAIA opposes mandatory sterilization and other coercive "spay or pay" licensing schemes because these approaches have little effect on reducing shelter intake and euthanasia rates while producing serious unintended consequences. The people whose pets are producing unwanted offspring are seldom people who license their pets in the first place, so increasing license fees will not affect them. Typically, the pet owners whose dogs and cats produce unwanted litters benefit from low cost spay/neuter services and educational resources. At the same time, raising license fees and increasing restrictions on the most responsible pet owners and breeders in society reduces the number of well-bred, quality dogs and cats available to the public and assures that poorer sources will emerge to fill the demand. At this time, numerous countries around the world are beginning to breed dogs for the American marketplace to meet the growing demand. One of the reasons for this trend is over-regulation of American breeders.

Reasons to Oppose Mandatory Pet Sterilization:

Health risks

The choice to perform surgery on one's pet should remain an educated decision between the pet owner and their veterinarian, not dictated by an arbitrary standard assigned by the state. The proper age for this procedure is becoming a matter of serious debate in the animal care community, as medical and behavioral problems (particularly when performed at an early age) are being discovered and reported.

Reading list:

- [A Healthier Respect for Ovaries](#)
- [AVMA: Mandatory spay/neuter a bad idea](#)
- [Golden Retriever Study Suggests Neutering Affects Dog Health](#)
- [Society for Theriogenology Position on Mandatory Spay-Neuter in the Canine and Feline](#)
- [Lifetime ovary exposure and exceptional longevity in dogs](#)
- [Determining the Best Age at which to Spay or Neuter: An Evidence -Based Analysis](#)
- [Australian Veterinary Association position on mandatory spay/neuter](#)

- The Long Term Effects of Spay/Neuter in Dogs

Costly

This proposal will not lower costs to animal control agencies. Statistics show that costs do not go down when the number of sheltered animals decreases. In fact, enforcing this law would actually put more administrative burden on local agencies, the costs of which would exceed the amount collected in fees and fines. Spay/neuter advocates commonly cite success stories where great savings were achieved by passing spay/neuter legislation. Santa Cruz County is one such place, but the growth of the county animal services budget over the time in question tells a different story.

Discourages responsible breeding

There is an important role for breeders in pet supply and demand. This approach will create a deterrent for breeders to obtain licenses, possibly leading to widespread non-compliance and a shortage of dogs bred to assist the public such as guide, therapy and rescue dogs. Furthermore, it would diminish the best source of healthy, well-adjusted, behaviorally sound cats and dogs available to consumers.

Economic ramifications

Animal sports and competitions bring in valuable tourism dollars.

Shelter dynamics are misunderstood

The reality is that today, a large number of sheltered animals are either surrendered by their owners for euthanasia because they are old and sick, seriously injured, or dangerously aggressive. Many of the dogs euthanized are unidentified, unclaimed strays or ones that are too old, sick, injured or aggressive to be placed in new homes; many of the cats euthanized are feral animals that were never owned but were trapped and impounded because they have become nuisances. Furthermore, some lump dogs and cats together, and many lump feral and recently owned cats together. The lack of consistent data encourages some to call for quick fix solutions, but the reality is that the existing problems will not be resolved by mandatory sterilization.

Note: because of the difficulty in obtaining shelter records and data, we created the NAIA Shelter Project the most accurate and comprehensive listing of shelter data in the United States. Visit the NAIA Shelter Project today!

Constitutional considerations

Since pet owners would be denied control over their property without any semblance of an overriding state interest in the outcome, this interference of a pet owner's right to make decisions regarding their pet violates the Due Process Clause of the Fourteenth Amendment of the US Constitution.

Shown to be Ineffective

This law has been tried in Santa Cruz, CA and King County, WA with disappointing results.

A Viable Solution

Extensive shelter data shows that public education, low-cost resources for the poor and reasonable licensing programs are working. The data also demonstrates that spay and neuter campaigns have been so successful that some animal shelters presently do not have enough adoptable animals to meet the high demand for pets. Some shelters have started locating dogs in other states to satisfy this demand. We should examine solutions from the

standpoint of increasing pet retention and improving pet distribution, rather than the assumption of pet overpopulation in the US.

For more information on this issue, visit our [Legal and Legislative Resources page](#).

About The Author



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Patti is a recognized expert and consultant on contemporary animal issues, most notably responsible dog ownership and the animal rights movement. She often appears on radio and television and her articles on canine issues, animal welfare, public policy and animal rights have appeared in major US news publications and in trade, professional and scientific journals. Patti and her...

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<http://www.naiaonline.org/articles/article/mandatory-spay-neuter-laws-a-misguided-approach-to-stabilizing-pet-populati>

THE DARK SIDE OF MANDATE

Why Punitive Legislation Fails

Legislation is often thought of as a quick solution to high rates of shelter killing. "If only we had a law," the argument goes, "all the bad, irresponsible people would have to take care of their pets properly, and shelters wouldn't have to kill so many animals." If this were true, given the proliferation of punitive mandates nationwide, there should be many No Kill communities. That there are not, is because experience has proven that legislation is far from a cure-all. In fact, it often has the opposite effect. Communities that have passed such laws are not only far from No Kill, many are moving in the opposite direction.

Studies show the primary reasons people do not sterilize their pets are cost and lack of access to spay/neuter services. The same is true for licensing. The higher the cost, the lower the rate of compliance. As a result, lower-income households with animals, those who are unaware of these laws, and truly irresponsible people will not comply in significant numbers. Punitive legislation will only discourage people from caring for homeless pets or drive disadvantaged people "underground," making them even harder to reach and help. If a person is feeding homeless cats, they will be loathe to turn to the shelter for low-cost spay/neuter help or other support because doing so risks putting the cats in jeopardy for some technical violation of a community's pet limit, licensing, or leash law. Compounding the problem is the fact that enforcement of ordinances, such as mandatory spay/neuter is often selective and complaint-based, leaving people who care for animals vulnerable to retaliation from neighbors and others, even when the animals are healthy and well cared for.

Furthermore, legislation may be worded so that the result of non-compliance is the impoundment and death of the animal. Alternatively, the laws contain significant fines which are likely to lead to abandonment, relinquishment to shelters, or people refusing to

offer care to homeless strays. That is why many jurisdictions have seen their impound and death rates increase following passage of laws which give agencies carte blanche to round up and kill outdoor animals. If a shelter has high rates of shelter killing, it makes no sense to support the passing of laws that give them greater power and more reasons to impound—and subsequently kill—even more animals.

Finally, in most jurisdictions, licensing revenues go into a city or county's general fund, not directly back to the animal control agency. As a result, even where licensing rates increase, it has no direct impact on shelter finances. In the end, the shelter is diverting money from needed programs to hire more officers to write more citations, only to raise money for the city or county, at the expense of its own needs.

When Fort Wayne, Indiana, San Mateo, California, and King County, Washington, passed their animal control legislation, for example, these laws were hailed as "national models." To this day, animal activists use these as examples of "success" in order to convince their own communities to adopt similar approaches. A hard look, however, reveals they are a dismal failure. Fort Wayne is still killing three out of every four domestic animals, San Mateo killed more animals in the

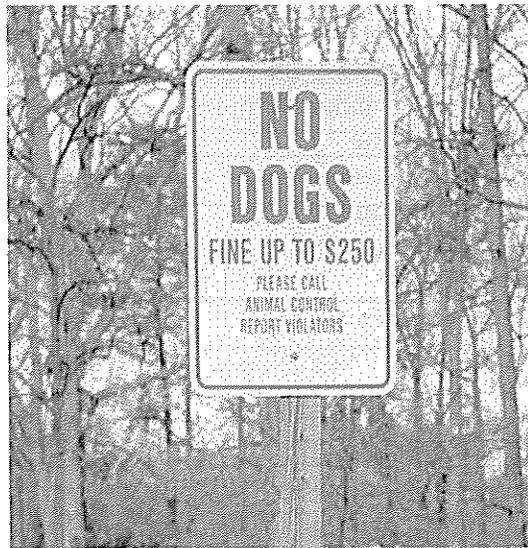
TORY LICENSING AND NEUTER LAWS

unincorporated areas of the county which passed their law (resulting in the first ever increase in cats being killed) as compared to cities where the law was not passed, and King County's law reduced the number of animals being saved. (See "There Ought Not to be a Law," No Kill Sheltering, Volume I, Issue I, 2007).

Indeed, no better proof exists for this proposition than Long Beach, California, which has had a breeding ban for over thirty years. If legislation is the answer, Long Beach should be a No Kill community by now. But it is far from it, as many homeless animals have discovered who have had the misfortune to enter that animal control shelter system. By contrast, the two most successful communities in the nation with the highest percentage of animals going home alive—Tompkins County, NY (91% save rate) and Charlottesville, Virginia (92% save rate)—have no mandatory cat licensing or spay/neuter laws.

Nonetheless, local activists and national groups—even those who embrace No Kill and are sincere in their desire to end killing—continue to champion the legislative approach. While activists across the country have been emboldened by the No Kill movement, they have almost uniformly failed to heed the central lesson: never mind the laws, reform the shelter. While they are demanding success in their own communities, they fail to demand that local shelters either replicate the programs that eliminated the deaths in other communities for all but irremediably suffering and non-rehabilitatable animals, or to insist upon the removal of directors who refuse to implement them. Instead, many seek No Kill through traditional legislative models. The end result is not hard to predict.

Unfortunately, the viewpoint that the public, rather than the shelter, is to blame for the volume of killing has been internalized by animal activists all over the country. And the tool they use to make the public responsible is a resurrection of the failed legislation model. Since the very "solution" they propose makes the goal impossible, however, they are forced to seek more citations, greater penalties, more animals subject to impounding, and more draconian laws, increasing the divide between the shelter and the public, and taking themselves further and further away from the goal of true lifesaving with each piece of punitive legislation.



Sadly, it is a pattern played out by animal activists throughout the country, over and over again. Despite animal control's dysfunction and overkill, animal activists continue to ignore and apologize for the shelter's failures by blaming the public, rather than those who are directly responsible: the very staff and administrators who fail every time they inject an animal with an

overdose of barbiturates in the face of alternatives like foster care, offsite adoptions, and working with rescue groups. These activists fail to see the real causes and solutions to shelter killing because the bar or "industry standard" has been set so low, and because the national agencies to which they look for guidance reaffirm this point of view again and again.

In a democracy, animal lovers are free to believe whatever they want. But believing something doesn't make it so, and never will.

EMPOWERED TO KILL

At a time when shelters are killing the majority of animals they are taking in, they are successfully seeking legislation which gives them authority to impound even more animals. Since they claim they have little choice but to kill most animals, the animals now in violation of a new law or ordinance have little hope of getting out alive. It is hardly surprising that many jurisdictions actually see impound and kill rates increase after passage of these laws.

Meanwhile, animals continue to be killed in appalling numbers and reform efforts are squandered on an agenda that has no hope of achieving success. Moreover, the animals are paying the ultimate price for the false beliefs of animal activists. They are the ones being slaughtered en masse because of it.

With animals being killed every day in shelters because shelter leadership has not embraced the programs and services of the No Kill Equation (See No Kill Sheltering, Volume III, Issue 1, 2007), activists must move beyond the empty hope that punitive legislation will ever be anything but a failure. Animal activists are still championing a nineteenth century model of sheltering rooted in defeatism and failing to demand the real changes necessary for No Kill to succeed, while ignoring over a decade of No Kill success in other communities.

And as soon as activists realize this, they can begin the only proven process of saving lives: comprehensive implementation of programs like foster care, working with rescue groups and volunteers, TNR for feral cats, and offsite adoptions; *or*, regime change for shelter directors who refuse to do so. Unfortunately rather than champion the No Kill Equation, the only course of action that has created a No Kill community, they are chasing shadows. In turn, activists have developed a culture of defeatism, a sense of helplessness that No Kill cannot be achieved. They become apologists for the status quo, championing mediocrity and failure, when they should be demanding the resignation of shelter leadership.

HSUS: A FELINE'S FRIEND OR FOE?

In order to encourage passing of cat laws, the Humane Society of the United States (HSUS) asks activists and shelters to “document public health problems that relate to cats. Include diseases that are spread from cat to cat as well as those spread between cats and other animals.” They claim that cats:

- are a public rabies threat: “cats are now the most common domestic vectors of rabies;”
- decimate wildlife: “free-roaming cats kill millions of wild animals each year;”
- are invasive, non-native intruders: “Cats are not a part of natural ecosystems, and their predation causes unnecessary suffering and death;”
- cause neighborhood strife: “They also cause conflicts among neighbors.”

It should go without saying that such denigration of cats is not the role of an organization purportedly founded to protect animals, enforce their rights, and increase their social status, and that therefore shelters and humane activists should ignore such harmful advice.



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ADDENDUM #2: Selection of Studies Demonstrating Negative Impact of Juvenile and Mandatory Spay/Neuter

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Endogenous Gonadal Hormone Exposure and Bone Sarcoma Risk¹

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Abstract

Although experimental and clinical evidence suggest that endogenous sex hormones influence bone sarcoma genesis, the hypothesis has not been adequately tested in an appropriate animal model. We conducted a historical cohort study of Rottweiler dogs because they frequently undergo elective gonadectomy and spontaneously develop appendicular bone sarcomas, which mimic the biological behavior of the osteosarcomas that affect children and adolescents. Data were collected by questionnaire from owners of 683 Rottweiler dogs living in North America. To determine whether there was an association between endogenous sex hormones and risk of bone sarcoma, relative risk (RR) of incidence rates and hazard ratios for bone sarcoma were calculated for dogs subdivided on the basis of lifetime gonadal hormone exposure. Bone sarcoma was diagnosed in 12.6% of dogs in this cohort during 71,004 dog-months follow-up. Risk for bone sarcoma was significantly influenced by age at gonadectomy. Male and female dogs that underwent gonadectomy before 1 year of age had an approximate one in four lifetime risk for bone sarcoma and were significantly more likely to develop bone sarcoma than dogs that were sexually intact [RR \pm 95% CI = 3.8 (1.5–9.2) for males; RR \pm 95% CI = 3.1 (1.1–8.3) for females]. χ^2 test for trend showed a highly significant inverse dose-response relationship between duration of lifetime gonadal exposure and incidence rate of bone sarcoma ($P = 0.008$ for males, $P = 0.006$ for females). This association was independent of adult height or body weight. We conclude that the subset of Rottweiler dogs that undergo early gonadectomy represent a unique, highly accessible target population to further study the gene:environment interactions that determine bone sarcoma risk and to test whether interventions can inhibit the spontaneous development of bone sarcoma.

Introduction

Osteosarcoma is the most frequently diagnosed bone tumor of adolescents and young adults (1–3). To date, little is known concerning etiology and risk factors for osteosarcoma. Limited geographic variation in the incidence of osteosarcoma suggests the importance of host factors such as gender or skeletal growth (4). Age-specific incidence data indicate an association between the pubertal growth spurt and development of bone sarcoma in adolescents (5–8). The hypothesis that rapid skeletal growth or large body size confers increased risk of bone sarcoma development has been proposed (6, 9, 10) but has not been rigorously tested in an appropriate animal model. Annual age-adjusted incidence rates for bone sarcoma are 1.0/100,000 males and 0.6/100,000 females (11). In one study, males were four times more likely than females to die within 2 years of bone sarcoma diagnosis (12). These data suggest that endogenous sex hormones may influence the development and biological behavior of these tumors.

Spontaneous osteosarcoma in pet dogs closely mimics its human counterpart in terms of skeletal location, metaphyseal involvement, aggressive biological behavior, high propensity for pulmonary metastases, and response to cytotoxic chemotherapy (13–15). An estimated 10,000 cases of bone sarcoma in pet dogs are diagnosed annually in the United States (13). An association between body size and bone sarcoma risk in dogs is well documented. Across different dog breeds, body size is the strongest predictor of risk for osteosarcoma (16, 17). However, no studies have used measures of body size such as adult height or weight obtained from individual dogs of the same breed to determine whether these factors significantly influence risk of bone sarcoma.

Humans do not frequently undergo gonadectomy. In contrast, pet dogs frequently undergo elective gonadectomy, providing a unique population to study the influence of endogenous sex hormones on spontaneous bone sarcoma development. Data collected from veterinary teaching hospitals suggested that both male and female neutered dogs were at increased risk for bone sarcoma (17). However, in that study, age at neutering was not available, and thus, duration of exposure to gonadal hormones for each dog could not be determined. To characterize the dose-response relationship between endogenous sex hormones and bone sarcoma risk, a study providing information on lifetime gonadal hormone exposure would be required.

To test the hypothesis that endogenous sex hormones significantly influence bone sarcomagenesis, we conducted a historical cohort study of Rottweiler dogs, a breed known to be at high risk for bone sarcoma. In addition, we determined whether adult height or body weight were significant risk factors for bone sarcoma between individuals of the same breed. Our results indicate that dogs undergoing early gonadectomy have a significantly higher risk of appendicular bone sarcoma, suggesting that sex hormones may be important modifiers of bone sarcoma development.

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Materials and Methods

Study Population. We conducted an historical cohort study of Rottweiler dogs in the pet population that were followed over a significant proportion of their lifetime. Rottweiler dogs were targeted for this study because they represent a breed at high risk for appendicular bone sarcoma (17), a tumor bearing striking similarity to the osteosarcoma that affects children and adolescents. In November 1999, a questionnaire was mailed to 1,500 owners of Rottweiler dogs identified through 8 national Rottweiler breed specialty clubs.³ In addition, the questionnaire was published in the national breed magazine, *The Rottweiler Quarterly* (18). Purebred Rottweiler dogs of any age that were alive on January 1, 1995, were eligible for study. Owners were asked to complete one questionnaire per eligible dog, and a maximum of five dogs could be entered per household. Data from 730 questionnaires returned by March 1, 2000, were used in this study.

Data Collection. With the assistance of a veterinarian, pet owners completed a 12-page questionnaire consisting of 62 questions encompassing six categories: general owner information; general dog information; development of bone sarcoma; familial history of cancer; exposure and trauma history; and health conditions confirmed by a veterinarian. General owner information included questions regarding number of Rottweilers owned, purpose of dog ownership (e.g., pet or working dog), and place of residence. General dog information included questions pertaining to date of birth, gender, date of neuter, country of birth of this dog and two prior generations, housing conditions, body condition (immature and adult), adult body weight, adult height, growth rate, bone structure, diet, dietary supplements, vital status, and date and cause of death, if applicable. Questions pertaining to bone sarcoma included age at diagnosis, location of primary tumor, treatment, and survival. Familial cancer history consisted of questions pertaining to the owner's knowledge of the development of a bone tumor or other malignancy in siblings or first and second generation relatives. Vaccination history, chemical exposures, and trauma history were also obtained. The questionnaire also included a checklist of 40 health conditions (13 cancer-related and 27 noncancer-related) confirmed by a veterinarian. Pet owners were given the option to return the completed questionnaire anonymously or to include their name, address, and their veterinarian's contact information. Over 98% of returned questionnaires contained the identity of the owner and dog, including contact information, so that the accuracy of data could be verified.

Ascertainment of Bone Sarcoma. A diagnosis of bone tumor was reported for 133 dogs. Telephone follow-up with veterinarians and owners was conducted by two interviewers (D. M. C., D. L. S.) to obtain more detailed diagnostic information for any dog with a reported bone sarcoma. Medical records and available radiographs were reviewed by the authors (D. J. W., D. M. C.) for each dog with a reported bone tumor. Cases were included only if a diagnosis of appendicular bone sarcoma was supported by radiographic or histological evidence of bone sarcoma. We limited our study to the bone sarcomas of the appendicular skeleton because these tumors most closely resemble osteosarcoma of children and adolescents (13). Forty-seven dogs with a reported bone tumor were

excluded from the analyses because medical records were incomplete, radiographs were not consistent with long bone sarcoma, or histopathology was inconsistent with osteosarcoma. The 47 dogs that were excluded did not differ significantly in terms of key characteristics from the subcohort of 86 dogs with appendicular bone sarcoma included in this analysis that satisfied the inclusion criteria. The subcohort without bone cancer included all 597 dogs in this cohort that were free of bone cancer.

Assessment of Gonadal Hormone Exposure and Other Risk Factors. Dogs were categorized on the basis of neuter status into four groups: castrated male; sexually intact male; spayed female; and sexually intact female. Lifetime gonadal hormone exposure of each dog was expressed in terms of total months of gonadal hormone exposure (i.e., number of months sexually intact). We analyzed risk for bone sarcoma using months of gonadal hormone exposure as a continuous variable. In addition, we stratified dogs of each gender into four subgroups on the basis of their duration of gonadal exposure. This stratification enabled us to evaluate the dose-response relationship between duration of gonadal exposure and bone sarcoma risk within the study cohort. These subgroups included two biologically distinct groups representing the extremes of gonadal hormone exposure (i.e., dogs neutered before skeletal maturation at <1 year of age and dogs that remained sexually intact for their entire lifetime). The remaining dogs that underwent gonadectomy after 1 year of age were dichotomized into two equal groups. For females, the gonadal hormone exposure subgroups were: spayed before 1 year of age; spayed between 1 and 5 years of age; spayed after 5 years of age; and sexually intact. For males, the gonadal exposure subgroups were: castrated before 1 year of age; castrated between 1 and 3.5 years of age; castrated after 3.5 years of age; and sexually intact.

Because body size is a potentially important risk factor for appendicular bone sarcoma development, we evaluated adult height and body weight for their possible association with bone sarcoma in Rottweiler dogs. Adult height (cm) and body weight (kg) were obtained from the questionnaire. To collect information on reproductive history, follow-up telephone interviews were conducted with owners of 332 female Rottweiler dogs that were sexually intact or spayed after 1 year of age. Successful interviews were obtained from 275 (83%) of attempted contacts. Data obtained included number of litters, date of whelping, number of puppies per litter, and whether the dog had ever received exogenous hormone treatment.

Statistical Analysis. Incidence of appendicular bone sarcoma was calculated for the entire population, for each gender-neuter category (castrated male, sexually intact male, spayed female, and sexually intact female), and for each gonadal hormone exposure subgroup. For each group, incidence rate of bone sarcoma was calculated by determining the number of bone sarcomas/10,000 dog-months at risk. To measure the strength of association between gonadal hormone exposure and bone sarcoma risk, RRs⁴ and 95% CIs for bone sarcoma incidence rates were calculated. Sexually intact dogs were used as the reference group (RR = 1.0) for both males and females. χ^2 test for trend was used to analyze dose-response relationships across different lifetime duration of gonadal hormone exposure. Hazard ratios and 95% CIs were determined using Cox proportional hazard models to analyze lifetime duration of gonadal hormone exposure as a continuous variable. Risk factors asso-

³ Medallion Rottweiler Club, Colonial Rottweiler Club, Delta Rottweiler Owners Club, Emerald Valley Rottweiler Club, Great Lakes Rottweiler Club, Gulfstream Rottweiler Club, Northstar Rottweiler Club, and Mile High Rottweiler Club.

⁴ The abbreviations used are: RR, relative risk; CI, confidence interval.

Table 1 Description of population of Rottweilers included in a historical cohort study of bone sarcoma risk

No. of dogs	683
No. of households	402
Residence	
United States (45 states)	648 (94.9%)
Canada	35 (5.1%)
Status at time of questionnaire	
Alive	55%
Deceased	45%
Follow-up duration (mean; range)	
Dogs with bone sarcoma	8.8 (1.3–13.2) yr
Dogs without bone sarcoma	8.6 (1.7–15.6) yr
Age at Death (mean \pm SD)	
Intact male	9.3 \pm 2.5 yr
Castrated male	9.2 \pm 2.5 yr
Intact female	7.5 \pm 2.4 yr
Spayed female	9.8 \pm 2.4 yr
Dogs with bone sarcoma	8.8 \pm 2.0 yr
Dogs without bone sarcoma	9.5 \pm 2.6 yr
Appendicular bone sarcoma	
Age at diagnosis (median; range)	8.0 (1.3–13.0) yr
Intact male	8.0 (5.0–12.0) yr
Castrated male	8.0 (5.0–13.0) yr
Intact female	7.5 (4.0–9.0) yr
Spayed female	9.0 (1.3–11.0) yr
Skeletal location	
Proximal humerus	32 (37.2%)
Distal radius	16 (18.6%)
Distal femur	10 (11.6%)
Distal tibia	9 (10.5%)
Other	19 (22.1%)
Cause of death (% of 305 deaths)	
Cancer	64.3%
Gastrointestinal disease	7.2%
Neurological disease	4.3%
Cardiovascular disease	3.9%
Old age	3.6%
Osteoarthritis	3.3%
Renal disease	2.6%
Endocrine disease	2.6%
Other	3.0%
Unknown	5.2%

ciated with bone sarcoma in univariate analysis at $P < 0.20$ were tested in multivariate Cox proportional hazards models. All data analyses were performed using standard computerized statistical software (SPSS Version 10.0 and Epi Info ver 6.04), and differences were considered to be statistically significant at $P < 0.05$.

Results

Baseline characteristics of the 683 dogs in this cohort are shown in Table 1. Eligible questionnaires were completed by owners of purebred Rottweilers from 402 households in 45 states across the United States and Canada. Approximately 45% of dogs were dead at the time the questionnaire was completed with a mean \pm SD age at death of 9.3 ± 2.5 years. Mean \pm SD age of dogs that were alive at the time of questionnaire was 8.1 ± 2.2 years. Cancer-related mortality was reported in 64.3% of Rottweiler dogs in this cohort. The most common noncancer causes of death were gastrointestinal diseases (7.2%), neurological diseases (4.3%), and cardiac diseases (3.9%).

Overall, the incidence of appendicular bone sarcoma in this cohort was 12.6%. Eighty-six cases were diagnosed during 71,004 dog-months follow-up. Overall, mean \pm SD age at appendicular

bone sarcoma diagnosis was 8.3 ± 1.9 years, which did not differ significantly between different gonadal hormone exposure categories. Tumors most often affected the forelimb. Proximal humerus and distal radius, the most frequent sites of appendicular bone sarcoma reported in large and giant breed dogs, were the most commonly affected skeletal sites in this population.

Females were more often diagnosed with bone sarcoma than males, however, the difference was not statistically significant [hazard ratio (95% CI) = 1.01 (0.66–1.55); $P = 0.97$] (Table 2). Age at gonadectomy significantly influenced risk for bone sarcoma. Both males and females that developed bone sarcoma were sexually intact for significantly fewer months than dogs that did not develop bone sarcoma (Table 2) [hazard ratios (95% CI) = 0.98 (0.98–0.99) for males and 0.98 (0.97–0.99) for females; $P < 0.0001$ for both]. In multivariate analysis, months intact remained significantly inversely associated with bone sarcoma risk after controlling for gender, adult height, and adult body weight ($P < 0.0001$; Table 3). For each additional month of being sexually intact, there was a 1.4% reduction in bone sarcoma risk.

To further evaluate the potential dose-response relationship between risk of bone sarcoma and gonadal hormone exposure, dogs were categorized into four subgroups for each gender based upon lifetime duration of exposure to gonadal hormones. Table 4 shows the incidence rate of bone sarcoma (per 10,000 dog-months) in each of the gonadal hormone exposure subgroups. There was a significant negative association between gonadal hormone exposure and risk of bone sarcoma (P for trend = 0.008 for males; 0.006 for females). In males, bone sarcoma incidence rate for dogs castrated before 1 year of age (lowest gonadal exposure) was 28.4 bone tumors/10,000 dog-months at risk, which was almost four times greater than the rate of bone sarcoma in sexually intact males [RR \pm 95% CI = 3.8 (1.5–9.2); $P = 0.002$]. In females, bone sarcoma incidence rate in dogs spayed before 1 year of age (lowest gonadal exposure) was 25.1 bone tumors/10,000 dog-months at risk, which was more than three times greater than the rate in sexually intact females [RR \pm 95% CI = 3.1 (1.1–8.3); $P = 0.02$]. The dose-response relationship between lifetime gonadal exposure and bone sarcoma risk in males is illustrated in Fig. 1, which shows the multivariate hazard function curves for each of the gonadal exposure subgroups.

Body size was evaluated as a possible risk factor for bone sarcoma in Rottweiler dogs. Adult height ranged from 58 to 76 cm (median = 66 cm) in 250 males and 48 to 79 cm (median = 61 cm) in 329 females. Despite the wide variation in adult height within the study population, this surrogate of skeletal growth was not significantly associated with bone sarcoma in males ($P = 0.15$) or females ($P = 0.97$). Adult body weight ranged from 36 to 68 kg (median = 50 kg) in 293 males and 27 to 73 kg (median = 40 kg) in 384 females. Similar to adult height, this measure of body size was not significantly associated with bone sarcoma in males ($P = 0.15$) or females ($P = 0.74$). In addition, when dogs were stratified into four gonadal exposure subgroups, adult height and body weight did not significantly contribute to bone sarcoma risk in males or females (data not shown). In multivariate analysis, adult height and body weight were not found to be significantly associated with bone sarcoma development (Table 3).

Because duration of gonadal exposure significantly influenced risk of bone sarcoma, we investigated further the reproductive history of female dogs in this study. The reproductive history of 275 female dogs that were sexually intact after 1 year of age was obtained by telephone interview of owners (Table 5). Fifty percent of female dogs had at least one litter during their lifetime and 50% were nulliparous. There was no signif-

Table 2 Univariate analysis of risk factors of appendicular bone sarcoma in a cohort of 683 Rottweiler dogs

Risk Factor	Dogs with bone sarcoma	Dogs without bone sarcoma	Hazard Ratio (95% CI)	P
Total no.	86 dogs	597 dogs		
Gender				
Male	35 dogs	259 dogs	1.00	
Female	51 dogs	338 dogs	1.01 (0.66–1.55)	0.97
Neuter status				
Intact male	10 dogs	120 dogs	1.00	
Castrated male	25 dogs	139 dogs	1.86 (0.89–3.87)	0.10
Intact female	5 dogs	64 dogs	1.00	
Spayed female	46 dogs	274 dogs	0.95 (0.38–2.40)	0.91
Lifetime gonadal exposure				
Months intact (mean ± SD)				
Male	53.1 ± 44.3 mo	71.1 ± 42.7 mo	0.98 (0.98–0.99)	<0.0001
Female	40.5 ± 34.0 mo	55.6 ± 35.0 mo	0.98 (0.97–0.99)	<0.0001
Body size				
Adult height (mean ± SD)				
Male	61.0 ± 2.8 cm	65.8 ± 2.8 cm	1.10 (0.97–1.26)	0.15
Female	24.0 ± 1.1 cm	61.0 ± 3.3 cm	1.00 (0.91–1.10)	0.97
Adult body weight (mean ± SD)				
Male	50.5 ± 7.6 kg	49.7 ± 5.7 kg	1.04 (0.99–1.10)	0.15
Female	40.9 ± 4.7 kg	40.6 ± 5.0 kg	1.01 (0.96–1.01)	0.74

Table 3 Multivariate cox proportional hazard models of bone sarcoma in a cohort of Rottweiler dogs

	Hazard ratio (95% CI)	P
Model 1 (n = 578 dogs)		
Gender	0.90 (0.48–1.69)	0.73
Months sexually intact	0.99 (0.98–0.99)	<0.0001
Adult height (cm)	1.02 (0.93–1.10)	0.73
Adult body weight (kg)	0.99 (0.94–1.05)	0.83
Model 2		
Male (n = 202 dogs)		
Months sexually intact	0.99 (0.98–1.00)	0.003
Adult height (cm)	1.11 (0.95–1.29)	0.21
Adult body weight (kg)	0.98 (0.90–1.07)	0.72
Female (n = 329 dogs)		
Mo sexually intact	0.98 (0.98–0.99)	0.001
Adult height (cm)	0.98 (0.89–1.08)	0.70
Adult body weight (kg)	0.99 (0.93–1.06)	0.75

icant difference in bone sarcoma risk between females with litters versus nulliparous females ($P = 0.22$). There were no significant differences between dogs with bone sarcoma and dogs without bone sarcoma with respect to number of years of reproductive activity, number of litters, or number of puppies. Age at first pregnancy was also similar between affected and nonaffected dogs ($P = 0.47$). Supplementation of nine females with exogenous hormones was not significantly associated with risk of bone sarcoma ($P = 0.56$).

Discussion

Comparative oncologists seek to test important hypotheses by studying the similarities and differences between the cancers that affect humans and animals. We focused on the appendicular osteosarcomas that naturally occur in Rottweiler dogs because of the striking biological similarities of this disease to its human counterpart. To our knowledge, this represents the first application of a spontaneous model of bone sarcoma to investigate the role of endogenous sex hormones in sarcomagenesis. In this study, we found a strong inverse association between lifetime exposure to

gonadal hormones and risk of spontaneous bone sarcoma. Gonadal hormone exposure was a significant risk factor of bone sarcoma independent of adult body size, a previously recognized risk factor for bone sarcoma. Importantly, this study identifies a high-risk subpopulation of Rottweiler dogs that could be targeted to study whether modifications in lifestyle or environmental factors reduce the incidence of bone sarcoma.

Previous studies using dogs with spontaneous bone sarcoma have focused on the preclinical evaluation of novel therapeutics (19–23). We have turned our attention to studying possible host factors that contribute to the risk of bone sarcoma development. Using a historical cohort study design, we evaluated bone sarcoma risk in ~700 Rottweiler dogs living in North America. Rottweiler dogs were selected for this study because (a) their risk of bone sarcoma is very high compared with other breeds (17) and (b) >85% of their appendicular bone sarcomas are osteosarcoma.⁵ Our previous work has demonstrated the feasibility of using questionnaires to generate reliable data on exposures (e.g., diet, sex hormones, and environmental agents) and disease outcome in pet dogs (24–26).

Similar to the situation in humans, relatively little is known about factors that regulate bone sarcoma development in pet dogs. Because many pet dogs undergo elective castration or ovariectomy as young animals, this population offers a unique opportunity to compare individuals that differ dramatically with respect to lifetime testicular or ovarian hormone exposure. Previous studies using pet dogs have clearly established a relationship between ovarian hormones and breast cancer risk (27, 28). We conducted this study to critically evaluate the dose-response relationship between gonadal hormone exposure and bone sarcoma risk because this could not be studied within the human population at risk for osteosarcoma. Our study, using a naturally occurring model of bone sarcoma, shows that risk of bone sarcoma is significantly increased by elective gonadectomy early in life. Exposure to endogenous sex hormones appears to be protective, as suggested by the high risk for bone sarcoma in male and female dogs that undergo

⁵ D. J. Waters, unpublished data.

Table 4 Lifetime gonadal hormone exposure and bone sarcoma risk in a cohort of 683 Rottweiler dogs

	Dogs with bone sarcoma (no.)	Dogs without bone sarcoma (no.)	Total dog-months	Bone sarcoma incidence rate (95% CI) ^a	RR (95% CI)	P
Total population	86	597	71,004	12.1 (9.6–14.7)		
Gender						
Male	35	259	30,228	11.6 (7.8–15.4)	1.0	
Female	51	338	40,776	12.5 (9.1–15.9)	1.1 (0.7–1.7)	0.74
Male gonadal exposure subgroup						
Castrated before 1 yr of age	9	25	3,168	28.4 (9.8–47.0)	3.8 (1.5–9.2)	0.002
Castrated 1–3.5 yr of age	8	57	6,228	12.8 (3.9–21.8)	1.7 (0.7–4.3)	0.31
Castrated after 3.5 yr of age	8	57	7,632	10.5 (3.3–17.8)	1.4 (0.6–3.5)	0.48
Sexually intact	10	120	13,212	7.6 (2.9–12.3)	1.0	
				<i>P</i> trend = 0.008		
Female gonadal exposure subgroup						
Spayed before 1 yr of age	18	57	7,176	25.1 (13.5–36.7)	3.1 (1.1–8.3)	0.02
Spayed 1–5 yr of age	14	108	12,612	11.1 (5.3–16.9)	1.4 (0.5–3.8)	0.63
Spayed after 5 yr of age	14	108	14,856	9.4 (4.5–14.3)	1.2 (0.4–3.2)	1.00
Sexually intact	5	64	6,144	8.1 (1.0–15.3)	1.0	
				<i>P</i> trend = 0.006		

^a Incidence rate expressed as number of bone sarcomas per 10,000 dog-months.

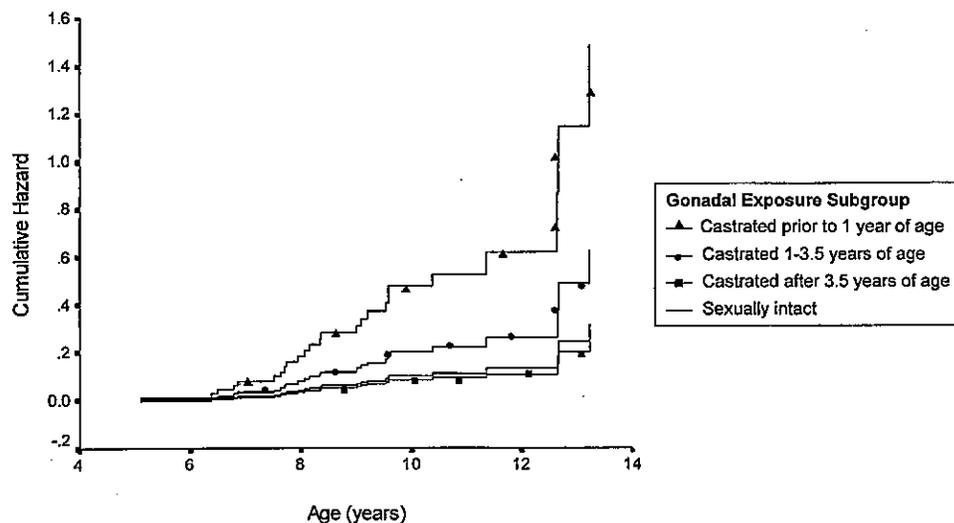


Fig. 1. Multivariate hazard functions for bone sarcoma risk in male Rottweiler dogs according to lifetime gonadal exposure.

gonadectomy within the first year of life. For each dog, we could accurately obtain age at gonadectomy, which provided a highly reliable measure of the duration of gonadal hormone exposure. The possibility that dogs with the same number of years of exposure to ovarian or testicular hormones had significant differences in circulating or target organ concentrations of sex hormones cannot be excluded because serum and tissue hormone concentrations were not measured.

There are very limited published data on Rottweiler dogs with which to compare the population that we studied. One study of dogs in Great Britain reported the median age at death in 101 Rottweiler dogs was 9.8 years (compared with 9.5 years in our study) and that Rottweilers had a >2-fold increased risk for cancer compared with other breeds (29). Our data were collected from the owners and veterinarians of purebred Rottweiler dogs in North America. The high participation rate in this study reflects the high degree of awareness and interest in the bone cancer predisposition of this breed. The dogs in this cohort underwent regular health examinations and received high-quality medical care for health problems. Although this study may overestimate the true incidence of bone sarcoma in

the overall Rottweiler population, it is not clear how the strong inverse relationship that we found between gonadal exposure and bone sarcoma risk reflects bias attributable to questionnaire nonresponders. Pet owners who received questionnaires were never informed of the hypothesis that sex hormones might influence bone sarcoma risk. It is reasonable to conclude that nonresponders had a minimal effect on the most important implication of this work: the identification of a high risk target population for bone sarcoma prevention. We believe that the highly motivated pet owners who participated in this study were likely to be quite representative of those who would enroll their Rottweiler dogs in a bone sarcoma prevention trial.

Our finding that neutered Rottweiler dogs are at increased risk for bone sarcoma is consistent with the findings of Ru *et al.* (17). Using a computerized database from North American Veterinary Teaching Hospitals from 1980 to 1994, a case-control study of 3062 osteosarcoma cases and 3959 control dogs was conducted to evaluate risk factors of osteosarcoma in purebred dogs of various breeds. Neutered dogs were at 2.2 times (95% CI = 2.0–2.4) greater risk of osteosarcoma than sexually intact dogs (17). Because the database used in that

Table 5 Univariate analysis of reproductive risk factors of appendicular bone sarcoma in a cohort of 275 female Rottweiler dogs

Risk factor	Dogs with bone sarcoma	Dogs without bone sarcoma	P
Total no.	28 dogs	247 dogs	
Pregnancy			0.22
Yes	11 dogs	127 dogs	
No	17 dogs	120 dogs	
Duration of reproductive activity ^a	2.6 ± 1.5 yr	2.5 ± 1.5 yr	0.97
No. of litters	2.0 ± 0.9 litters	2.1 ± 1.1 litters	0.79
No. of live births	10.2 ± 6.5 puppies	11.9 ± 9.1 puppies	0.54
Age at first pregnancy	3.4 ± 1.2 yr	3.6 ± 1.1 yr	0.47

^a Duration of reproductive activity = total number of years during which she was bred.

study provided no information on age at gonadectomy, the study could not evaluate bone sarcoma risk in terms of duration of gonadal hormone exposure. Our results indicate that dogs undergoing early gonadectomy have the highest risk for bone sarcoma development.

Little is known about how gonadal hormones or other host factors regulate sarcomagenesis. To date, there is no definitive evidence that a sequential multistep process, considered the hallmark of epithelial carcinogenesis (30), is operational in the transformation of mesenchymal cells. The possible mechanisms by which gonadal hormone exposure might protect against the development of bone sarcoma in both males and females are not immediately evident. Endogenous sex steroids such as estrogen and testosterone may serve as prodifferentiation agents that inhibit the malignant transformation of osteoblasts (31). Alternatively, the inverse association may be attributable to indirect effects of sex steroids on body conformation or physical activity. Although female dogs in the early gonadectomy subgroup reached the greatest height as adults, neither adult height nor body weight were significant risk factors for bone sarcoma. Finally, yet to be identified confounding factors unique to dogs that undergo elective gonadectomy before 1 year of age may account for this association. Gonadectomized female and male dogs lived longer than sexually intact dogs in this cohort (Table 1) and in a previous study (32), which might be expected to contribute to a higher overall cancer incidence associated with gonadectomy. However, in this cohort, there was no statistically significant difference in the overall cancer incidence rate in male or female dogs that underwent early gonadectomy before 1 year of age compared with sexually intact dogs (data not shown). Among all cancer diagnoses, bone sarcoma was overrepresented in the early gonadectomy subgroup, representing 27 of 45 (60%) cancer diagnoses compared with the sexually intact group in which only 15 of 66 (23%) cancer diagnoses were bone sarcoma. We found no evidence indicating that dogs in this cohort that underwent early gonadectomy received increased medical surveillance that might translate into increased likelihood of bone sarcoma diagnosis. In this population, there were no apparent differences in the frequency or intensity of veterinary services provided to dogs that underwent early gonadectomy and to those left sexually intact.

Several lines of evidence strengthen our confidence that the inverse association between gonadal hormone exposure and bone sarcoma risk may be causal. Because endogenous sex steroids are essential for skeletal homeostasis (33–38), the hypothesis that alterations in gonadal hormones might influence skeletal oncogenesis has biological plausibility. Secondly, our data in both males and females indicate a consistent inverse dose-response relationship between duration of gonadal exposure and incidence rate of bone sarcoma. Thirdly, there is temporal compatibility between exposure and outcome. Dogs

that undergo gonadectomy within the first year of life have a greater risk of bone sarcoma than dogs that undergo gonadectomy later in life. Most Rottweiler dogs are diagnosed with bone sarcoma at age 8–10 years, and no dogs in our study developed bone sarcoma before the age of 1.3 years. Finally, our finding of the possible protective effect of gonadal hormones on bone sarcoma in this study is supported by a previous investigation using a different population of pet dogs (17).

Experimentally, exogenous sex hormones have been shown to suppress (6, 39) or promote (40–43) bone sarcoma development. The effect of exogenous estrogens on the development of radiation-induced bone sarcomas has been studied in mice after i.p. ⁹⁰Sr administration (43). Mice receiving s.c. estrogens had significantly increased incidence of bone tumors. In another study, mice fed estrogens (diethylstilbestrol and estradiol) had an increased number of spontaneous bone sarcoma (6 tumors in 1242 mice) compared with mice fed control diet (0 tumors in 356 mice; Ref. 40). No clear relationship between bone sarcoma development and dose or duration of dietary estradiol was found. The authors of that study acknowledged that the low incidence of spontaneous bone sarcoma (0.48%) in estrogen-fed mice resulted in inadequate power to reach statistical conclusions. Instead, we studied a population of Rottweiler dogs with a high incidence (12.6%) of spontaneous bone sarcoma. We focused on the role of endogenous sex steroids, rather than exogenous hormones. In contrast to these rodent studies, our results suggest that endogenous sex hormones have a protective effect on the spontaneous development of bone sarcoma within a dog breed that is programmed for high incidence of bone sarcoma. Although the gene-environment interactions that determine an individual's risk to develop bone cancer are poorly understood, our findings suggest that gonadal hormones are part of the internal environment that may significantly modify the risk for sarcomagenesis. For this reason, this work may have important implications for elucidating the complex interactions between genetic and environmental factors that regulate bone sarcomagenesis.

Thirty-five years ago, Tjalma (16) reported that the risk of bone sarcoma in large and giant breed dogs exceeded that of small breed dogs by as much as 185-fold. Although adult height and body weight are strong predictors of bone sarcoma between different breeds of dogs, the association between skeletal growth or body size and bone sarcoma risk had never been analyzed within a breed. In this study, using univariate and multivariate analyses, adult height and body weight were not significant risk factors of bone sarcoma development. In fact, neither the tallest nor heaviest adult Rottweiler dogs were at highest risk for bone sarcoma. Because adult height and body weight were owner reported, interobserver variation may have obscured significant between group differences in these parameters. Additional work is needed

to determine whether quantitative measures of the rate or duration of skeletal growth (e.g., length of the radius or other long bones; age at physal closure) are strongly associated with bone sarcoma risk in Rottweiler dogs.

In summary, this study found that male and female Rottweilers with the shortest lifetime gonadal exposure had the highest risk for bone sarcoma. Dogs that underwent early elective gonadectomy had a one in four lifetime risk of bone sarcoma development compared with a significantly reduced risk among dogs that were sexually intact throughout their lifetime. Although it remains unclear how endogenous gonadal hormones influence bone sarcoma development, our work provides the framework for selecting a target population for bone sarcoma prevention studies. We have identified a subgroup of Rottweiler dogs, recognizable as young adults, that are at high risk to subsequently develop spontaneous bone sarcoma. With the identification of this target population, practical clinical trials using pet dogs can be designed to test whether chemoprevention strategies can significantly delay or prevent the development of bone sarcoma. The conduct of such trials using pet dogs will further validate the use of the comparative approach to develop and test novel strategies that will decrease cancer-related mortality in humans.

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Long-Term Health Effects of Neutering Dogs: Comparison of Labrador Retrievers with Golden Retrievers

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Abstract

Our recent study on the effects of neutering (including spaying) in Golden Retrievers in markedly increasing the incidence of two joint disorders and three cancers prompted this study and a comparison of Golden and Labrador Retrievers. Veterinary hospital records were examined over a 13-year period for the effects of neutering during specified age ranges: before 6 mo., and during 6–11 mo., year 1 or years 2 through 8. The joint disorders examined were hip dysplasia, cranial cruciate ligament tear and elbow dysplasia. The cancers examined were lymphosarcoma, hemangiosarcoma, mast cell tumor, and mammary cancer. The results for the Golden Retriever were similar to the previous study, but there were notable differences between breeds. In Labrador Retrievers, where about 5 percent of gonadally intact males and females had one or more joint disorders, neutering at <6 mo. doubled the incidence of one or more joint disorders in both sexes. In male and female Golden Retrievers, with the same 5 percent rate of joint disorders in intact dogs, neutering at <6 mo. increased the incidence of a joint disorder to 4–5 times that of intact dogs. The incidence of one or more cancers in female Labrador Retrievers increased slightly above the 3 percent level of intact females with neutering. In contrast, in female Golden Retrievers, with the same 3 percent rate of one or more cancers in intact females, neutering at all periods through 8 years of age increased the rate of at least one of the cancers by 3–4 times. In male Golden and Labrador Retrievers neutering had relatively minor effects in increasing the occurrence of cancers. Comparisons of cancers in the two breeds suggest that the occurrence of cancers in female Golden Retrievers is a reflection of particular vulnerability to gonadal hormone removal.

Figures

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Introduction

In the last three decades, the practice of spaying female dogs and castrating males (both referred to herein as neutering) has greatly increased. The current estimate is that in the U.S., 83 percent of all dogs are neutered [1] and, increasingly, neutering is being performed prior to 6 mo., as advocated by many veterinarians and animal activists. The impetus for this widespread practice is presumably pet population control, and the belief that mammary gland and prostate cancers are prevented and aggressive male behavior is markedly less likely than in those neutered later. This societal practice in the U.S. continues to contrast with the general attitudes in many European countries, where neutering is commonly avoided and not promoted by animal health authorities [2]–[4].

In the last decade or so, studies have pointed to some of the adverse effects of neutering in dogs on several long-term health parameters by looking at one disease syndrome in one breed or in pooling data from several breeds. With regard to cancers, a study on osteosarcoma (OSA) in several breeds found a 2-fold increase in neutered dogs relative to intact dogs [5], and in Rottweilers neutering prior to 1 year of age was associated with an increased occurrence of OSA to 3–4 times that of intact dogs [6].

A study of cardiac hemangiosarcoma (HSA) in spayed females found that the incidence of this cancer was 4 times greater than that of intact females [7] and another on splenic HSA in spayed females found rates 2 times greater than of intact females [8]. A study on lymphosarcoma (lymphoma, LSA) found that neutered females had a higher incidence of the disease than intact females [9]. Cutaneous mast cell tumors (MCT) were studied in several dog breeds revealing an increase in incidence in neutered females to 4 times that of intact females [10]. Another cancer of concern is prostate cancer that, in contrast to humans, is potentiated by the removal of testosterone. One extensive study found that this cancer occurred in neutered males 4 times as frequently as in intact males [11].

The most frequently mentioned advantage of early neutering of female dogs is protection against mammary cancer (MC) [12]. However, a recent meta-analysis of published studies on neutering females and MC found that the evidence linking neutering to a reduced risk of MC is weak [13].

Three very recent studies are particularly relevant in the discussion of neutering and cancers. One was a comprehensive study, from this center, on neutering in 759 Golden Retrievers where males were compared with females and effects of neutering were evaluated in early-neutered (<1 year), late-neutered (>1 year) and intact dogs [14]. Almost 10 percent of early-neutered males were diagnosed with LSA, 3 times more than intact males. There were no cases of MCT in intact females, but in late-neutered females the rate was nearly 6 percent. The incidence of HSA in late-neutered females was also higher than that of intact females. The occurrence of

MC was very low and was only seen in a couple of late-neutered females.

A study utilizing the Veterinary Medical Database of over 40,000 dogs found that neutered males and females were more likely to die of cancer than intact dogs, especially of OSA, LSA and MCT [15]. This study included no information on age of neutering. The most recent publication in this area is a study of Vizslas utilizing owner-reported disease occurrence in an online survey, in which the incidence of cancers was reported higher in neutered dogs than in intact dogs [16]. The main cancers related to neutering were LSA, HSA and MCT. The occurrence of MC was very low in females left intact.

With regard to joint disorders, one study of effects of neutering in larger breeds documents a 3-fold increase in excessive tibial plateau angle – a known risk factor for development of cranial cruciate ligament tears or rupture (CCL) [17]. Across several breeds, a study of CCL found that neutered males and females were 2 to 3 times more likely than intact dogs to have this disorder [18]. Neither study examined early versus late neutering with regard to this disorder. The study from this center of neutering in Golden Retrievers (mentioned above with regard to cancers [14]) included examination of joint disorders. Of the early-neutered males, 10 percent were diagnosed with hip dysplasia (HD), double the occurrence of that in intact males. There were no cases of CCL diagnosed in intact males or females, but in early-neutered males and females the occurrences were 5 percent and 8 percent, respectively.

One factor that merits attention with regard to the effects of neutering on joint disorders relates to documented effects of neutering in increasing body weight [19], as reflected in body condition score (BCS). Additional weight on the joints is considered to play a role in the onset of joint disorders [19], [20]. While neutering is expected to increase BCS, the issue of concern here is whether neutered dogs with a joint disorder have consistently higher BCSs at the time of diagnosis than do neutered dogs without the joint disorder in the same age range. In the previous analyses on Golden Retrievers [14] there was no consistent and major difference in BCS between early neutered dogs with and without a joint disorder. For dogs diagnosed with a joint disorder, some increase in BCS would be expected as a function of less activity due to discomfort from painful joints. Therefore, a modestly higher BCS was predicted for neutered dogs with a joint disorder than in the neutered counterparts without a joint disorder.

The above study on Golden Retrievers [14] raised a major question about breed differences in the effects of neutering, which are relevant for breeders and caregivers of puppies when deciding if, and when, to neuter. A more basic issue concerns insights into the possible pathogenic factors triggering the occurrence of the cancers under consideration. The present study, using the same veterinary hospital database, explored the effects of neutering on joint disorders and cancers in the popular Labrador Retriever to compare with the Golden Retriever, with an addition of several years to the database. The age periods of neutering were refined as <6 mo., 6–11 mo., 12–23 mo. (1 year), and 2 through 8 years to provide more detailed information on the effects of gonadal hormone removal. The Golden is known for being particularly vulnerable to cancers [21], so we expected some major differences from the Labrador where cancer-related deaths are less frequent than in Golden Retrievers [21].

In addition to reporting on the incidence of the individual joint disorders and cancers, a new slant on analyses in the present study combined the incidence of all three joint disorders that have shown evidence of being increased by neutering (HD, CCL, and elbow dysplasia, ED) for one data-point representing the incidence of dogs diagnosed with at least one of the joint disorders, after controlling for multiple diagnoses. This analysis was based on the perspective that for dog owners or breeders, avoidance of any of the debilitating joint disorders would be of prime interest. This analysis was also deemed logical for pathophysiological reasons because a disruption of the growth plate closure by gonadal hormone removal in the joint developmental stage would be expected to apply to all the joint disorders. The study also combined the incidence of dogs diagnosed with at least one of the cancers (LSA, HSA, MCT) for one data point, after controlling for multiple diagnoses, because for dog owners avoidance of any of the cancers would be important. This analysis seemed logical, as there may be a common factor involved in increasing these three particular cancers in neutered dogs because these cancers are repeatedly reported as being increased by neutering in several studies.

Methods

Ethics Statement

No animal care and use committee approval was required because, in conformity with campus policy, the only data used were from retrospective veterinary hospital records. Upon approval, faculty from the University of California, Davis (UCD), School of Veterinary Medicine, are allowed use of the record system for research purposes by the Veterinary Medical Teaching Hospital (VMTH). The co-authors of this study were given permission by the VMTH to use their veterinary hospital records for this study.

Data Collection

The dataset used in this study was obtained from the computerized hospital record system (Veterinary Medical and Administrative Computer System) of the Veterinary Medical Teaching Hospital (VMTH) at UCD. The subjects included were gonadally intact and neutered female and male Labrador Retrievers and Golden Retrievers, from 1 through 8 years of age and admitted to the hospital between January 1, 2000 and December 31, 2012, for 13 years of data. If a disease of interest occurred before 12 months of age or before January 1, 2000, that case was removed for that specific disease analysis, but included in other disease analyses.

Data on patients at 9 years of age or older were not considered. This was deemed an appropriate cut-off point in order to exclude disease information on advanced-aged dogs where the effects of aging would confound interpreting the disease effects related to neutering. Additional inclusion criteria were requirements for information on date of birth, age at neutering (if neutered) and age of diagnosis (or onset of clinical signs) of the joint disorder or cancer. The age at neutering was classified as <6 mo., 6–11 mo., 1 year (12 - <24 mo.), and 2–8 years (2 - <9 years). For all neutered dogs, the neuter status at the time of each visit was reviewed to ensure that neutering occurred prior to onset of the first clinical signs or diagnosis of any disease of interest. If a disease of interest occurred before neutering, the diseased dog was recorded as intact for that specific disease analysis. For the same dog where a different disease occurred after neutering, the dog was recorded as neutered for that disease analysis. Detailed reviews of patient records were performed for evidence of disease occurrence meeting specific diagnostic criteria (see below). Using this screening, only diseases with at least 15 cases in the database were included in the study.

For both breeds, many cases with neutering did not include detailed data on age at neutering. With a very large database for the Labrador, there was a sufficient number of dogs with these data to restrict the analyses to cases for which the age at time of neutering was available from the record system. For the Golden with fewer cases, where additional neutering date information was necessary, telephone calls to the referring veterinarians were made to obtain the neutering dates for case patients born after 2000. Because of the number of neutered dogs where age at neutering was not available from either the record or by phone call, there were proportionately more intact cases in the final data set than would be expected in the population at large.

Golden Retriever cases with complete data for analyses totaled 1,015, with 543 males (315 neutered and 228 intact) and 472 females (306 neutered and 166 intact). Labrador Retriever cases with complete data for analyses totaled 1,500 cases with 808 males (272 neutered and 536 intact) and 692 females (347 neutered and 345 intact). The number of cases analyzed for each disease varied somewhat among diseases because a case could be excluded for one disease analysis, if the diagnosis was made prior to 1 year of age, was unconfirmed, or was outside of study range, but would be included for other diseases if no diagnosis was made or where the diagnoses were confirmed after 1 year of age and within the study range.

Table 1 defines the categories of diagnoses based on information in the record of each case. A patient was considered as having a disease of interest if the

The median BCS of neutered females with CCL was 6.0 and the median BCS of the neutered females without CCL was 5.5. In intact females without CCL the median BCS was 5.0.

Golden Retriever Females: Cancers

Figure 2-A presents the incidence of females having at least one of the cancers where the incidence of cancers in intact females was just 3 percent. The increase in cancers over all the neuter periods ranged from 8 to 14 percent. Combining all of the neuter periods beyond 6 mo. (to have a larger data set for analyses), the elevated incidence level across all these neuter periods was significantly higher than that of intact females ($p = 0.049$). The results reveal that neutering through 8 years of age increases the risk of acquiring at least one of the cancers to a level 3–4 times that of leaving the female dog intact.

Examination of Table 3 shows that the main cancer resulting from neutering females at <6 mo. and 6–11 mo. was LSA where at 6–11 mo. the increased risk over that of intact females reached significance ($p = 0.014$). The mean age of diagnosis of LSA in females was 5.5 years. The main cancer that was increased at the 2–8 year period of neutering was MCT ($p = 0.013$). The occurrence of HSA, although increased by neutering beyond 1 year, did not reach significance over intact females. The mean age of diagnosis of both MCT and HSA in females was 6.5 years.

The occurrence of MC was not seen in any of the intact females. This cancer was seen only in dogs neutered in the 2–8 year period where the incidence was 3.5 percent. The occurrence of pyometra in intact females was 1.8 percent, which was diagnosed at the mean age of 6 years.

Labrador Retriever Males: Joint Disorders

Figure 1-B illustrates the incidence of males having at least one of the joint disorders. The only neuter period where this measure was significantly increased above the 5 percent level of intact males, was at <6 mo., where this measure was 12.5 percent ($p = 0.014$). Examining the joint disorders individually (Table 4), HD was not increased by neutering at any time. However, at the <6 mo. neuter period, both CCL and ED were significantly increased over that of intact males ($p = 0.02$; 0.02). For ED, there was a moderate increased risk with the 2–8 year neuter period to about 2 percent compared with the low 0.57 percent incidence in intact males ($p = 0.006$). The mean age of diagnosis of ED in males was 3 years, considerably less than that for CCL, which was 4.5 years.

The median BCS of neutered males with CCL was 6.0 and the median BCS of the neutered males without CCL was 5.0. In intact males with CCL the median BCS was 6.0 and for intact males without CCL the median BCS was 5. The median BCS of neutered males with ED was 6.5 and the median BCS of the neutered males without ED was 5.0. In intact males with and without ED the BCS was 5.0.

Labrador Retriever Males: Cancers

The underlying rate of intact males having at least one of the cancers was 4.6 percent. Neutering at any age period had virtually no effect on this measure of cancer occurrence above the level of intact males (Figure 2-B and Table 5).

Labrador Retriever Females: Joint Disorders

As portrayed in Figure 1-B, at neuter periods <6 mo. and 6–11 mo. the risk of dogs having at least one of the joint disorders increased to about double the 5 percent level of intact females ($p = 0.044$; 0.043). In contrast to male Labradors, the females seemed to be vulnerable to the effects of early neutering on HD but not on ED. The neutering effects on HD were evident through 1 year, where the incidence was 4–5 percent compared to 1.5 percent in intact females (Table 4) ($p = 0.02$ – 0.046). The mean age of diagnosis of HD was 3.5 years, and for ED, 2.5 years. As in male Labradors, CCL in females was increased by early neutering, but in this sex, not significantly so. The mean age of diagnosis of CCL in females was 5.5 years.

The median BCS of neutered females with HD was 5.5, and the median BCS of neutered females without HD was 5.5. In intact females with HD the median BCS was 7 and for those without HD the median BCS was 5.0.

Labrador Retriever Females: Cancers

As seen in Figure 2-B, the underlying rate of intact females having at least one cancer of those tracked was 3.2 percent, close to that of males. In contrast to female Golden Retrievers, the only increase in the incidence of dogs having at least one cancer, was with the 2–8 year neuter period where the incidence was modestly increased to 5.6 percent ($p = 0.03$), a reflection of the increased occurrence of LSA and MCT (Table 5). The mean age of diagnosis of these two cancers in females was 5.5 and 6.5 years, respectively.

With regard to MC, only 1.4 percent of the intact females were diagnosed with MC. With the 2–8 year neuter period MC was diagnosed in 2 percent of females. Pyometra was diagnosed in just less than 4 percent of intact females. The mean age of diagnosis of pyometra was 5.5 years.

Discussion

Both the Golden Retriever and Labrador Retriever are very popular breeds that have found wide acceptance as family pets and as service dogs for those with disabilities. The two breeds are similar in body size, conformation and in behavioral characteristics [25], and they share a similar developmental background as upland game retrievers. Using the same database and methodology, the two breeds were contrasted with regard to the effects of neutering on three joint disorders (HD, CCL, ED) and three cancers (LSA, HSA, MCT). In addition to reporting the occurrence of the three joint disorders and the three cancers, an analysis of cases with at least one of the joint disorders, or at least one of the cancers, was plotted graphically (Figures 1 and 2). The findings on the Golden Retriever closely resemble the picture presented in the earlier study drawn from this same database with a somewhat smaller data set [14].

The present study reveals that the breeds respond very differently to the effects of neutering on joint disorders and certain devastating cancers. With regard to the occurrence of one or more joint disorders, in Golden Retrievers, neutering at <6 mo. resulted in an incidence of 27 percent in males and 20 percent in females, 4–5 times the 5 percent level for intact males and females. In male and female Labrador Retrievers, with the same underlying occurrence of joint disorders in intact dogs, neutering at <6 mo. resulted in an incidence of 11–12 percent for one or more joint disorders, roughly double that of intact males and females. Thus, for both breeds, neutering at the standard <6 mo. period markedly and significantly increased the occurrence of joint disorders, although the increase was worse in the Golden than the Labrador. A difference in the specific joints affected was that in male Golden Retrievers HD and CCL were mostly increased, but in male Labradors CCL and ED were increased. The effects of neutering in the first year of a dog's life, especially in larger breeds, undoubtedly reflects the vulnerability of joints to delayed closure of long-bone growth plates from gonadal hormone removal [26], [27]. Differences in the two breeds studied here could be due to differences in sensitivities of the growth plates to gonadal hormone removal.

The BCSs in neutered dogs with the different joint disorders were compared with neutered dogs without the joint disorders. Although dogs with the disorders were expected to have a modestly higher BCS as a function of reduced activity from painful joints, the issue of concern was if those with a joint disorder had a consistently and markedly higher BCS than comparable neutered dogs without a joint disorder. The BCS comparisons revealed variable differences, in the range of 0.5 to 1.0 (except for ED in male Labradors where the difference was 1.5). The general picture of BCSs of neutered dogs with joint disorders being usually, but not always, a bit higher than the BCSs of neutered dogs without joint disorders, is consistent with the perspective that the increase in joint disorders in neutered dogs is primarily due to the effect of gonadal hormonal removal on bone growth plates and not to greater weight on the joints.

Data on the effects of neutering on the occurrence of cancers in the two breeds also reveal important breed differences. In both breeds the occurrence of one more cancers in intact dogs ranged from 3 to 5 percent, except for Golden Retriever males where the level in intact dogs was 11 percent. In Golden Retriever females neutering females at any neuter period beyond 6 months elevated the risk of one or more cancers to 3 to 4 times the level of intact females (Figure 2). In male Golden Retrievers neutering appeared to have little effect in the occurrence of one or more of the three cancers. An exception was LSA that was increased significantly at the <6 mo. period. In both male and female Labrador Retrievers, neutering at any period appeared to have little effect in increasing cancers.

The striking effect of neutering in female Golden Retrievers compared to male and female Labradors, and male Golden Retrievers, suggests that for this gender and breed the presence of gonadal hormones has a protective effect against cancers over most years of the dog's life. This may reflect a particular sensitivity of receptor sites of some potentially metastatic cancer cells to gonadal hormone removal and/or prolonged levels of the gonadotropin hormone, follicle stimulating hormone [28]. Gonadotropin receptors have been identified in some extragonadal tissues. For example, in the dog these receptor sites have been found in the skin [29] and urinary tract [30]. Treatment of one or more of these cancers by a receptor-site blocking agent may be worth exploring. The relatively high occurrence of one or more of these cancers in intact male Golden Retrievers, coupled with the relative absence of an effect of neutering, except with regard to LSA, points to a relatively high underlying rate of cancer occurrence in this gender and breed that is not affected by gonadal hormone removal.

The findings presented here are clinically relevant in two realms. For dog owners of the popular Golden Retrievers and Labrador Retrievers, the study points to the importance of acquiring information needed to decide if, and when, to neuter. Aside from avoiding increased risks of joint disorders and cancers, there is an indication that age-related cognitive decline could be accelerated by neutering [31]. This is particularly relevant for service dogs where active cognition is important for the expected tasks.

The findings of this study also have important implications for investigators looking for canine models for research on various forms of cancer [32], [33]. For some cancers of interest, not only may breeds vary in predisposition but also the possibility of interactions between gender, gonadal hormone influences, and timing of gonadal hormone alteration should be taken into account in selecting the model and in investigating causal factors to be explored.

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Author Contributions

Conceived and designed the experiments: BLH LAH. Performed the experiments: APT BLH LAH. Analyzed the data: NHW APT BLH LAH. Wrote the paper: BLH LAH APT. Edited manuscript: NHW.

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*The Boards of Directors of the Society
for Theriogenology and the American
College of Theriogenologists
Montgomery, AL*



Basis for Position on Mandatory Spay-Neuter in the Canine and Feline

The American College of Theriogenologists (ACT) is the certifying college for veterinarians board certified in reproduction (specialists) and the Society for Theriogenology (SFT) is an organization of veterinarians with a special interest in reproduction in veterinary medicine. **The ACT and SFT believe that companion animals not intended for breeding should be spayed or neutered; however, both organizations believe that the decision to spay or neuter a pet must be made on a case by case basis, taking into consideration the pet's age, breed, sex, intended use, household environment and temperament. The use of generalized rules concerning gonadectomy (removal of the ovaries or testes) is not in the best interest of the health or well-being of the pets or their owners.** Each of the following considerations must be assessed for each individual animal and household.

1) Health concerns

- a. Research has shown that there can be positive effects of the sex steroid hormones. The sex steroids are hormones produced by the ovaries and testes, and are only present in intact males and females. Gonadectomy at any age deprives the body of the positive health effects of these hormones. Although in most cases, the benefits of spay-neuter outweigh the benefits of exposure to the sex steroids, this is not true in all cases. Since gonadectomy prior to puberty or sexual maturity may make the risks of some diseases higher in certain breeds or individuals, the option to leave an animal intact must be available to the pet owner.
 - i. Advantages of remaining intact:
 1. There is a decreased incidence of hemangiosarcoma in intact bitches and dogs.
 2. There is a decreased incidence of osteosarcoma in intact male and female dogs.
 3. There is a decreased risk of transitional cell carcinoma in intact dogs and bitches.
 4. There is a decreased risk of prostatic adenocarcinoma in intact male dogs compared to gonadectomized male dogs.
 5. There is a decreased incidence of obesity in intact male and female dogs and cats, which may be due at least partly to increased metabolic rate.
 6. There is a decreased incidence of urinary incontinence in intact bitches (equivocal if bitches are spayed after 5 months but before their first heat).
 7. There may be a reduced incidence of urinary tract infection in intact bitches.
 8. There may be a reduced incidence of feline lower urinary tract disease (FLUTD) in intact male and female cats which may be partly due to decreased obesity in these animals.
 9. There may be a reduced incidence of autoimmune thyroiditis and hypothyroidism in intact male and female dogs.
 10. There is a decreased incidence of diabetes mellitus in intact female cats and a possibly reduced incidence in diabetes mellitus in intact male dogs.
 11. There is a reduced incidence of cranial cruciate rupture in intact male and female dogs.
 12. There may be a reduced incidence of hip dysplasia in male and female dogs that are not gonadectomized before 5 months of age.
 13. There may be an increased incidence of capital physeal fractures in castrated male cats that may be partially due to increased weight gain in gonadectomized males.
 - b. Research has shown that there are a number of detrimental effects of the sex steroid hormones. Spaying and neutering will remove these hormones and thus lower the risk of these conditions.
 - i. Advantages of being spayed or castrated:

1. There is an increased risk of mammary, testicular, and ovarian neoplasia in intact male and female dogs and cats.
 - a. There is an increased risk of mammary cancer with each subsequent cycle and the benefit of spaying does not disappear until the animal reaches old age.
 - i. Mammary cancer is one of the most common types of neoplasia in small animals.
 1. Mammary neoplasia is malignant 60% of the time in dogs and 90% of the time in cats.
 - b. The incidence and mortality risk for ovarian cancer are very low
 - c. The incidence for testicular cancer is more common but malignancy and mortality are very low.
 2. There is an increased risk of pyometra in both intact female dogs and cats and this risk increases with increasing age.
 3. There is an increased risk of prostatitis, benign prostatic hyperplasia, prostatic cysts and squamous metaplasia of the prostate in intact male dogs.
 4. There is a decreased incidence of perineal and inguinal hernia and perineal adenoma in neutered male dogs.
- c. **Based on the research available, it is clear there are a number of health benefits of the sex steroid hormones and that this benefit varies with age, sex, and breed. Therefore, although spay-neuter is the responsible choice for most pets, it is in the best interest of each individual patient for its veterinarian to assess the risks and benefits of gonadectomy and to advise his/her clients on what is appropriate for each individual pet at each stage of its life.**

2) Behavioral concerns

- a. Research has shown that there are positive effects of the sex steroid hormones on behavior.
 - i. Advantages of remaining intact:
 1. There is a decrease in shyness and hiding behavior in intact male and female cats.
 2. There may be less aggression towards people and animals in intact bitches.
 3. There may be a decreased incidence of cognitive dysfunction in intact male and female dogs.
 - b. Research has shown that there are negative effects of the sex steroid hormones on behavior.
 - i. Advantages of being spayed or castrated:
 1. Inter-dog aggression may be due to competition for available territory or availability of cycling animals.
 2. Urine spraying and inter-animal aggression is increased in intact male cats.
 3. There is a decreased risk of wandering and being hit by a car in neutered animals.

3) Provision of quality medical care

- a. It is not in the animals' best interest to have the legislature dictate the time or need for surgical treatment.
 - i. This does not allow for medical decisions based on the individual animal's needs, its owners' needs or the needs of the household.
 1. Animals with medical conditions that may result in complications during anesthesia or surgery (i.e. heart murmurs, bleeding disorders).
 2. Providing appropriate aftercare for surgical patients may not be feasible in some home situations.
 - b. Restricting and reducing the pool of purebred animals will greatly hinder medical research of conditions that are particular to specific breeds, slowing down advances in medical and surgical knowledge. This may in turn impact the research available concerning health conditions common to both animals and people.

4) Public Health concerns

- a. Making spay/neuter mandatory for licensure may make the public more hesitant to seek veterinary assistance because they are afraid of fines and legal repercussions as a result of failing to spay or neuter their pets by the prescribed time. By avoiding veterinary care for their pets, animals will be at increased risk of inadequate routine vaccination (including rabies) and

inadequate deworming programs which may in turn result in increased transmission of disease to the public.

The ACT and SFT make the following recommendations to continue moving toward effective methods of reducing the number of abandoned, unwanted and euthanized dogs and cats in the US and other countries where similar problems exist.

- a. Provide increased jurisdictional control to the AVMA Governmental Relations division, Animal Welfare Committee, and the APHIS-Animal Care division.
- b. Ensure suppliers to pet stores are providing adequate care for breeding stock and offspring.
- c. Support programs to expand the public awareness of pet overpopulation, acceptable breeding standards, and responsibilities of pet ownership. Provide the public a means to access assistance with concerns of pet health, ownership, behavior and management issues.
- d. Work with state and local rescue and humane societies to assemble accurate data on causes for relinquishment of dogs and cats to enable these organizations, federal and local governments, and veterinary organizations to address the fundamental causes of abandonment.
- e. Provide low cost spay/neuter facilities for economically disadvantaged persons and communities.
- f. Continue to work on reduction of feral cat populations.
- g. Establish programs to ensure access of breeders to proper reproductive care and counseling.
- h. Provide local or federal governmental assistance to registered rescue organizations to facilitate placement of unwanted pets.

The ACT and SFT do not believe that **mandatory** spay/neuter programs will significantly reduce the pet overpopulation problems, since most animals that are abandoned are relinquished because of behavior, health, economic and life changing conditions and not due to their reproductive status. In fact, in some European Union countries where gonadectomy is illegal unless deemed medically necessary (such as Norway) there are no significant problems with pet overpopulation, indicating that the pet overpopulation problem that exists in the United States is due to cultural differences on the importance of pets, the responsibility of pet owners, and the ability of the government and national agencies to properly educate the public. Although both organizations believe that most companion animals should be spayed or neutered, the ACT and SFT also strongly believe that it is not in the best interest of the animals to produce legislation regarding medical treatments. Therefore, both organizations oppose **mandatory** spay/neuter programs.

There are hundreds of references which provide scientific information on the effects of spay and neuter in both dogs and cats. We chose to provide the reader with a selected list of them. This reference list was compiled by Dr. Peggy Root-Kustritz, DACT.

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Long-Term Health Risks and Benefits Associated with Spay / Neuter in Dogs

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Precis

At some point, most of us with an interest in dogs will have to consider whether or not to spay / neuter our pet. Tradition holds that the benefits of doing so at an early age outweigh the risks. Often, tradition holds sway in the decision-making process even after countervailing evidence has accumulated.

Ms Sanborn has reviewed the veterinary medical literature in an exhaustive and scholarly treatise, attempting to unravel the complexities of the subject. More than 50 peer-reviewed papers were examined to assess the health impacts of spay / neuter in female and male dogs, respectively. One cannot ignore the findings of increased risk from osteosarcoma, hemangiosarcoma, hypothyroidism, and other less frequently occurring diseases associated with neutering male dogs. It would be irresponsible of the veterinary profession and the pet owning community to fail to weigh the relative costs and benefits of neutering on the animal's health and well-being. The decision for females may be more complex, further emphasizing the need for individualized veterinary medical decisions, not standard operating procedures for all patients.

No sweeping generalizations are implied in this review. Rather, the author asks us to consider all the health and disease information available as individual animals are evaluated. Then, the best decisions should be made accounting for gender, age, breed, and even the specific conditions under which the long-term care, housing and training of the animal will occur.

This important review will help veterinary medical care providers as well as pet owners make informed decisions. Who could ask for more?

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INTRODUCTION

Dog owners in America are frequently advised to spay/neuter their dogs for health reasons. A number of health benefits are cited, yet evidence is usually not cited to support the alleged health benefits.

When discussing the health impacts of spay/neuter, health risks are often not mentioned. At times, some risks are mentioned, but the most severe risks usually are not.

This article is an attempt to summarize the long-term health risks and benefits associated with spay/neuter in dogs that can be found in the veterinary medical literature. This article will not discuss the impact of spay/neuter on population control, or the impact of spay/neuter on behavior.

Nearly all of the health risks and benefits summarized in this article are findings from retrospective epidemiological research studies of dogs, which examine potential associations by looking backwards in time. A few are from prospective research studies, which examine potential associations by looking forward in time.

SUMMARY

An objective reading of the veterinary medical literature reveals a complex situation with respect to the long-term health risks and benefits associated with spay/neuter in dogs. The evidence shows that spay/neuter

correlates with both positive AND adverse health effects in dogs. It also suggests how much we really do not yet understand about this subject.

On balance, it appears that no compelling case can be made for neutering most male dogs, especially immature male dogs, in order to prevent future health problems. The number of health problems associated with neutering may exceed the associated health benefits in most cases.

On the positive side, neutering male dogs

- eliminates the small risk (probably <1%) of dying from testicular cancer
- reduces the risk of non-cancerous prostate disorders
- reduces the risk of perianal fistulas
- may possibly reduce the risk of diabetes (data inconclusive)

On the negative side, neutering male dogs

- if done before 1 year of age, significantly increases the risk of osteosarcoma (bone cancer); this is a common cancer in medium/large and larger breeds with a poor prognosis.
- increases the risk of cardiac hemangiosarcoma by a factor of 1.6
- triples the risk of hypothyroidism
- increases the risk of progressive geriatric cognitive impairment
- triples the risk of obesity, a common health problem in dogs with many associated health problems
- quadruples the small risk (<0.6%) of prostate cancer
- doubles the small risk (<1%) of urinary tract cancers
- increases the risk of orthopedic disorders
- increases the risk of adverse reactions to vaccinations

For female dogs, the situation is more complex. The number of health benefits associated with spaying may exceed the associated health problems in some (not all) cases. On balance, whether spaying improves the odds of overall good health or degrades them probably depends on the age of the female dog and the relative risk of various diseases in the different breeds.

On the positive side, spaying female dogs

- if done before 2.5 years of age, greatly reduces the risk of mammary tumors, the most common malignant tumors in female dogs
- nearly eliminates the risk of pyometra, which otherwise would affect about 23% of intact female dogs; pyometra kills about 1% of intact female dogs
- reduces the risk of perianal fistulas
- removes the very small risk ($\leq 0.5\%$) from uterine, cervical, and ovarian tumors

On the negative side, spaying female dogs

- if done before 1 year of age, significantly increases the risk of osteosarcoma (bone cancer); this is a common cancer in larger breeds with a poor prognosis
- increases the risk of splenic hemangiosarcoma by a factor of 2.2 and cardiac hemangiosarcoma by a factor of >5; this is a common cancer and major cause of death in some breeds
- triples the risk of hypothyroidism
- increases the risk of obesity by a factor of 1.6-2, a common health problem in dogs with many associated health problems
- causes urinary "spay incontinence" in 4-20% of female dogs
- increases the risk of persistent or recurring urinary tract infections by a factor of 3-4
- increases the risk of recessed vulva, vaginal dermatitis, and vaginitis, especially for female dogs spayed before puberty
- doubles the small risk (<1%) of urinary tract tumors
- increases the risk of orthopedic disorders
- increases the risk of adverse reactions to vaccinations

One thing is clear – much of the spay/neuter information that is available to the public is unbalanced and contains claims that are exaggerated or unsupported by evidence. Rather than helping to educate pet

owners, much of it has contributed to common misunderstandings about the health risks and benefits associated of spay/neuter in dogs.

The traditional spay/neuter age of six months as well as the modern practice of pediatric spay/neuter appear to predispose dogs to health risks that could otherwise be avoided by waiting until the dog is physically mature, or perhaps in the case of many male dogs, foregoing it altogether unless medically necessary.

The balance of long-term health risks and benefits of spay/neuter will vary from one dog to the next. Breed, age, and gender are variables that must be taken into consideration in conjunction with non-medical factors for each individual dog. Across-the-board recommendations for all pet dogs do not appear to be supportable from findings in the veterinary medical literature.

FINDINGS FROM STUDIES

This section summarizes the diseases or conditions that have been studied with respect to spay/neuter in dogs.

Complications from Spay/Neuter Surgery

All surgery incurs some risk of complications, including adverse reactions to anesthesia, hemorrhage, inflammation, infection, etc. Complications include only immediate and near term impacts that are clearly linked to the surgery, not to longer term impacts that can only be assessed by research studies.

At one veterinary teaching hospital where complications were tracked, the rates of intraoperative, postoperative and total complications were 6.3%, 14.1% and 20.6%, respectively as a result of spaying female dogs¹. Other studies found a rate of total complications from spaying of 17.7%² and 23%³. A study of Canadian veterinary private practitioners found complication rates of 22% and 19% for spaying female dogs and neutering male dogs, respectively⁴.

Serious complications such as infections, abscesses, rupture of the surgical wound, and chewed out sutures were reported at a 1- 4% frequency, with spay and castration surgeries accounting for 90% and 10% of these complications, respectively.⁴

The death rate due to complications from spay/neuter is low, at around 0.1%².

Prostate Cancer

Much of the spay/neuter information available to the public asserts that neutering will reduce or eliminate the risk that male dogs develop prostate cancer. This would not be an unreasonable assumption, given that prostate cancer in humans is linked to testosterone. But the evidence in dogs does not support this claim. In fact, the strongest evidence suggests just the opposite.

There have been several conflicting epidemiological studies over the years that found either an increased risk or a decreased risk of prostate cancer in neutered dogs. These studies did not utilize control populations, rendering these results at best difficult to interpret. This may partially explain the conflicting results.

More recently, two retrospective studies were conducted that did utilize control populations. One of these studies involved a dog population in Europe⁵ and the other involved a dog population in America⁶. Both studies found that neutered male dogs have a four times *higher* risk of prostate cancer than intact dogs.

Based on their results, the researchers suggest a cause-and-effect relationship: "this suggests that castration does not initiate the development of prostatic carcinoma in the dog, but does favor tumor progression"⁵ and also "Our study found that most canine prostate cancers are of ductal/urothelial origin....The relatively low incidence of prostate cancer in intact dogs may suggest that testicular hormones

are in fact protective against ductal/urothelial prostatic carcinoma, or may have indirect effects on cancer development by changing the environment in the prostate."⁶

This needs to be put in perspective. Unlike the situation in humans, prostate cancer is uncommon in dogs. Given an incidence of prostate cancer in dogs of less than 0.6% from necropsy studies⁷, it is difficult to see that the risk of prostate cancer should factor heavily into most neutering decisions. There is evidence for an increased risk of prostate cancer in at least one breed (Bouvier)⁵, though very little data so far to guide us in regards to other breeds.

Testicular Cancer

Since the testicles are removed with neutering, castration removes any risk of testicular cancer (assuming the castration is done before cancer develops). This needs to be compared to the risk of testicular cancer in intact dogs.

Testicular tumors are not uncommon in older intact dogs, with a reported incidence of 7%⁸. However, the prognosis for treating testicular tumors is very good owing to a low rate of metastasis⁹, so testicular cancer is an uncommon cause of death in intact dogs. For example, in a Purdue University breed health survey of Golden Retrievers¹⁰, deaths due to testicular cancer were sufficiently infrequent that they did not appear on list of significant causes of "Years of Potential Life Lost for Veterinary Confirmed Cause of Death" even though 40% of GR males were intact. Furthermore, the GRs who were treated for testicular tumors had a 90.9% cure rate. This agrees well with other work that found 6-14% rates of metastasis for testicular tumors in dogs¹¹.

The high cure rate of testicular tumors combined with their frequency suggests that fewer than 1% of intact male dogs will die of testicular cancer.

In summary, though it may be the most common reason why many advocate neutering young male dogs, the risk from life threatening testicular cancer is sufficiently low that neutering most male dogs to prevent it is difficult to justify.

An exception might be bilateral or unilateral cryptorchids, as testicles that are retained in the abdomen are 13.6 times more likely to develop tumors than descended testicles¹² and it is also more difficult to detect tumors in undescended testicles by routine physical examination.

Osteosarcoma (Bone Cancer)

A multi-breed case-control study of the risk factors for osteosarcoma found that spay/neutered dogs (males or females) had twice the risk of developing osteosarcoma as did intact dogs¹³.

This risk was further studied in Rottweilers, a breed with a relatively high risk of osteosarcoma. This retrospective cohort study broke the risk down by age at spay/neuter, and found that the elevated risk of osteosarcoma is associated with spay/neuter of young dogs¹⁴. Rottweilers spayed/neutered before one year of age were 3.8 (males) or 3.1 (females) times more likely to develop osteosarcoma than intact dogs. Indeed, the combination of breed risk and early spay/neuter meant that Rottweilers spayed/neutered before one year of age had a 28.4% (males) and 25.1% (females) risk of developing osteosarcoma. These results are consistent with the earlier multi-breed study¹³ but have an advantage of assessing risk as a function of age at neuter. A logical conclusion derived from combining the findings of these two studies is that spay/neuter of dogs before 1 year of age is associated with a significantly increased risk of osteosarcoma.

The researchers suggest a cause-and-effect relationship, as sex hormones are known to influence the maintenance of skeletal structure and mass, and also because their findings showed an inverse relationship between time of exposure to sex hormones and risk of osteosarcoma.¹⁴

The risk of osteosarcoma increases with increasing breed size and especially height¹³. It is a common cause of death in medium/large, large, and giant breeds. Osteosarcoma is the third most common cause of death in Golden Retrievers¹⁰ and is even more common in larger breeds¹³.

Given the poor prognosis of osteosarcoma and its frequency in many breeds, spay/neuter of immature dogs in the medium/large, large, and giant breeds is apparently associated with a significant and elevated risk of death due to osteosarcoma.

Mammary Cancer (Breast Cancer)

Mammary tumors are by far the most common tumors in intact female dogs, constituting some 53% of all malignant tumors in female dogs in a study of dogs in Norway¹⁵ where spaying is much less common than in the USA.

50-60% of mammary tumors are malignant, for which there is a significant risk of metastasis¹⁶. Mammary tumors in dogs have been found to have estrogen receptors¹⁷, and the published research¹⁸ shows that the relative risk (odds ratio) that a female will develop mammary cancer compared to the risk in intact females is dependent on how many estrus cycles she experiences:

# of estrus cycles before spay	Odds Ratio
None	0.005
1	0.08
2 or more	0.26
Intact	1.00

The same data when categorized differently showed that the relative risk (odds ratio) that females will develop mammary cancer compared to the risk in intact females indicated that:

Age at Spaying	Odds Ratio
≤ 29 months	0.06
≥ 30 months	0.40 (not statistically significant at the P<0.05 level)
Intact	1.00

Please note that these are RELATIVE risks. This study has been referenced elsewhere many times but the results have often been misrepresented as absolute risks.

A similar reduction in breast cancer risk was found for women under the age of 40 who lost their estrogen production due to "artificial menopause"¹⁹ and breast cancer in humans is known to be estrogen activated.

Mammary cancer was found to be the 10th most common cause of years of lost life in Golden Retrievers, even though 86% of female GRs were spayed, at a median age of 3.4 yrs¹⁰. Considering that the female subset accounts for almost all mammary cancer cases, it probably would rank at about the 5th most common cause of years of lost life in female GRs. It would rank higher still if more female GRs had been kept intact up to 30 months of age.

Boxers, cocker spaniels, English Springer spaniels, and dachshunds are breeds at high risk of mammary tumors¹⁵. A population of mostly intact female Boxers was found to have a 40% chance of developing mammary cancer between the ages of 6-12 years of age¹⁵. There are some indications that purebred dogs may be at higher risk than mixed breed dogs, and purebred dogs with high inbreeding coefficients may be at higher risk than those with low inbreeding coefficients²⁰. More investigation is required to determine if these are significant.

In summary, spaying female dogs significantly reduces the risk of mammary cancer (a common cancer), and the fewer estrus cycles experienced at least up to 30 months of age, the lower the risk will be.

Female Reproductive Tract Cancer (Uterine, Cervical, and Ovarian Cancers)

Uterine/cervical tumors are rare in dogs, constituting just 0.3% of tumors in dogs²¹.

Spaying will remove the risk of ovarian tumors, but the risk is only 0.5%²².

While spaying will remove the risk of reproductive tract tumors, it is unlikely that surgery can be justified to prevent the risks of uterine, cervical, and ovarian cancers as the risks are so low.

Urinary Tract Cancer (Bladder and Urethra Cancers)

An age-matched retrospective study found that spay/neuter dogs were two times more likely to develop lower urinary tract tumors (bladder or urethra) compared to intact dogs²³. These tumors are nearly always malignant, but are infrequent, accounting for less than 1% of canine tumors. So this risk is unlikely to weigh heavily on spay/neuter decisions.

Airedales, Beagles, and Scottish Terriers are at elevated risk for urinary tract cancer while German Shepherds have a lower than average risk²³.

Hemangiosarcoma

Hemangiosarcoma is a common cancer in dogs. It is a major cause of death in some breeds, such as Salukis, French Bulldogs, Irish Water Spaniels, Flat Coated Retrievers, Golden Retrievers, Boxers, Afghan Hounds, English Setters, Scottish Terriers, Boston Terriers, Bulldogs, and German Shepherd Dogs²⁴.

In an age-matched case controlled study, spayed females were found to have a 2.2 times higher risk of splenic hemangiosarcoma compared to intact females²⁴.

A retrospective study of cardiac hemangiosarcoma risk factors found a >5 times greater risk in spayed female dogs compared to intact female dogs and a 1.6 times higher risk in neutered male dogs compared to intact male dogs.²⁵ The authors suggest a protective effect of sex hormones against hemangiosarcoma, especially in females.

In breeds where hemangiosarcoma is an important cause of death, the increased risk associated with spay/neuter is likely one that should factor into decisions on whether or when to sterilize a dog.

Hypothyroidism

Spay/neuter in dogs was found to be correlated with a three fold increased risk of hypothyroidism compared to intact dogs.²⁶

The researchers suggest a cause-and-effect relationship: They wrote: "More important [than the mild direct impact on thyroid function] in the association between [spaying and] neutering and hypothyroidism may be the effect of sex hormones on the immune system. Castration increases the severity of autoimmune thyroiditis in mice" which may explain the link between spay/neuter and hypothyroidism in dogs.

Hypothyroidism in dogs causes obesity, lethargy, hair loss, and reproductive abnormalities.²⁷

The lifetime risk of hypothyroidism in breed health surveys was found to be 1 in 4 in Golden Retrievers¹⁰, 1 in 3 in Akitas²⁸, and 1 in 13 in Great Danes²⁹.

Obesity

Owing to changes in metabolism, spay/neuter dogs are more likely to be overweight or obese than intact dogs. One study found a two fold increased risk of obesity in spayed females compared to intact females³⁰. Another study found that spay/neuter dogs were 1.6 (females) or 3.0 (males) times more likely to be obese than intact dogs, and 1.2 (females) or 1.5 (males) times more likely to be overweight than intact dogs³¹.

A survey study of veterinary practices in the UK found that 21% of dogs were obese.³⁰

Being obese and/or overweight is associated with a host of health problems in dogs. Overweight dogs are more likely to be diagnosed with hyperadrenocorticism, ruptured cruciate ligament, hypothyroidism, lower urinary tract disease, and oral disease³². Obese dogs are more likely to be diagnosed with hypothyroidism, diabetes mellitus, pancreatitis, ruptured cruciate ligament, and neoplasia (tumors)³².

Diabetes

Some data indicate that neutering doubles the risk of diabetes in male dogs, but other data showed no significant change in diabetes risk with neutering³³. In the same studies, no association was found between spaying and the risk of diabetes.

Adverse Vaccine Reactions

A retrospective cohort study of adverse vaccine reactions in dogs was conducted, which included allergic reactions, hives, anaphylaxis, cardiac arrest, cardiovascular shock, and sudden death. Adverse reactions were 30% more likely in spayed females than intact females, and 27% more likely in neutered males than intact males³⁴.

The investigators discuss possible cause-and-effect mechanisms for this finding, including the roles that sex hormones play in body's ability to mount an immune response to vaccination.³⁴

Toy breeds and smaller breeds are at elevated risk of adverse vaccine reactions, as are Boxers, English Bulldogs, Lhasa Apsos, Weimaraners, American Eskimo Dogs, Golden Retrievers, Basset Hounds, Welsh Corgis, Siberian Huskies, Great Danes, Labrador Retrievers, Doberman Pinschers, American Pit Bull Terriers, and Akitas.³⁴ Mixed breed dogs were found to be at lower risk, and the authors suggest genetic heterogeneity (hybrid vigor) as the cause.

Urogenital Disorders

Urinary incontinence is common in spayed female dogs, which can occur soon after spay surgery or after a delay of up to several years. The incidence rate in various studies is 4-20%^{35, 36, 37} for spayed females compared to only 0.3% in intact females³⁸. Urinary incontinence is so strongly linked to spaying that it is commonly called "spay incontinence" and is caused by urethral sphincter incompetence³⁹, though the biological mechanism is unknown. Most (but not all) cases of urinary incontinence respond to medical treatment, and in many cases this treatment needs to be continued for the duration of the dog's life.⁴⁰

A retrospective study found that persistent or recurring urinary tract (bladder) infections (UTIs) were 3-4 times more likely in spayed female dogs than in intact females⁴¹. Another retrospective study found that female dogs spayed before 5 ½ months of age were 2.76 times more likely to develop UTIs compared to those spayed after 5 ½ months of age.⁴²

Depending on the age of surgery, spaying causes abnormal development of the external genitalia. Spayed females were found to have an increased risk of recessed vulva, vaginal dermatitis, vaginitis, and UTIs.⁴³ The risk is higher still for female dogs spayed before puberty.⁴³

Pyometra (Infection of the Uterus)

Pet insurance data in Sweden (where spaying is very uncommon) found that 23% of all female dogs developed pyometra before 10 years of age⁴⁴. Bernese Mountain dogs, Rottweilers, rough-haired Collies, Cavalier King Charles Spaniels and Golden Retrievers were found to be high risk breeds⁴⁴. Female dogs that have not whelped puppies are at elevated risk for pyometra⁴⁵. Rarely, spayed female dogs can develop "stump pyometra" related to incomplete removal of the uterus.

Pyometra can usually be treated surgically or medically, but 4% of pyometra cases led to death⁴⁴. Combined with the incidence of pyometra, this suggests that about 1% of intact female dogs will die from pyometra.

Perianal Fistulas

Male dogs are twice as likely to develop perianal fistulas as females, and spay/neutered dogs have a decreased risk compared to intact dogs⁴⁶.

German Shepherd Dogs and Irish Setters are more likely to develop perianal fistulas than are other breeds.⁴⁶

Non-cancerous Disorders of the Prostate Gland

The incidence of benign prostatic hypertrophy (BPH, enlarged prostate) increases with age in intact male dogs, and occurs in more than 80% of intact male dogs older than the age of 5 years⁴⁷. Most cases of BPH cause no problems, but in some cases the dog will have difficulty defecating or urinating.

Neutering will prevent BPH. If neutering is done after the prostate has become enlarged, the enlarged prostate will shrink relatively quickly.

BPH is linked to other problems of the prostate gland, including infections, abscesses, and cysts, which can sometimes have serious consequences.

Orthopedic Disorders

In a study of beagles, surgical removal of the ovaries (as happens in spaying) caused an increase in the rate of remodeling of the ilium (pelvic bone)⁴⁸, suggesting an increased risk of hip dysplasia with spaying. Spaying was also found to cause a net loss of bone mass in the spine⁴⁹.

Spay/neuter of immature dogs delays the closure of the growth plates in bones that are still growing, causing those bones to end up significantly longer than in intact dogs or those spay/neutered after maturity⁵⁰. Since the growth plates in various bones close at different times, spay/neuter that is done after some growth plates have closed but before other growth plates have closed might result in a dog with unnatural proportions, possibly impacting performance and long term durability of the joints.

Spay/neuter is associated with a two fold increased risk of cranial cruciate ligament rupture⁵¹. Perhaps this is associated with the increased risk of obesity³⁰.

Spay/neuter before 5 ½ months of age is associated with a 70% increased aged-adjusted risk of hip dysplasia compared to dogs spayed/neutered after 5 ½ months of age, though there were some indications that the former may have had a lower severity manifestation of the disease⁴². The researchers suggest "it is possible that the increase in bone length that results from early-age gonadectomy results in changes in joint conformation, which could lead to a diagnosis of hip dysplasia."

In a breed health survey study of Airedales, spay/neuter dogs were significantly more likely to suffer hip dysplasia as well as "any musculoskeletal disorder", compared to intact dogs⁵², however possible confounding factors were not controlled for, such as the possibility that some dogs might have been spayed/neutered because they had hip dysplasia or other musculoskeletal disorders.

Compared to intact dogs, another study found that dogs neutered six months prior to a diagnosis of hip dysplasia were 1.5 times as likely to develop clinical hip dysplasia.⁵³

Compared to intact dogs, spayed/neutered dogs were found to have a 3.1 fold higher risk of patellar luxation.⁵⁴

Geriatric Cognitive Impairment

Neutered male dogs and spayed female dogs are at increased risk of progressing from mild to severe geriatric cognitive impairment compared to intact male dogs⁵⁵. There weren't enough intact geriatric females available for the study to determine their risk.

Geriatric cognitive impairment includes disorientation in the house or outdoors, changes in social interactions with human family members, loss of house training, and changes in the sleep-wake cycle⁵⁵.

The investigators state "This finding is in line with current research on the neuro-protective roles of testosterone and estrogen at the cellular level and the role of estrogen in preventing Alzheimer's disease in human females. One would predict that estrogens would have a similar protective role in the sexually intact female dogs; unfortunately too few sexually intact female dogs were available for inclusion in the present study to test the hypothesis."⁵⁵

CONCLUSIONS

An objective reading of the veterinary medical literature reveals a complex situation with respect to the long-term health risks and benefits associated with spay/neuter in dogs. The evidence shows that spay/neuter correlates with both positive AND adverse health effects in dogs. It also suggests how much we really do not yet understand about this subject.

On balance, it appears that no compelling case can be made for neutering most male dogs to prevent future health problems, especially immature male dogs. The number of health problems associated with neutering may exceed the associated health benefits in most cases.

For female dogs, the situation is more complex. The number of health benefits associated with spaying may exceed the associated health problems in many (not all) cases. On balance, whether spaying improves the odds of overall good health or degrades them probably depends on the age of the dog and the relative risk of various diseases in the different breeds.

The traditional spay/neuter age of six months as well as the modern practice of pediatric spay/neuter appear to predispose dogs to health risks that could otherwise be avoided by waiting until the dog is physically mature, or perhaps in the case of many male dogs, foregoing it altogether unless medically necessary.

The balance of long-term health risks and benefits of spay/neuter will vary from one dog to the next. Breed, age, and gender are variables that must be taken into consideration in conjunction with non-medical factors for each individual dog. Across-the-board recommendations for all dogs do not appear to be supportable from findings in the veterinary medical literature.

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Neutering Dogs: Effects on Joint Disorders and Cancers in Golden Retrievers

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Abstract

In contrast to European countries, the overwhelming majority of dogs in the U.S. are neutered (including spaying), usually done before one year of age. Given the importance of gonadal hormones in growth and development, this cultural contrast invites an analysis of the multiple organ systems that may be adversely affected by neutering. Using a single breed-specific dataset, the objective was to examine the variables of gender and age at the time of neutering versus leaving dogs gonadally intact on all diseases occurring with sufficient frequency for statistical analyses. Given its popularity and vulnerability to various cancers and joint disorders, the Golden Retriever was chosen for this study. Veterinary hospital records of 759 client-owned, intact and neutered female and male dogs, 1–8 years old, were examined for diagnoses of hip dysplasia (HD), cranial cruciate ligament tear (CCL), lymphosarcoma (LSA), hemangiosarcoma (HSA), and mast cell tumor (MCT). Patients were classified as intact, or neutered early (<12 mo) or late (≥12 mo). Statistical analyses involved survival analyses and incidence rate comparisons. Outcomes at the 5 percent level of significance are reported. Of early-neutered males, 10 percent were diagnosed with HD, double the occurrence in intact males. There were no cases of CCL diagnosed in intact males or females, but in early-neutered males and females the occurrences were 5 percent and 8 percent, respectively. Almost 10 percent of early-neutered males were diagnosed with LSA, 3 times more than intact males. The percentage of HSA cases in late-neutered females (about 8 percent) was 4 times more than intact and early-neutered females. There were no cases of MCT in intact females, but the occurrence was nearly 6 percent in late-neutered females. The results have health implications for Golden Retriever companion and service dogs, and for oncologists using dogs as models of cancers that occur in humans.

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Introduction

The overwhelming majority of companion dogs maintained in the U.S. are spayed or castrated (both referred to herein as neutered) [1]. Increasingly in the U.S. neutering is being performed early, demarcated in the present study as prior to one year of age. The impetus for this widespread practice is presumably pet population control, and is generally considered responsible pet ownership. However, this societal practice in the U.S. contrasts with the general attitudes in many European countries, where neutering is commonly avoided and not generally promoted by animal health authorities. For example, a study of 461 dogs in Sweden reported that 99 percent of the dogs were gonadally intact [2], and an intact rate of 57 percent was reported in a Hungarian study [3]. In the United Kingdom, a 46 percent intact rate was reported [4].

In the last decade, studies have pointed to some of the adverse effects of neutering in dogs on several health parameters by looking at one disease syndrome in one breed or in pooling data

from several breeds. With regard to cancers, a study on osteosarcoma (OSA) in several breeds found a 2-fold increase in occurrence in neutered dogs relative to intact dogs [5]. Another study on OSA, to explore the use of Rottweilers as a model for OSA in humans, found that neutering prior to 1 year of age was associated with an increased occurrence of OSA; 3–4 times that of intact [6].

Hemangiosarcoma is a cancer that is affected by neutering in females. A study of cardiac tumors in dogs found that cardiac HSA for spayed females was greater than 4 times that of intact females [7]. A study on splenic HSA found the spayed females had more than 2 times the risk of developing this tumor as intact females [8]. Neither of these studies separated early- versus late-spayed females with regard to increased risk, and neither focused on just one breed. A study on the epidemiology of LSA (lymphoma) in dogs, for comparison with human lymphoma, found that intact females had a significantly lower risk of developing this cancer than neutered females or neutered males or intact males [9]. Another

cancer of concern is prostate cancer, which occurs in neutered males about four times as frequently as in intact males [10]. A study on cutaneous mast cell tumors (MCT) in several dog breeds, including the Golden Retriever, examined risk factors such as breed, size, and neuter status. Although early versus late neutering was not considered, the results showed a significant increase in frequency of MCT in neutered females; four times greater than that of intact females [11].

In contrast to the rather strong evidence for neutering males and/or females as a risk factor for OSA, HSA, LSA, MCT, and prostate cancer, evidence for neutering as protection against a dog acquiring one or more cancers is weak. The most frequently mentioned is mammary cancer (MC) [12]. However, a recent systematic review of published work on neutering and mammary tumors found the evidence that neutering reduces the risk of mammary neoplasia to be weak, at best [13].

With regard to joint disorders affected by neutering, one study documents a 3-fold increase in excessive tibial plateau angle – a known risk factor for development of CCL – in large dogs [14]. A paper on CCL found that, across all breeds, neutered males and females were 2 to 3 times more likely than intact dogs to have this disorder [15]. In this study, with sexes combined, neutering significantly increased the likelihood of HD by 17 percent over that of intact dogs.

Given the widespread practice of neutering in the U.S., especially with public campaigns promoting early neutering, and the contrast with neutering practices in other developed countries, the objective of this project was to retrospectively examine the effects of neutering on the risks of several diseases in the same breed, distinguishing between males and females and early or late neutering versus remaining intact using a single hospital database. Because neutering can be expected to disrupt the normal physiological developmental role of gonadal hormones on multiple organ systems, one can envision the occurrence of disease syndromes, including those listed below, to possibly be affected by neutering as a function of gender and the age at which neutering is performed. The study focused on the Golden Retriever, which is one of the most popular breeds in the U.S. and Europe. In this breed, HD, CCL, LSA, HSA, MCT, OSA, and elbow dysplasia (ED) are listed as being of particular concern [16].

Methods

Ethics Statement

No animal care and use committee approval was required because, in conformity with campus policy, the only data used were from retrospective veterinary hospital records. Upon approval, faculty from the University of California, Davis (UCD), School of Veterinary Medicine, are allowed restricted use of the record system for research purposes. The final dataset used for statistical analyses is available to qualified investigators, upon request, from the corresponding author.

Data Collection

The dataset used in this study was obtained from the computerized hospital record system (Veterinary Medical and Administrative Computer System) of the Veterinary Medical Teaching Hospital (VMTH) at UCD. The subjects included were gonadally intact and neutered female and male Golden Retrievers, 1 to 8 years of age and admitted to the hospital between January 1, 2000 and December 31, 2009. Data from patients less than 12 months of age and 9 years or older were not considered. Additional inclusion criteria were requirements for complete

information on date of birth, date of neutering (if neutered) and date of diagnosis (or onset) of the joint disorder or cancer. Patients were classified as intact or neutered; the neutering was sub-classified as “early” if done before 12 months of age and “late” if done at 12 months of age or older. For all neutered patients, the neuter status at the time of each visit was reviewed to ensure that neutering occurred prior to onset of the first clinical signs or diagnosis of any disease of interest.

While the study set out to estimate incidence rates related to age at the time of neutering, patients were diagnosed at different ages and with differing durations of the disease as well as varying years of exposure to the effects of gonadal hormone removal. For those intact, early-neutered and late-neutered dogs diagnosed with a disease, the age of diagnosis was recorded. Follow-up times were recorded for each patient and determined by age of the dog at the initial clinical signs or diagnosis, minus the age of the dog when first included in the study. For dogs with no disease, follow-up times were the age at the last visit to the VMTH minus the age when the dog was first included in the study.

With the goal of obtaining a sample size sufficiently large for statistical analysis, the database records were initially screened using disease-related keywords to evaluate the frequency of occurrence of HD, CCL, HSA, LSA, MCT, ED, OSA, and MC. Extensive reviews of patient records were then performed for specific evidence and information on each joint disorder or cancer for every patient included in the study. Only diseases with at least 15 cases found using this screening were included in the study.

For all patients where age at time of neutering was not available in the record, an effort was made to obtain the information by telephone from the referring veterinarian. At the same time, age of onset of the disease in question was also sought. If the information was not available from the referring veterinarian, an attempt was made to reach the dog owner for this information. In order to optimize success in obtaining information, these efforts were focused on patients born in 2000, or later, and that were admitted to the VMTH between January 1, 2005 and December 31, 2009.

Table 1 defines the categories of diagnoses based on information in the record of each case. A patient was considered as having a disease of interest if the diagnosis was made at the VMTH or by a referring veterinarian and later confirmed at the VMTH. Patients clinically diagnosed with HD and/or CCL presented with clinical signs such as difficulty standing up, lameness, or joint pain; diagnosis was confirmed with radiographic evidence and/or orthopedic physical examination. Clinical diagnoses of the various cancers were accompanied by clinical signs such as enlarged lymph nodes, lumps on the skin or presence of masses, and confirmed by imaging, appropriate blood cell analyses, chemical panels, histopathology and cytology. When a diagnosis was suspected based on clinical signs, but the diagnostic tests were inconclusive or not done, telephone calls were made to referring veterinarians and owners to confirm the diagnosis. Lacking a conclusive confirmation, the case was excluded from the analysis for that specific joint disorder or cancer. Finally, body condition scores (BCS), ranging from 1 to 9 and obtained from the patient records (when available) were taken into account because BCS, as an indication of weight on the joints, is considered to play a role in the onset of these joint disorders [17,18]. Also, neutering has been implicated in an increase in body weight, especially as indicated by body condition score [18].

Statistical Analyses

Kaplan-Meier survival analysis (K-M) [19] was used to estimate survival curves for each disease and neuter status by gender, and then log-rank and generalized Wilcoxon tests were used for post

Table 1. Categories used in determining diagnosis for joint disorders and cancers of interest in Golden Retrievers (1–8 years old) admitted to the Veterinary Medical Hospital, University of California, Davis, from 2000–2009.

Classification	Definition
No disease	No evidence of a joint disorder or cancer of interest in the medical records
VMTH	Diagnosed at the VMTH
Referring Veterinarian/VMTH	Diagnosed by referring veterinarian and confirmed at the VMTH
Referring Veterinarian	Diagnosed by referring veterinarian but no diagnostic tests done at the VMTH
Suspected	Diagnosis was suspected based on clinical signs, but diagnostic tests were inconclusive or not done, telephone calls were then made to referring veterinarians and owners to confirm diagnosis, unconfirmed cases were excluded from analysis for the suspected joint disorder or cancer
Invalid	Diagnosed prior to January 2000 or after December 2009 and before 1 year of age or 9 years of age and older were excluded from analysis for the specific joint disorder or cancer

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hoc comparisons between a set of two curves and thus to evaluate differences in occurrence of the diseases of interest in each comparison group. Incidence rate estimates (IR) [20] were used to evaluate the rates of disease onset using time-at-risk of the disease, in this case, dog-years at risk. Time-at-risk for a disease is the duration of time each patient was observed prior to the disease occurrence. For late-neutered dogs, time-at-risk prior to neutering was used in the IR estimation for intact dogs and time observed after neutering was used in the IR estimate for late-neutered dogs. For each disease, rate ratios (RR) and their corresponding 95 percent confidence intervals (95% CI) were used to compare the rates of acquiring each disease with regard to neuter status (i.e., intact vs. early neutered, intact vs. late-neutered, and early- vs. late-neutered). To examine the role of BCS in the development of HD and CCL, Cox proportional hazard (CPH) models were used, in which both BCS and age at the time of neutering were included as predictors. The resulting tests of the neutering effect are adjusted for differences in BCS among the groups. Statistical level of significance was set at the 5 percent level for all analyses.

Results

Table 2 presents the sample size for each joint disorder or cancer of patients meeting all inclusion criteria, separately for males and females according to neuter status classification as to intact, early-neutered, and late-neutered. The number of subjects available for analyses of each disease varied because a patient could be excluded from the analyses for one disease, if for example, the diagnosis was made prior to one year of age or after 8 years, but would be included for analyses of all other diseases that may occur within the ages 1 to 8 years. A case could be considered as intact for one disease if onset was prior to neutering and as late-neutered for another disease that may have occurred after neutering. Meeting all inclusion criteria were 145 intact males, 178 early-neutered males, 72 late-neutered males, 122 intact females, 172 early-neutered females, and 70 late-neutered females (Table 2). The overall percentages of cases in the sample for the five diseases affected by early and/or late neutering considered for statistical analyses are presented in Figure 1 for males and in Figure 2 for females. Mean follow-up times for all the diseases of interest in intact, early-neutered and late-neutered dogs are listed in Table 3.

As shown in Table 4, K-M survival analysis revealed that early neutering was associated with an increased occurrence of HD, CCL, and LSA. As shown in this table, comparisons of the IR analyses reveal that late neutering was associated with the

subsequent occurrence of MCT and HSA in females. After the initial screening, ED, OSA, and MC occurred in such low numbers that statistical analyses were not feasible. MC was diagnosed in only two cases in the total number of 364 females, both in late-neutered females.

Hip Dysplasia

Perusal of Figure 1 and Table 4 reveals that HD in early-neutered males, affecting 10.3 percent, was more than double the proportion of intact males with the disorder, which was 5.1 percent, a significant difference (K-M: $p < 0.01$). There was also a significant difference between early and late neutering in males (K-M: $p < 0.05$). The mean ages of HD onset for intact, early-neutered, and late-neutered male dogs were 4.4, 3.6, and 4.7 years, respectively. No difference was found between early-neutered dogs with and without HD when compared with respect to their BCS, (means 6.1 and 5.7, respectively; CPH: $p = 0.22$). No other comparisons of HD occurrence were significant; HD was not increased in occurrence by early or later neutering in females (Figure 2).

Cranial Cruciate Ligament Tear

As revealed in Figures 1 and 2, there was no occurrence of CCL in either intact male or intact female dogs, or in late-neutered females. However, in early-neutered dogs, the occurrence reached 5.1 percent in males and 7.7 percent in females, representing significant differences in occurrence from both intact and late-neutered dogs (K-M: $p < 0.05$, Table 4). The mean age of CCL onset in early-neutered males was 3.6 years and the single late-neutered male dog diagnosed with CCL was 7.4 years. The mean age of onset of CCL for early-neutered female dogs was 4.8 years. For CCL, no differences were found between neutered males with and without CCL with regards to their BCS (means 5.8 and 5.8 respectively; CPH: $p = 0.48$). Likewise, no differences in mean BCS were found between neutered females with and without CCL (means 5.8 and 5.8 respectively; CPH: $p = 0.26$).

Lymphosarcoma

Although the rates of occurrence of this disease were lower in both male and female intact dogs, than in the early-neutered dogs, the difference was statistically significant only in males. Early-neutered males had nearly 3 times the occurrence of LSA as intact males and no cases of LSA were observed in the late-neutered males (K-M: $p < 0.05$, Table 4, Figure 1). The mean ages of LSA onset for intact and early-neutered male dogs were 5.3 and 5.8 years respectively.

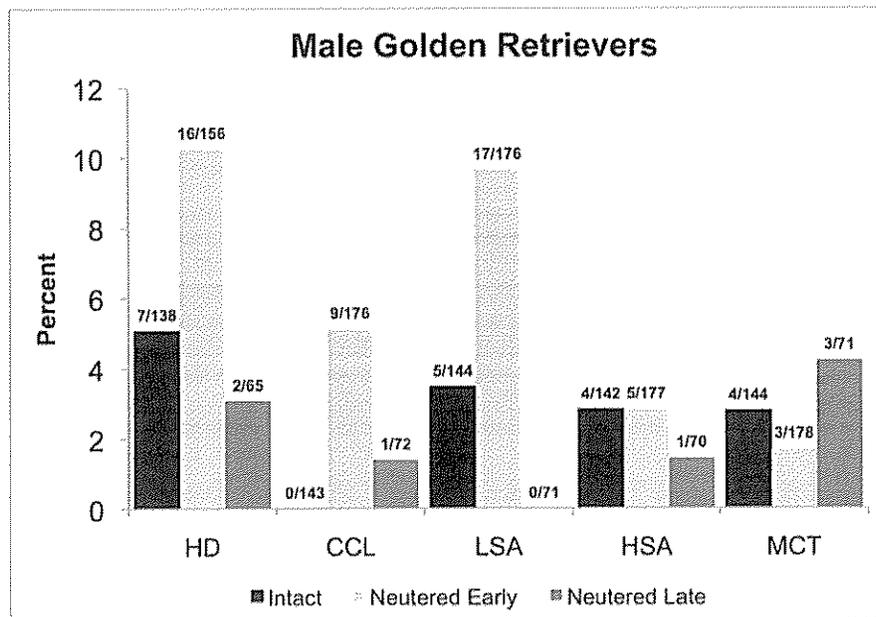


Figure 1. Percentages and number of cases over the total sample size for each neutering status group; intact and neutered early or late for male Golden Retrievers (1–8 years old) diagnosed with hip dysplasia (HD), cranial cruciate ligament tear (CCL), lymphosarcoma (LSA), hemangiosarcoma (HSA), and/or mast cell tumor (MCT) at the Veterinary Medical Teaching Hospital of the University of California, Davis, from 2000–2009. For HD and LSA, the differences between early-neutered and intact or late-neutered groups were statistically significant (K-M), as were differences for CCL between intact and early-neutered groups.
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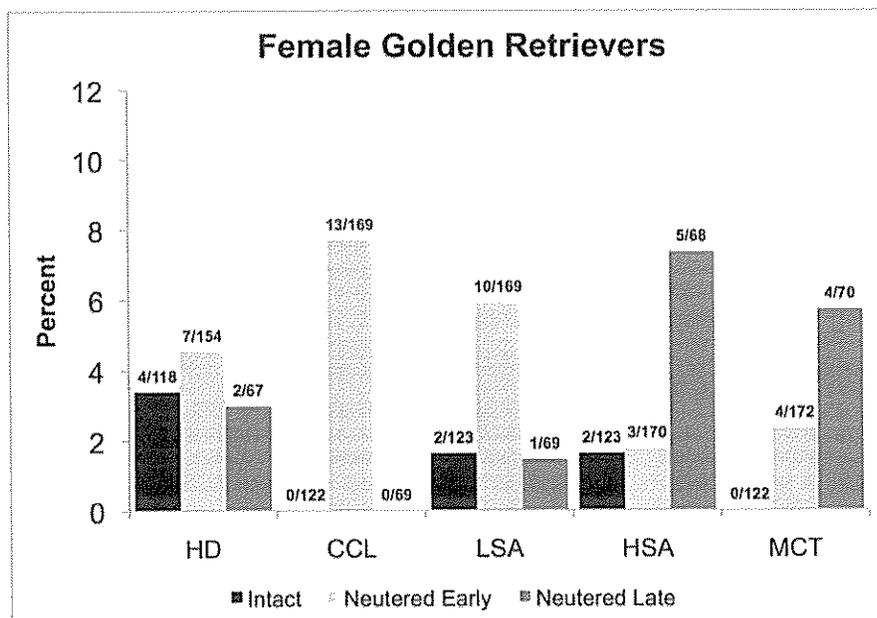


Figure 2. Percentages and number of cases over the total sample size for each neutering status group; intact and neutered early or late for female Golden Retrievers (1–8 years old) diagnosed with hip dysplasia (HD), cranial cruciate ligament tear (CCL), lymphosarcoma (LSA), hemangiosarcoma (HSA), and/or mast cell tumor (MCT) at the Veterinary Medical Teaching Hospital of the University of California, Davis, from 2000–2009. For CCL the difference between intact and early-neutered was statistically significant (K-M). For HSA, the differences between early and late-neutered and intact and late-neutered groups were statistically significant (RR), as were differences for MCT between early and late-neutered groups. A similar statistical comparison for late neutering and intact groups was not possible for MCT because there were 0 cases in the intact group.
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Table 2. Total sample sizes obtained for male and female Golden Retrievers (1–8 years old) admitted to the Veterinary Medical Hospital, University of California, Davis, from 2000–2009 according to neuter status classification: intact, early-neutered, and late-neutered.

Disease	Total	Intact	Neutered Early	Neutered Late
Males				
HD	359	138	156	65
CCL	391	143	176	72
LSA	391	144	176	71
HAS	389	142	177	70
MCT	393	144	178	71
Total*	395	145	178	72
Females				
HD	339	118	154	67
CCL	360	122	169	69
LSA	361	123**	169	69
HAS	361	123**	170	68
MCT	364	122	172	70
Total*	364	122	172	70

*Total number of dogs meeting all inclusion criteria.

**Includes patients that were diagnosed with a disease of interest prior to eventual late neutering.

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Hemangiosarcoma

Figure 2 reveals that late-neutered females at 7.4 percent were diagnosed with HSA over 4 times more frequently than intact females with 1.6 percent and early-neutered females with 1.8 percent, both significant differences (RR = 6.10, 95% CI = 1.18, 31.37 and RR = 7.48, 95% CI = 1.79, 31.30). The mean ages of HSA onset for intact, early-neutered, and late-neutered female dogs were 6.4, 7.6, and 3.2 years, respectively. No differences were apparent in males with regard to neutering and the occurrence of HSA (Figure 1).

Mast Cell Tumor

Figure 2 portrays the findings regarding MCT in female dogs, which did not occur in intact females, but was diagnosed in 2.3 percent of early-neutered females and 5.7 percent of late-neutered females. The RR cannot be estimated when disease occurrence is zero in one comparison group, as in the intact females. However, the wide difference in MCT occurrence between intact and late-neutered females was meaningful, given that the MCT occurrence in late neutered females and early neutered females was significant (RR = 4.46, 95% CI = 1.11, 17.82). The mean ages of MCT onset for the early-neutered and late-neutered female dogs were 6.2 and 6.5 years, respectively. No differences were found in the occurrence of MCT in male Golden Retrievers (Figure 1).

Discussion

This is the first study of the effects of neutering on an array of joint disorders and cancers in the same breed of dog, using a single database and examining the variables of gender and early and late neutering versus leaving the dogs gonadally intact. No cases of MC were diagnosed in intact females in this study. This finding is partially explained by the relatively low frequency in which MC is diagnosed in Golden Retrievers [16]. While this finding contrasts

Table 3. Mean follow-up times for male and female Golden Retrievers (1–8 years old) admitted to the Veterinary Medical Hospital, University of California, Davis, from 2000–2009 by disease status for each neuter category.

Disease	Intact	Early Neutered	Late Neutered
Males			
No Disease	2.12	3.16	1.77
HD	2.61	2.11	0.99
CCL	NA	3.37	NA
LSA	3.36	3.67	NA
MCT	3.45	3.53	2.98
HAS	3.05	4.57	NA
Females			
No Disease	1.48	2.48	1.40
HD	1.12	2.13	0.05
CCL	NA	3.16	NA
LSA	3.62	4.99	NA
MCT	5.70	4.44	2.28
HAS	5.37	2.70	3.23

NA = Not applicable because there were no cases of the specific joint disorder or cancer in that neuter category.

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with the general concern expressed about the risk of MC in gonadally intact females [12,21,22], it is consistent with the recent findings from a systematic meta-analysis finding a weak link, if any, between neutering and reduced risk of MC [13].

For all five diseases analyzed in the present study, the disease rates in males and/or females were significantly increased when neutering was performed early and/or late. When a disease occurred in intact dogs, the occurrence was typically one-fourth to one-half that of early- and/or late-neutered dogs. When no intact dogs were diagnosed with a disease, such as with CCL in both sexes and MCT in females, the occurrence in early- and/or late-neutered dogs ranged between 4 and 8 percent of the sample.

The results are consistent with all of the previously reported findings, mentioned in the introduction, of neutering in males and/or females in increasing the likelihood of HSA, LSA, MCT and CCL by about the same degree. However, this is the first study to specifically report an effect of late neutering on MCT and HSA. In the case of HD, which was doubled in the early-neutered males in the present study, the previous study reported a significant increase by only 17 percent in neutered dogs grouped together [15]. These contrasting differences with the effects of neutering on HD profile the value of the approach of the present study in focusing on just one breed and separating out the effects of gender and early versus late neutering.

An important point to make is that the results of this study, being breed-specific, with regard to the effects of early and late neutering cannot be extrapolated to other breeds, or dogs in general. Because of breed-specific vulnerabilities, certain diseases being affected by neutering in Golden Retrievers may not occur in other breeds. By the same token, different joint disorders or cancers may be increased in likelihood in a different breed. A full understanding of the disease conditions affected by neutering across an array of different breeds will require several more breed-specific studies.

A logical question to ask with regard to the joint disorders of HD and CCL is if those neutered dogs diagnosed with the disorder

Table 4. Summary of some Kaplan-Meier post hoc comparisons using log-rank (LR) and generalized Wilcoxon (W) tests for male and female Golden Retrievers (1–8 years old) admitted to the Veterinary Medical Hospital, University of California, Davis, from 2000–2009.

Disease	Gender	Test type	p (early vs. intact)	p (early vs. late)	p (late vs. intact)
Males					
HD		LR	0.04	NS	NS
		W	0.01	0.04	NS
CCL		LR	0.003	0.02	NS
		W	0.004	0.01	NS
LSA		LR	0.01	0.002	NS
		W	0.04	0.01	NS
Females					
CCL		LR	0.001	0.001	NS
		W	0.006	0.004	NS

NS = Statistically non significant.

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were carrying relatively more weight on their joints, which may have predisposed them to the disorder. Therefore, once an effect of early neutering was found with regard to HD (males) and CCL (males and females), the CPH model was applied to reexamine the effect of early neutering, after adjusting for differences in BCS. While neutering is expected to lead to a greater gain in body weight than in intact dogs [17,18], the BCS of early-neutered dogs with the disorders and the early neutered comparison groups without the disorders were not significantly different – and, in fact quite similar – indicating that weight on the joint was not a major determinant in the occurrence of these joint disorders. Using the CPH model to compare early-neutered with intact dogs, for both HD and CCL, neither neutering status nor BCS was significant, indicating that the two factors are fairly highly confounded. This implies that the occurrence of HD and CCL in early-neutered dogs is a combined function of the effect of neutering on growth plates, as well as the increase in weight on the joints brought on by neutering. As mentioned, when only early-neutered dogs with and without HD or CCL were compared with respect to their BCS, no differences were found between early-neutered males with and without these joint disorders.

As for the pathophysiological reasons for the joint disorders, one can point to the role of gonadal hormones in controlling the closure of bone growth plates [23,24]. An atypical growth plate closure, resulting from the absence of gonadal hormones, may increase the chance of a clinically apparent joint disorder, such as HD, CCL, and possibly ED. Confounding factors that may influence the nature of a neuter-related joint disorder are the breed-specific gender vulnerabilities, including growth rate differences, as well as the timing of growth plate closure, which occurs more quickly in males than in females. In the males of this study, the occurrence of HD was doubled in the cases with early androgen removal as compared with intact males, but in females, removal of the ovaries did not appear to be associated with an increased likelihood of HD. This presumably reflects the effect of gender on growth-plate development. However, growth-plate disturbance in both males and females seems to have played a role in the occurrence of CCL in early-neutered dogs. This joint disorder was not diagnosed in either intact males or females. The mean age of CCL onset was later in life than in HD (about 4 years and 2 years, respectively).

The role of gonadal hormone removal in the occurrence of various cancers appears to be more complicated. The effects of early neutering on the increased rate of LSA, especially in males, contrast with the effects of late neutering in females on MCT and HSA. The effects of late neutering associated with the occurrence of MCT and HSA in females bring up the issue of the role of timing of estrogen alteration. One possibility is suggested by the role of estrogen removal and microsatellite instability in colon cancer development in women. Based on clinical findings, it is speculated that estrogen secretion may sensitize the pathways involved in microsatellite instability. While estrogen remains in the system, it is protective against microsatellite instability-positive cancer cell activation and reduces the risk of colon cancer. However, upon estrogen removal, microsatellite instability-positive cancer cells become activated resulting in an increased occurrence of colon cancer [25].

Applying this concept to the role of neutering on HSA and MCT in female dogs, this study suggests that with early neutering, before an estrous period, the cells that could become neoplastic are not sensitized to estrogen and neutering would not affect disease occurrence. However, after exposure to estrogen through several estrous cycles, potentially neoplastic cells could be sensitized, but as long as the female is left intact, the estrogen is protective. Then, if neutered after several estrous cycles, the estrogen-sensitized cells could become neoplastic, hence a higher rate of HSA and especially MCT in late-neutered than early-neutered females. Obviously, much remains to be learned that could be explored with a large database with regard to the specific effects of estrogen in these cancers.

The findings presented here are clinically relevant in two realms. For dog owners and service dogs trainers and caretakers using the popular Golden Retriever as the service dog, the study points to the importance of acquiring information needed for deciding upon if and when to neuter. Specifically for Golden Retrievers, neutering males well beyond puberty should avoid the problems of increased rates of occurrence of HD, CCL, and LSA and should not bring on any major increase in the rates of HSA and MCT (at least before nine years of age). However, the possibility that age-related cognitive decline could be accelerated by neutering should be noted [26]. For females, the timing of neutering is more problematical because early neutering significantly increases the incidence rate of CCL from near zero to

almost 8 percent, and late neutering increases the rates of HSA to 4 times that of the 1.6 percent rate for intact females and to 5.7 percent for MCT, which was not diagnosed in intact females.

The findings of this study also have important implications for investigators looking for canine models for research on various forms of cancer [27,28]. For some cancers of interest, not only may breeds vary in predisposition but also the possibility of interactions between gender, gonadal hormone influences, and timing of gonadal hormone alteration (if any), should be taken into account in selecting the model and in investigating causal factors to be explored.

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Author Contributions

Interpreting results and editing manuscript: AMO. Conceived and designed the experiments: BLH LAH GT. Performed the experiments: GT LAH BLH. Analyzed the data: GT TBF LLM NW. Wrote the paper: GT BLH LAH.



SHORT TAKE

Exploring mechanisms of sex differences in longevity: lifetime ovary exposure and exceptional longevity in dogs

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Summary

To move closer to understanding the mechanistic underpinnings of sex differences in human longevity, we studied pet dogs to determine whether lifetime duration of ovary exposure was associated with exceptional longevity. This hypothesis was tested by collecting and analyzing lifetime medical histories, age at death, and cause of death for a cohort of canine 'centenarians' – exceptionally long-lived Rottweiler dogs that lived more than 30% longer than average life expectancy for the breed. Sex and lifetime ovary exposure in the oldest-old Rottweilers (age at death, ≥ 13 years) were compared to a cohort of Rottweilers that had usual longevity (age at death, 8.0–10.8 years). Like women, female dogs were more likely than males to achieve exceptional longevity (OR, 95% CI = 2.0, 1.2–3.3; $P = 0.006$). However, removal of ovaries during the first 4 years of life erased the female survival advantage. In females, a strong positive association between ovaries and longevity persisted in multivariate analysis that considered other factors, such as height, body weight, and mother with exceptional longevity. A beneficial effect of ovaries on longevity in females could not be attributed to resistance against a particular disease or major cause of death. Our results document in dogs a female sex advantage for achieving exceptional longevity and show that lifetime ovary exposure, a factor not previously evaluated in women,

is associated with exceptional longevity. This work introduces a conceptual framework for designing additional studies in pet dogs to define the ovary-sensitive biological processes that promote healthy human longevity.

Key words: anti-aging; estrogen; ovarian conservation; ovariectomy; sex difference in health.

Female survival advantage is well documented in certain mammalian species, most notably humans (Austad, 2006). This translates into a greater likelihood that women will live to 100 years, outnumbering men by approximately 4:1 (Terry *et al.*, 2008). Little progress, however, has been made to elucidate the mechanisms of sex differences in human longevity. Transplantation of mouse ovaries from young donors into ovariectomized female mice increased life expectancy proportional to age of the recipient (Cargill *et al.*, 2003). But the mouse, biogerontology's most trusted mammalian workhorse, is not likely the most trustworthy mimic of the sex differences in human longevity, because female mice are typically outlived by their male counterparts (Turturro *et al.*, 2002; Austad, 2006).

Whether ovary removal early in life can re-set longevity parameters in humans has not been evaluated, as few young women undergo ovariectomy. In contrast, a large percentage of pet dogs undergo elective ovariectomy at different ages throughout the life course, creating a research opportunity to study the dose–response between endogenous ovarian function and longevity. Here, by studying pet dogs living in the same environment as humans (Waters & Wildasin, 2006), we test the hypothesis that lifetime ovary exposure is significantly associated with exceptional longevity.

A database was established to construct lifetime medical histories for a cohort of 119 oldest-old Rottweiler dogs living in North America. These pet dogs lived with their owners and females underwent elective ovariectomy at different ages throughout the life course. Information on medical history, age at death and cause of death was collected by questionnaire and telephone interviews with pet owners and veterinarians as previously reported (Cooley *et al.*, 2003). Rottweilers with exceptional longevity lived ≥ 13 years, i.e. more than 30% longer than average life expectancy for the breed (9.4 years). In each case, date of birth obtained from American Kennel Club registration records was used to validate exceptional longevity. Sex (female:male) and lifetime duration of ovary exposure in the oldest-old dogs were compared with information collected

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Table 1 Characteristics of female Rottweilers in study population

	Usual longevity ¹ N = 100 dogs	Exceptional longevity ² N = 83 dogs
Age at death ³ (years), median (IQR)	9.6 (9.0–10.0)	13.6 (13.3–14.3)
Year of birth (range)	1984–2000	1980–1995
Residence		
Geographic distribution	29 states, Canada	27 states, Canada
Number of households ⁴	93	79
Lifetime ovary exposure ⁵ (years), median (IQR)	2.5 (0.7–6.0)	5.5 (2.0–7.5)
Reproductive history ⁶		
Nulliparity in dogs with intact ovaries for ≥ 12 months (%)	26/62 (42)	24/70 (34)
Body weight ⁷ (lbs), median (IQR)	90.0 (85.0–100.0)	85.0 (79.2–90.0)
Height ⁸ (in), median (IQR)	24.0 (23.0–24.5)	23.5 (22.6–24)
Mother achieved exceptional longevity, n (%) ⁹		
Yes	1 (3)	11 (22)
No	30 (97)	40 (78)
Cause of death ¹⁰ , n (%)		
Cancer – all types	73 (73)	25 (32)
Bone sarcoma ¹¹	38 (38)	6 (8)
Other types	35 (35)	19 (24)
Non-cancer diseases ¹²	27 (27)	53 (68)
Gastrointestinal	8 (8)	4 (5)
Musculoskeletal	6 (6)	8 (10)
Cardiovascular	4 (4)	3 (4)
Neurologic	2 (2)	7 (9)
Urologic	1 (1)	2 (3)
Frailty ¹³	1 (1)	16 (21)
Other ¹⁴	3 (3)	7 (9)
Unknown	2 (2)	6 (8)

IQR = interquartile range, which indicates the difference between the 1st and 3rd quartiles.

¹Usual longevity cohort represents dogs that died at 8.0–10.8 years, a range surrounding the breed-specific median age at death established in a population-based study of more than 700 Rottweilers (Cooley *et al.*, 2003). The 100 females in the usual longevity group include 34 dogs previously reported by Cooley *et al.* The female:male ratio in the usual longevity cohort was 100:86 (1.26:1). Median (range) age at death for usual longevity males was 9.5 (8.0–10.7 years).

²Exceptional longevity cohort represents dogs that died at ≥ 13.0 years, which is more than 30% longer than the breed-specific median longevity (9.4 years). The 83 females in the exceptional longevity group include nine exceptionally long-lived dogs reported by Cooley *et al.* (2003). The female:male ratio in the exceptional longevity cohort was 83:36 (2.30:1). Median (range) age at death for exceptional longevity males was 13.6 (13.0–15.5 years).

³For each dog, age at death was validated using date of birth from American Kennel Club registration records or medical records. The vast majority (> 80%) of dogs underwent elective euthanasia when their quality of life was considered unacceptable by owner.

⁴The 183 female dogs in the study population resided in 172 different households. Only 18 owners had more than one dog represented in the study population. Eleven owners had one dog in the usual longevity cohort and one dog in the exceptional longevity cohort.

⁵For each dog, duration of ovary exposure is equivalent to age at ovariectomy established in the medical history provided by owners and veterinarians.

⁶Thirty-eight usual longevity dogs and 13 exceptional longevity dogs underwent early ovariectomy prior to breeding age, i.e. ovariectomy during first 12 months of life. These dogs were not eligible for reproduction. After excluding these dogs, the table shows a similar percentage of dogs from both groups were not exposed to the 'reproductive cost' of offspring.

⁷Body weight was obtained from owner questionnaire or medical record, representing when the dog was a healthy 5 to 7-year-old adult.

⁸For each dog, height represents shoulder height, the distance measured from ground to shoulder, reported by owner.

⁹Data reported here represents only those cases in which information on the longevity of the mother could be validated directly from the owner of the mother. Validated data were available for mothers of 82 of the 183 index females in the study population. A more detailed analysis of the apparent familial clustering of exceptional longevity in these dogs is in progress.

¹⁰For each dog, cause of death was determined by reviewing medical records and medical histories provided by veterinarians and owners. Few causes of death were verified by necropsy and therefore the reliability of these data is likely comparable to that of human mortality studies based on death certificates. There is no reason to suspect that the cause of death was preferentially misclassified in dogs with usual longevity vs. dogs with exceptional longevity, or misclassified on the basis of ovarian hormone exposure as classification of cause of death was made by investigators (DJW, AHM) blinded to age at ovariectomy. In eight of 183 dogs (two usual longevity, six exceptional longevity), cause of death could not be ascertained from the clinical data.

¹¹Bone cancer (appendicular bone sarcoma) was diagnosed based upon physical examination and radiographs. In some cases, histologic confirmation was made by pathologic examination of tissues obtained at biopsy or necropsy.

¹²Death caused by non-cancer diseases was subdivided into five major categories on the basis of frequency: gastrointestinal (e.g. intestinal perforation; inflammatory bowel disease); musculoskeletal (e.g. severe arthritis); cardiovascular (e.g. congestive heart failure); neurologic (e.g. compressive myelopathy due to intervertebral disk herniation; seizures); and urologic (e.g. chronic renal failure).

¹³Death was attributed to frailty in those dogs whose owners and veterinarians reported death or euthanasia associated with a combination of age-related disabilities, including deficits in mobility, cognition, hearing, eyesight and inability to maintain body weight.

¹⁴Dogs in this category included those whose cause of death was attributed to less common conditions: hematologic, endocrine, hepatobiliary, or respiratory diseases; environmental causes (e.g. heat stroke); and dogs that died in their sleep without recognized illness.

from another cohort of 186 Rottweilers in the same catchment area that had usual longevity (age at death 8.0–10.8 years).

Like women, female dogs were more likely than males to achieve exceptional longevity (OR, 95% CI = 2.0, 1.2–3.3; $P = 0.006$). However, removal of ovaries during the first 4 years of life (i.e. median age at ovariectomy) erased the female survival advantage over males (OR, 95% CI = 1.2, 0.7–2.2; $P = 0.55$). In females that retained their ovaries for more than 4 years, likelihood of exceptional longevity increased to more than three times that of males (OR, 95% CI = 3.2, 1.8–5.7; $P < 0.0001$).

To further define the dose–response relationship between ovaries and longevity, we focused our analysis on the 83 exceptional longevity females and 100 usual longevity females (Table 1). This enabled us to address the following question: Is the duration of ovary exposure during the first 8 years of life

associated with an increased likelihood of achieving exceptional longevity? When females from the exceptional longevity and usual longevity cohorts were combined then subdivided into tertiles based upon ovary exposure during the first 8 years of life, dogs with the longest ovary exposure (6.1–8.0 years) were 3.2 times more likely to reach exceptional longevity than dogs with shortest exposure ($P = 0.002$) (Table 2; Supporting Fig. S1). In multivariate analysis, the association between increasing ovary exposure and exceptional longevity remained strong even after considering other factors that might influence longevity, such as height, body weight and whether mother achieved exceptional longevity (Table 2).

Finally, we evaluated whether the survival advantage in females with intact ovaries could be explained by a protective effect of ovaries against a particular disease. In Rottweilers with usual longevity, the major cause of death and major death category were bone sarcoma and cancer-all types, accounting for 38% and 73% deaths, respectively. We found that, after excluding bone cancer deaths or all cancer deaths, the strong association between intact ovaries and exceptional longevity persisted. After excluding all cancer deaths, females who kept their ovaries during the first 7 years of life (i.e. highest tertile of ovary exposure) were more than nine times more likely to reach exceptional longevity than females with shortest ovary exposure ($P = 0.001$) (Table 2).

Our results show that in Rottweiler dogs, like in humans, there is a strong female sex advantage for reaching exceptional longevity. Importantly, the longevity advantage over males is abolished in females that undergo early or mid-life ovarian removal. To our knowledge, this is the first demonstration that lifetime ovary exposure is significantly associated with exceptional longevity in any mammalian species.

By studying dogs that underwent elective ovariectomy at different ages, we were able to probe the dose–response relationship between endogenous ovarian function and exceptional longevity. A possible longevity-promoting effect of ovaries in exceptionally long-lived dogs in this study is supported by data from another cohort of pet dogs that we have investigated (Supporting Fig. S2). In a population of 237 female Rottweiler dogs who died at 1.3–12.9 years, females that had intact ovaries for the first 4.5 years of life had 37% lower mortality than females that underwent elective ovariectomy before 4.5 years, i.e., median age at ovariectomy (hazard ratio, 95% CI = 0.63, 0.49–0.82; $P < 0.0001$ log-rank test). The research strategy advanced here by our group – using a national population of registered, pure-bred dogs of a single breed, carefully quantitating the duration of ovary exposure rather than binning dogs into a category of either 'intact' or 'ovariectomized' – lessens the likelihood of misclassification bias that likely plagued previous dog studies (Bronson, 1982; Michell, 1999).

Recognizing that observed associations between exposures and outcomes may not necessarily be causal, we explored alternative, non-causal explanations for the association between ovaries and exceptional longevity. But, we found no evidence that factors which may influence a pet owner's deci-

Table 2 Endogenous ovary exposure and likelihood of exceptional longevity in female Rottweiler dogs

	Duration of ovary exposure during the first 8 years of life (tertiles)		
	1 shortest	2	3 longest
All females			
Univariate			
Odds ratio ¹ (95% CI)	1.0	1.6 (0.8–3.4)	3.2 (1.6–6.7)
Range of ovary exposure (years)	0.4–2.0	2.1–6.0	6.1–8.0
Number of dogs	65	57	61
Multivariate²			
Odds ratio (95% CI)	1.0	2.4 (0.8–7.2)	4.6 (1.3–16.2)
Range of ovary exposure (years)	0.4–2.0	2.1–6.0	6.1–8.0
Number of dogs	28	28	26
Bone cancer excluded³			
Odds ratio (95% CI)	1.0	2.5 (1.1–5.8)	3.9 (1.6–9.3)
Range of ovary exposure (years)	0.4–2.4	2.5–6.5	6.6–8.0
Number of dogs	45	45	44
All cancer excluded⁴			
Odds ratio (95% CI)	1.0	4.0 (1.3–12.2)	9.7 (2.3–40.7)
Range of ovary exposure (years)	0.4–3.1	3.2–7.0	7.1–8.0
Number of dogs	27	30	23

¹Odds ratios were considered significant if 95% confidence interval did not include 1.0.

²Multivariate odds ratio for 82 females adjusted for height, adult body weight, and mother reaching exceptional longevity. In stepwise regression, in addition to duration of ovary exposure, a second variable, mother reaching exceptional longevity (OR, 95% CI = 8.3, 1.0–67.4), was selected suggesting a strong familial clustering of long-lived individuals.

³For this analysis, the 44 female dogs whose cause of death was bone cancer were excluded. Appendicular bone sarcoma was the most frequently reported cause of mortality in Rottweilers with usual longevity (8.0–10.8 years).

⁴For this analysis, 98 female dogs whose cause of death was cancer of any type were excluded. The odds ratios indicate duration of ovary exposure is significantly associated with exceptional longevity in dogs that succumb to non-cancer causes.

sion on age at ovariectomy – for example, earlier ovariectomy in dogs with substandard conformation or delayed ovariectomy to obtain more offspring in daughters of long-lived mothers – can adequately account for the strong association (Supporting Appendix S1). Further, our results mirror the recent findings from more than 29 000 women in the Nurses' Health Study (Parker *et al.*, 2009). In that study, women who had elective hysterectomy with ovary sparing had lower overall mortality than those who underwent hysterectomy with ovariectomy. Notably, the benefit of keeping ovaries experienced by women under 50 years was attributable to decreased cardiovascular and cancer mortality (Parker *et al.*, 2009). Taken together, the findings from dogs and women support the hypothesis that early life physiological influences, such as ovarian hormones, lay the foundation for adult health outcomes including longevity. Further testing of the ovary-longevity hypothesis should utilize experimental designs that capture the broad range of lifetime ovary exposure seen in the pet dog population so that the critical windows of ovary exposure can be better defined.

Specific mechanisms have been proposed by which ovaries might promote longevity, including estrogen-induced enhanced immune response (Austad, 2006; Straub, 2007) and protection against oxidative stress (Borras *et al.*, 2003). We could not attribute the ovary-associated longevity advantage in dogs to resistance against a particular disease. Instead, we observed a robust ovarian association with longevity that was *independent of cause of death*, suggesting that a network of processes regulating the intrinsic rate of aging is under ovarian control. Future studies in dogs and women are warranted to define specific ovarian longevity factors and to identify ovary-sensitive biological processes that promote healthy longevity. Pet dogs should provide a tractable mammalian model to investigate the mechanisms of how ovaries orchestrate extended longevity in both species.

Acknowledgments

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Supporting Information

Additional supporting information may be found in the online version of this article:

Fig. S1 Life course analysis of ovary exposure during the first 8 years of life in dogs with usual longevity vs. exceptional longevity.

Fig. S2 Increased lifetime ovary exposure is associated with increased longevity in 237 female Rottweiler dogs.

Appendix S1 Additional analysis used to explore alternative, non-causal explanations for the association between lifetime ovary exposure and exceptional longevity.

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SHORT TAKE

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Summary

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Key words: anti-aging; estrogen; ovarian conservation; ovariectomy; sex difference in health.

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Geographic distribution	29 states, Canada	27 states, Canada
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Reproductive history ⁶		
Nulliparity in dogs with intact ovaries for ≥ 12 months (%)	26/62 (42)	24/70 (34)
Body weight ⁷ (lbs), median (IQR)	90.0 (85.0–100.0)	85.0 (79.2–90.0)
Height ⁸ (in), median (IQR)	24.0 (23.0–24.5)	23.5 (22.6–24)
Mother achieved exceptional longevity, n (%) ⁹		
Yes	1 (3)	11 (22)
No	30 (97)	40 (78)
Cause of death ¹⁰ , n (%)		
Cancer – all types	73 (73)	25 (32)
Bone sarcoma ¹¹	38 (38)	6 (8)
Other types	35 (35)	19 (24)
Non-cancer diseases ¹²	27 (27)	53 (68)
Gastrointestinal	8 (8)	4 (5)
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Cardiovascular	4 (4)	3 (4)
Neurologic	2 (2)	7 (9)
Urologic	1 (1)	2 (3)
Frailty ¹³	1 (1)	16 (21)
Other ¹⁴	3 (3)	7 (9)
Unknown	2 (2)	6 (8)

IQR = interquartile range, which indicates the difference between the 1st and 3rd quartiles.

¹Usual longevity cohort represents dogs that died at 8.0–10.8 years, a range surrounding the breed-specific median age at death established in a population-based study of more than 700 Rottweilers (Cooley *et al.*, 2003). The 100 females in the usual longevity group include 34 dogs previously reported by Cooley *et al.* The female:male ratio in the usual longevity cohort was 100:86 (1.26:1). Median (range) age at death for usual longevity males was 9.5 (8.0–10.7 years).

²Exceptional longevity cohort represents dogs that died at ≥ 13.0 years, which is more than 30% longer than the breed-specific median longevity (9.4 years). The 83 females in the exceptional longevity group include nine exceptionally long-lived dogs reported by Cooley *et al.* (2003). The female:male ratio in the exceptional longevity cohort was 83:36 (2.30:1). Median (range) age at death for exceptional longevity males was 13.6 (13.0–15.5 years).

³For each dog, age at death was validated using date of birth from American Kennel Club registration records or medical records. The vast majority (> 80%) of dogs underwent elective euthanasia when their quality of life was considered unacceptable by owner.

⁴The 183 female dogs in the study population resided in 172 different households. Only 18 owners had more than one dog represented in the study population. Eleven owners had one dog in the usual longevity cohort and one dog in the exceptional longevity cohort.

⁵For each dog, duration of ovary exposure is equivalent to age at ovariectomy established in the medical history provided by owners and veterinarians.

⁶Thirty-eight usual longevity dogs and 13 exceptional longevity dogs underwent early ovariectomy prior to breeding age, i.e. ovariectomy during first 12 months of life. These dogs were not eligible for reproduction. After excluding these dogs, the table shows a similar percentage of dogs from both groups were not exposed to the 'reproductive cost' of offspring.

⁷Body weight was obtained from owner questionnaire or medical record, representing when the dog was a healthy 5 to 7-year-old adult.

⁸For each dog, height represents shoulder height, the distance measured from ground to shoulder, reported by owner.

⁹Data reported here represents only those cases in which information on the longevity of the mother could be validated directly from the owner of the mother. Validated data were available for mothers of 82 of the 183 index females in the study population. A more detailed analysis of the apparent familial clustering of exceptional longevity in these dogs is in progress.

¹⁰For each dog, cause of death was determined by reviewing medical records and medical histories provided by veterinarians and owners. Few causes of death were verified by necropsy and therefore the reliability of these data is likely comparable to that of human mortality studies based on death certificates. There is no reason to suspect that the cause of death was preferentially misclassified in dogs with usual longevity vs. dogs with exceptional longevity, or misclassified on the basis of ovarian hormone exposure as classification of cause of death was made by investigators (DJW, AHM) blinded to age at ovariectomy. In eight of 183 dogs (two usual longevity, six exceptional longevity), cause of death could not be ascertained from the clinical data.

¹¹Bone cancer (appendicular bone sarcoma) was diagnosed based upon physical examination and radiographs. In some cases, histologic confirmation was made by pathologic examination of tissues obtained at biopsy or necropsy.

¹²Death caused by non-cancer diseases was subdivided into five major categories on the basis of frequency: gastrointestinal (e.g. intestinal perforation; inflammatory bowel disease); musculoskeletal (e.g. severe arthritis); cardiovascular (e.g. congestive heart failure); neurologic (e.g. compressive myelopathy due to intervertebral disk herniation; seizures); and urologic (e.g. chronic renal failure).

¹³Death was attributed to frailty in those dogs whose owners and veterinarians reported death or euthanasia associated with a combination of age-related disabilities, including deficits in mobility, cognition, hearing, eyesight and inability to maintain body weight.

¹⁴Dogs in this category included those whose cause of death was attributed to less common conditions: hematologic, endocrine, hepatobiliary, or respiratory diseases; environmental causes (e.g. heat stroke); and dogs that died in their sleep without recognized illness.

from another cohort of 186 Rottweilers in the same catchment area that had usual longevity (age at death 8.0–10.8 years).

Like women, female dogs were more likely than males to achieve exceptional longevity (OR, 95% CI = 2.0, 1.2–3.3; $P = 0.006$). However, removal of ovaries during the first 4 years of life (i.e. median age at ovariectomy) erased the female survival advantage over males (OR, 95% CI = 1.2, 0.7–2.2; $P = 0.55$). In females that retained their ovaries for more than 4 years, likelihood of exceptional longevity increased to more than three times that of males (OR, 95% CI = 3.2, 1.8–5.7; $P < 0.0001$).

To further define the dose–response relationship between ovaries and longevity, we focused our analysis on the 83 exceptional longevity females and 100 usual longevity females (Table 1). This enabled us to address the following question: Is the duration of ovary exposure during the first 8 years of life

associated with an increased likelihood of achieving exceptional longevity? When females from the exceptional longevity and usual longevity cohorts were combined then subdivided into tertiles based upon ovary exposure during the first 8 years of life, dogs with the longest ovary exposure (6.1–8.0 years) were 3.2 times more likely to reach exceptional longevity than dogs with shortest exposure ($P = 0.002$) (Table 2; Supporting Fig. S1). In multivariate analysis, the association between increasing ovary exposure and exceptional longevity remained strong even after considering other factors that might influence longevity, such as height, body weight and whether mother achieved exceptional longevity (Table 2).

Finally, we evaluated whether the survival advantage in females with intact ovaries could be explained by a protective effect of ovaries against a particular disease. In Rottweilers with usual longevity, the major cause of death and major death category were bone sarcoma and cancer-all types, accounting for 38% and 73% deaths, respectively. We found that, after excluding bone cancer deaths or all cancer deaths, the strong association between intact ovaries and exceptional longevity persisted. After excluding all cancer deaths, females who kept their ovaries during the first 7 years of life (i.e. highest tertile of ovary exposure) were more than nine times more likely to reach exceptional longevity than females with shortest ovary exposure ($P = 0.001$) (Table 2).

Our results show that in Rottweiler dogs, like in humans, there is a strong female sex advantage for reaching exceptional longevity. Importantly, the longevity advantage over males is abolished in females that undergo early or mid-life ovarian removal. To our knowledge, this is the first demonstration that lifetime ovary exposure is significantly associated with exceptional longevity in any mammalian species.

By studying dogs that underwent elective ovariectomy at different ages, we were able to probe the dose–response relationship between endogenous ovarian function and exceptional longevity. A possible longevity-promoting effect of ovaries in exceptionally long-lived dogs in this study is supported by data from another cohort of pet dogs that we have investigated (Supporting Fig. S2). In a population of 237 female Rottweiler dogs who died at 1.3–12.9 years, females that had intact ovaries for the first 4.5 years of life had 37% lower mortality than females that underwent elective ovariectomy before 4.5 years, i.e., median age at ovariectomy (hazard ratio, 95% CI = 0.63, 0.49–0.82; $P < 0.0001$ log-rank test). The research strategy advanced here by our group – using a national population of registered, pure-bred dogs of a single breed, carefully quantitating the duration of ovary exposure rather than binning dogs into a category of either ‘intact’ or ‘ovariectomized’ – lessens the likelihood of misclassification bias that likely plagued previous dog studies (Bronson, 1982; Michell, 1999).

Recognizing that observed associations between exposures and outcomes may not necessarily be causal, we explored alternative, non-causal explanations for the association between ovaries and exceptional longevity. But, we found no evidence that factors which may influence a pet owner’s deci-

Table 2 Endogenous ovary exposure and likelihood of exceptional longevity in female Rottweiler dogs

	Duration of ovary exposure during the first 8 years of life (tertiles)		
	1 shortest	2	3 longest
All females			
Univariate			
Odds ratio ¹ (95% CI)	1.0	1.6 (0.8–3.4)	3.2 (1.6–6.7)
Range of ovary exposure (years)	0.4–2.0	2.1–6.0	6.1–8.0
Number of dogs	65	57	61
Multivariate²			
Odds ratio (95% CI)	1.0	2.4 (0.8–7.2)	4.6 (1.3–16.2)
Range of ovary exposure (years)	0.4–2.0	2.1–6.0	6.1–8.0
Number of dogs	28	28	26
Bone cancer excluded³			
Odds ratio (95% CI)	1.0	2.5 (1.1–5.8)	3.9 (1.6–9.3)
Range of ovary exposure (years)	0.4–2.4	2.5–6.5	6.6–8.0
Number of dogs	45	45	44
All cancer excluded⁴			
Odds ratio (95% CI)	1.0	4.0 (1.3–12.2)	9.7 (2.3–40.7)
Range of ovary exposure (years)	0.4–3.1	3.2–7.0	7.1–8.0
Number of dogs	27	30	23

¹Odds ratios were considered significant if 95% confidence interval did not include 1.0.

²Multivariate odds ratio for 82 females adjusted for height, adult body weight, and mother reaching exceptional longevity. In stepwise regression, in addition to duration of ovary exposure, a second variable, mother reaching exceptional longevity (OR, 95% CI = 8.3, 1.0–67.4), was selected suggesting a strong familial clustering of long-lived individuals.

³For this analysis, the 44 female dogs whose cause of death was bone cancer were excluded. Appendicular bone sarcoma was the most frequently reported cause of mortality in Rottweilers with usual longevity (8.0–10.8 years).

⁴For this analysis, 98 female dogs whose cause of death was cancer of any type were excluded. The odds ratios indicate duration of ovary exposure is significantly associated with exceptional longevity in dogs that succumb to non-cancer causes.

sion on age at ovariectomy – for example, earlier ovariectomy in dogs with substandard conformation or delayed ovariectomy to obtain more offspring in daughters of long-lived mothers – can adequately account for the strong association (Supporting Appendix S1). Further, our results mirror the recent findings from more than 29 000 women in the Nurses' Health Study (Parker *et al.*, 2009). In that study, women who had elective hysterectomy with ovary sparing had lower overall mortality than those who underwent hysterectomy with ovariectomy. Notably, the benefit of keeping ovaries experienced by women under 50 years was attributable to decreased cardiovascular and cancer mortality (Parker *et al.*, 2009). Taken together, the findings from dogs and women support the hypothesis that early life physiological influences, such as ovarian hormones, lay the foundation for adult health outcomes including longevity. Further testing of the ovary-longevity hypothesis should utilize experimental designs that capture the broad range of lifetime ovary exposure seen in the pet dog population so that the critical windows of ovary exposure can be better defined.

Specific mechanisms have been proposed by which ovaries might promote longevity, including estrogen-induced enhanced immune response (Austad, 2006; Straub, 2007) and protection against oxidative stress (Borras *et al.*, 2003). We could not attribute the ovary-associated longevity advantage in dogs to resistance against a particular disease. Instead, we observed a robust ovarian association with longevity that was *independent of cause of death*, suggesting that a network of processes regulating the intrinsic rate of aging is under ovarian control. Future studies in dogs and women are warranted to define specific ovarian longevity factors and to identify ovary-sensitive biological processes that promote healthy longevity. Pet dogs should provide a tractable mammalian model to investigate the mechanisms of how ovaries orchestrate extended longevity in both species.

Acknowledgments

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Supporting Information

Additional supporting information may be found in the online version of this article:

Fig. S1 Life course analysis of ovary exposure during the first 8 years of life in dogs with usual longevity vs. exceptional longevity.

Fig. S2 Increased lifetime ovary exposure is associated with increased longevity in 237 female Rottweiler dogs.

Appendix S1 Additional analysis used to explore alternative, non-causal explanations for the association between lifetime ovary exposure and exceptional longevity.

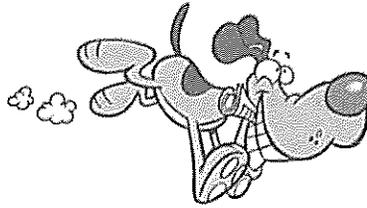
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Early Spay-Neuter Considerations for the Canine Athlete: One Veterinarian's Opinion

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Those of us with responsibility for the health of canine athletes need to continually read and evaluate new scientific studies to ensure that we are taking the most appropriate care of our performance dogs. This article reviews scientific evidence that, taken together, suggests that veterinarians and owners working with canine athletes should revisit the current standard protocol in which all dogs that are not intended for breeding are spayed and neutered at or before 6 months of age. The results of a number of publications are briefly summarized in the areas of orthopedics, cancer, behavior, and other health considerations.

Orthopedic Considerations

- *Bitches spayed at 7 weeks had significantly delayed closure of growth plates as compared to those spayed at 7 months, and those spayed at 7 months had significantly delayed closure of growth plates as compared to those left intact.(1) In a study of 1444 Golden Retrievers, bitches and dogs spayed or neutered at less than a year of age were significantly taller than those spayed or neutered after a year of age.(2)*
- *In a study of 203 agility dogs, the author demonstrated that the tibia and radius and ulna were significantly longer than the femur and humerus, respectively, in dogs that were spayed or neutered at or prior to 8 months of age as compared to intact dogs.(M.C. Zink, unpublished data)*
- *Several studies have shown that spayed and neutered dogs have a significantly higher prevalence of CCL rupture (3–6), even when controlling for body size.(3)*
- *Dogs that were neutered at least 6 months prior to a diagnosis of hip dysplasia were 1.5 times more likely to develop hip dysplasia than sexually intact dogs.(7)*
- *Spayed/neutered dogs had 3.1 times higher incidence of patellar luxation.(8)*

Discussion: Dogs that have been spayed or neutered at or before puberty can often be identified by their longer limbs, lighter bone structure, narrower chests and narrower skulls than intact dogs of the same breed. This differential growth frequently results in significant alterations in body proportions and particularly the lengths (and therefore weights) of certain bones relative to others. For example, if the femur has achieved its genetically determined normal length at 8 months, prior to a dog being spayed or neutered, but the tibia (which normally stops growing at 12 to 14 months of age) continues to elongate for several months after that point because of the removal of the sex hormones, then the relationship between the femur and tibia will be different than what was genetically determined. This may result in an abnormal angle at the stifle and a longer (and therefore heavier) tibia placing increased stress on the cranial cruciate ligament (of the knee or stifle joint). It is well known that spayed and neutered dogs are more likely to be overweight or obese than sexually intact dogs (9), and this can be a contributing factor to orthopedic diseases. Thus, keeping the spayed/neutered canine athlete lean can help mitigate the increased risk of orthopedic conditions.

Cancer Considerations

- *Spayed females had more than 5 times greater risk than intact bitches of developing cardiac hemangiosarcoma and neutered males had 1.6 times higher risk than intact males had of developing cardiac hemangiosarcoma.(10)*
- *Spayed females had 2.2 times increased risk for developing splenic hemangiosarcoma.(11)*
- *Male and female Rottweilers that were neutered or spayed before a year of age had 3.8 and 3.1 times greater risk, respectively, of developing bone cancer than intact dogs.(12) In a second study, spayed/neutered dogs had a 2.2 times higher risk of developing bone cancer than intact dogs.(13)*
- *Neutered dogs had a 2.8 times greater risk for developing any prostate tumor than intact dogs.(14) Neutered dogs had a 4.3 times higher risk of developing prostate carcinoma.(15, 16)*
- *Neutered dogs had a 3.6 higher risk for developing transitional cell carcinoma of the bladder than intact dogs, and a 3 times greater risk of developing any bladder tumor.(14) Spayed/neutered dogs had more than 4 times greater risk for developing transitional cell carcinoma of the bladder than intact dogs.(17)*

- *In a survey of 2505 Vizslas, spayed or neutered dogs were found to have a significantly higher risk of mast cell cancer, hemangiosarcoma, lymphoma and all cancers together than intact dogs.(18)*

Discussion: One study indicated a slightly increased risk of mammary cancer in female dogs after one heat cycle (8% increase), greater risk with two heats (26% increase) and increased risk with each subsequent heat.(19) However, a recent systematic review of the publications that advocate neutering to reduce the risk of mammary tumors in dogs indicated that 9 of 13 reports had a high risk of bias and the remaining 4 had a moderate risk of bias. This study concluded that the evidence that neutering reduces the risk of mammary cancer is weak and do not constitute a sound basis for firm recommendations.(20) Additionally, at the time when several of these studies were conducted (late 1960s), it was found that incidence rates for all malignant neoplasms were 453.4/100,000 female dogs. Mammary tumors accounted for half of these tumors, or 198.8/100,000. Thus, the actual overall risk at that time of any bitch getting a mammary tumor was only 0.2%.(21) In any case, the figures for increased risk of mammary cancer must be compared with the 200 to 400% increased risk of other cancers in spayed females. While about 30% of mammary cancers are malignant (22), as in humans, when caught and surgically removed early, the prognosis is very good.(23) This is in comparison to the other cancers listed, such as hemangiosarcoma and bladder cancer, which are often fatal. Given the balance of cancer risks listed above, owners of canine athletes should strongly consider leaving the ovaries intact for at least two heat cycles. In addition, the veterinary field should be developing programs for regular examinations including imaging to facilitate early diagnosis of mammary cancer in all intact female dogs, as has been performed in women for decades.

Behavior Considerations

- *Early age gonadectomy was associated with an increased incidence of noise phobias and undesirable sexual behaviors, such as mounting.(24)*
- *Significantly more behavioral problems in spayed and neutered bitches and dogs, with fearful behavior being most common in spayed bitches and aggression in neutered dogs.(25, 26)*
- *In a prospective study, German Shepherd Dogs spayed between 5-10 months of age had significantly increased reactivity.(27)*

Discussion: A number of the early studies claiming to show positive behavioral effects of spay/neuter were significantly flawed. For example, one of the most often quoted publications to support improvements in behavior, particularly aggression, after gonadectomy does not actually provide any statistical analysis. Additionally, 88% of owners of dogs in this study stated that their reason for castrating the dog was to attempt to resolve an existing behavior problem. Owners were also surveyed regarding the dog's behavior a mean of 27 months post-castration. These factors likely introduced a significant amount of bias.(28) Another performed statistical analysis but showed that the age when the dog was neutered was not correlated with the degree of improvement.(29) Most critically, neither of these two studies included a control group of intact dogs. One of the more important undesirable behavioral effects of spay/neuter for canine athletes was a finding of a significantly lowered energy level. This was shown in a study that was well controlled and examined over 3500 dogs.(26)

Other Health Considerations

- *Female, and sometimes male, dogs that are spayed/neutered before puberty have an increased risk of urinary incontinence and it is more severe in bitches spayed earlier.(30-33)*
- *Spayed female dogs displayed a significantly higher risk or hypothyroidism when compared to intact females.(34) A health survey of several thousand Golden Retrievers showed that spayed or neutered dogs were more likely to develop hypothyroidism.(2) Neutered male and spayed female dogs had higher relative risks of developing hypothyroidism than intact females.(35)*
- *Neutered females had a 22 times increased risk of developing fatal acute pancreatitis (multivariate analysis) as compared to intact females.(36)*
- *Risk of adverse reactions to vaccines is 27 to 38% greater in neutered dogs as compared to intact.(37)*
- *In a study of female Rottweilers there was a strong positive association between retention of the ovaries and longevity.(38)*

Summary

I have gathered these studies to show that the practice of routinely spaying or neutering every dog at or before the age of 6 months is not a black-and-white issue. Clearly more studies need to be undertaken to evaluate the effects of prepubertal spaying and neutering, particularly in canine athletes. After examining the risks and benefits, I have significant concerns with removal of the gonads in both males and females. It is clear that the gonads are not just important for reproduction, but play a critical role in growth, development and long-term health.

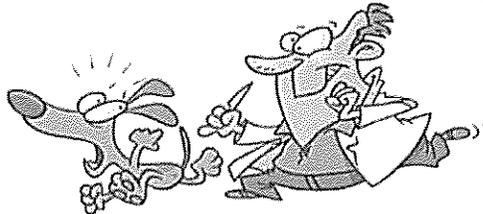
Preventing Procreation

If we leave the gonads intact, how can we prevent the production of unwanted dogs? For *males*, the obvious solution is to keep them away from bitches in heat. But if an owner needs more certainty that a dog will not be bred, the answer is to perform a vasectomy. One possible disadvantage is that vasectomy does not prevent some unwanted behaviors associated with males such as marking and humping. On the other hand, females and neutered males frequently participate in these behaviors too. Training is the most effective solution to these behaviors. Another potential issue is finding a veterinarian who can perform the procedure. Veterinary schools do not currently teach students how to perform vasectomies. However, the methodology has been described and any board-certified surgeon can learn the technique. For a list of veterinarians who will perform the technique, contact the author at mczink@caninesports.com.

In *females*, the issues are more complex, because having a bitch in heat is inconvenient and leaving the uterus intact substantially increases the risk of pyometra (a serious, potentially fatal uterine infection). One solution might be to perform a hysterectomy (removal of the uterus), leaving the ovaries intact. Unfortunately, the effects of this technique on female dogs have never been studied. It is not known whether these dogs would continue to ovulate and perhaps show behavioral changes, although it is likely that there would be no discharge. Further, dogs that have this surgery will have intact ovaries, so veterinarians would need to establish an effective monitoring system for early detection of mammary cancer in intact bitches, as is available for women. In addition, there is the possibility of the dog developing stump pyometra if small amounts of uterine tissue are left behind during the hysterectomy. My current recommendation for performance dogs is to have them go through at least two heat cycles before spaying. Perhaps in the future hormone replacement therapy will be available for spayed females, but little is known about that at this time.

For *males with retained testicles*, there is a logical solution, based on fact. A large prospective study showed that the incidence of testicular cancer in cryptorchid dogs was 12.7/1000 dog-years at risk.(39) In other words, if 100 dogs with retained testicles live to be 10 years old, approximately 13 of them will develop cancer in the retained testicle. The average age at which tumors develop in undescended testes is 8.7 years.(40) These tumors are commonly benign, though they can grow quite large. Based on this study, I recommend that dogs with retained testicles have surgery to remove the retained testicle some time during the first three years of life and at that time they have a vasectomy on the remaining spermatic cord. This solution allows the dog to have the benefit of its sex hormones, but prevents passing this likely genetic condition on to offspring.

Most of all, it is important that we assess each dog and its living situation individually, weighing the risks and benefits of removal of the gonads. *There is no single solution that fits every dog.*



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Hearing Testimony of Melissa Milne and Dave Zinczenko
Before the New York City Council, Committee on Health, November 24th, 2014.

Good morning. My name is Monica Wright. I am here to submit testimony on behalf of my employers and friends, Melissa Milne and Dave Zinczenko, who unfortunately could not be here today.

Melissa's testimony is as follows:

Many times, I walked by Le Petit Puppy, always thinking it was upscale pet store. On August 7th, 2011, my boyfriend, Dave and I decided to go in and my eyes met this little puppy in the back of the store, crated and all by herself.

There was no doubt in my mind that Le Petit Puppy was a reputable pet store, located in the West Village and offering dogs for thousands of dollars. I would soon learn that I could not have been more wrong.

The pet store employees assured us that they only buy puppies from private breeders and that our little "Bea" (the name we gave the puppy) was a "designer" dog at a price of \$3,000.00. They said the dog had papers and that she was from a "champion line" of Bulldog and Beagle, also claiming that she wouldn't shed. I remember them saying, "Hugh Jackman has her older brother" which I thought was strange as they pointed out an image of him on their wall. On a side note, I have repeatedly asked for those papers showing lineage, yet to this day, they have never been given to me. .

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

I wanted to bring her home right away but Dave thought best we sleep on it. Le Petite Puppy immediately offered a discount for us to take her home that day, in lieu of waiting. They reduced her value immediately and without hesitation. The feeling of this sleazy sales tactic was overshadowed by my new love for this little puppy.

I have now had many times to reflect on this experience and in hindsight, I was a soft target. I was full of excitement for this little animal with big eyes and big floppy ears. I didn't do any research of Le Petite Puppy. I trusted them, believing them to be honest and ethical – but they were not.

The next day, on August 8, 2011, we brought our new puppy home but she was motionless. I had dogs growing up and they were active, so I knew something was wrong. Over the next 72 hours, after her not eating much, having loose stools and vomiting, notwithstanding the lethargy, I raced to Greenwich Village Animal Hospital.

I will never forget the moment her vet, Dr. Tracy Sane, showed me the X-rays of her lungs, which were full of infection. Bea was diagnosed with pneumonia and had it for some time, indicating she was sick while under the care of the pet store, and perhaps even before her arrival there. Bea endured an intensive medical treatment plan which entailed us going to the hospital multiple times a day for over 15 nebulization treatments. Soon after, Bea's health took a turn for the worse when she started convulsing. We rushed her to back to our vet. Bea had to be sent to another hospital, Fifth Avenue Veterinary Specialists, put into total isolation and underwent 24 hour care for 5 full days. The vet bills quickly mounted to more than \$5,000.00. Her condition was grave; we were told that she "may not make it." This puppy that we just brought home was now fighting for breath, fighting to live.

After finding out how severely ill my new dog was, I wanted to talk directly with Le Petit Puppy to find out information about Bea's health and background so that I could better inform my vet and to demand financial reimbursement for the vet bills. I left several messages for Dana Rich, the owner of the pet store, but my calls were not returned. I finally got a hold of the pet store owner and her response was anything but expected: she claimed we were being scammed by my vet, which was baseless. She then said that if the dog needed nebulization to bring her in to Le Petit Puppy and she would do it in the basement of the store. I was disgusted at the suggestion—how could someone offer vet services when not a licensed vet?

During the medical treatment, I told Dr. Sane that Bea was from Le Petit Puppy and he expressed that he had treated other puppies from this same pet store and they were very sick as well. Dr. Sane also informed us that, even if our puppy recovered, she could still have lifelong

health problems. We never expected this roller coaster of emotional turmoil and financial impact from both mounting vet bills and loss of work. We were deceived by Le Petit Puppy and sold a very sick dog.

The paperwork we were able to obtain indicated that Le Petit Puppy obtained Bea from a man named Noah Cressel. USDA records indicate that in 2011, Noah Cressel was licensed as a Class B Dealer. We were unable to obtain any further information about Bea's origin. To this day, we have no way of knowing if Bea was born at Mr. Cressel's facility in Missouri, or if she was bred by someone else, and brokered by Mr. Cressel. Additionally, Le Petit Puppy assured me that they only bought puppies from reputable breeders, but that was a lie. A quick look at Noah Cressel's USDA inspection reports from 2011 show serious violations of the federal Animal Welfare Act. If Intro 55A had been the law in 2011, Le Petit Puppy would not have been able to sell puppies from this source. While I wouldn't trade my Bea for the world, I strongly encourage this committee to pass Intro 55A today so that other New Yorkers do not endure the same heartache and financial burden that we have had to bear. Thank you.

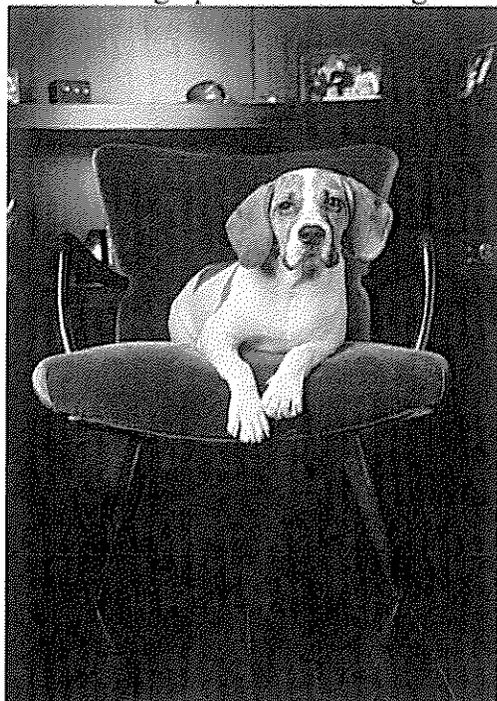
Photograph taken of Bea in the pet store, before purchase (August 2011):



Photograph when we got Bea home. 24 hours later, after a routine vet check-up, we learned how gravely sick she was



After Photographs of Bea feeling better:



10/06/2011 18:32 FAX 2120738718

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New York Copy Center
204 East 11th Street
New York, NY 10003
Tel: 212-678-5628 • Fax: 212-678-5718
http://www.nycc.com • e-mail: info@nycc.com

Fax

To

FROM

Date: Oct. 6, 2011

Name: Arita

Name: Monica Wright

Company: AMEX

Company: _____

Fax No.: 954. 503. 0208

Fax No.: _____

Tel. No.: _____

Tel. No.: 646 884 3429

No. Pages: 15
(excluding this page)

Message:

Please call me at 646 884 3429.
Monica Wright

10/00/2011 10:32 FAX 2120735718

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Attn: Anita at AMEX
Fax: 954-303-0208
Reference Number: LS12391

All charges made to Le Petit Puppy on or around August 8, 2011 must be reversed. Le Petit Puppy is a New York City pet store guilty of Gross Negligence, Fraud and is legally responsible for all Vet bills I have incurred due to the purchase of a very ill puppy purchased from them. Le Petit Puppy even sold a bogus warranty for our dog and every attempt to make contact with them has have been unproductive. Le Petit Puppy and the fake warranty company have been 100% unresponsive and have actively ignored all my calls and attempts to resolution of this matter as such I am demanding a stop payment for all charges made to Le Petit Puppy.

Example of Gross Negligence:

1) We purchased our dog from Le Petit Puppy on August 8, 2011 and within 4 days she was diagnosed with Pneumonia. Our licenced Veterinarian wrote a legally binding document stating she was "Unfit for Sale". Not having this dog under the care of a licensed vet, not having this dog on any medication and ignoring all signs of illness is Gross Negligence. Le Petit has the legal responsibility of caring for animals they are selling and in the case of our purchase they were clearly happy to be rid of her, shifting the responsibilities and burden of caring for a sick dog on to their customer. Due to their Gross Negligence I have incurred over \$K in necessary life saving veterinary services just to save her life. It is illegal to lie and say you are selling a healthy puppy when it is in fact so ill that it needs to be hospitalized and quarantined.

Example of Misrepresentation and Fraud:

1) Le Petit Puppy claims that they DO NOT sell dogs that are from PUPPY MILLS however this is not true in our dogs case. As you'll see in the documents that I am faxing our dog was in fact purchased from a PUPPY MILL that goes by the name of Barkers Deluxe. Barkers Deluxe lost their license with the USDA to sell yet Le Petit Puppy purchased from them anyway and sold us a sickly, puppy mill dog. You will see in this fax evidence that Le Petit Advertises on their website and at the time of purchase that they do not buy from Puppy Mills, just private breeders. I can assure you I would have NEVER purchased a dog with this history as I would never support this unethical industry. The lied and misrepresented where they purchased our dog which is FRAUD.

2) Le Petit Puppy sold me a fraudulent warranty for the dog which was to reimburse for the Vet bills. While my claim was filed in a timely manner, numerous emails were exchanged the company's representative saying they would process the claim, I was told at one point the check was in the mail - NO REIMBURSEMENT has ever been received. The warranty company, after they said the check was in the mail and confirmed how it was sent using the United States Postal Service emailed us to say that Le Petit Puppy would send me a check. This was after 6 weeks of them saying they were processing my

10/06/2011 18:33 FAX 8126736718

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claim. Le Petit sold me this warranty with a company called, Family Pet Plans and it is clear they are a scam of a company operating illegally. Since Le Petit sold the warranty to me as an active representative this is another example of them having fraudulent, unethical, unscrupulous business practices.

3) Le Petit Puppy also throw together almost two thousand dollars worth of merchandise that I did not need. When my assistant, Monica Wright, brought the items back within 2hrs of purchase they said they would issue a credit. That has never happened. Once again they say one thing and do another. I have no idea how they are in business and have since read and encourage you to as well, the reviews on Google. Le Petit Puppy has a reputation of unscrupulous business practices.

Please call my assistant Monica Wright at 646-884-3429. Should you have any questions or need any other information. She has documented this nightmare of a transaction and can provide you with more detail if needed in issuing me a complete and full credit for the charges accrued at Le Petit Puppy.

Sincerely,
Melissa Milne

10/06/2011 18:04 FAX 2125738718

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Monica Wright <thowrightsource@gmail.com>

NOAH CRESSEL

billsona@aspca.org <billsona@aspca.org>
To: thowrightsource@gmail.com

Tue, Sep 27, 2011 at 9:54 AM

Hi;

I saw your post on puppies of westport topix site and I wanted to share information on Noah Cressel, the dog breeder that sells puppies to puppy stores. You had mentioned that you wanted more info, so please check out their latest USDA inspection report at the link below - you will be alarmed.

<http://acisearch.aphis.usda.gov/LPASearch/faces/pdfpage.jspx?custid=321752>

This is a problem breeder (no surprise here). Their inspection reports are horrible and it appears they know how to work the system. Their license was cancelled (again) in June of this year. But, they will likely just apply for a new license. It's important to find out if they were selling puppies while their license was cancelled..

They operate under Barkers Delux and if you visit that website you will see how cute they make it all look, while we know behind the scenes, this is not cute at all.

I'm a founding member of the Westport Coalition Against Puppy Mills. How can I help you? Let me know your story when you have a chance.

I just posted this on topix as well.

Thanks

Email from ASPCA
regarding Puppy Mill owner
NOAH Cressel w/ link to
most recent site visit.
Still without a license.

10/06/2011 18:34 FAX 2120730718

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Family Pet Health Plan Inc.
Fax: 302-295-2857

To Whom It May Concern:

Enclosed herewith are true and correct copies of Veterinary bills from Fifth Avenue Veterinary Specialists and Greenwich Village Animal Hospital which total \$5,206.43. These charges were incurred for life-saving treatments for my puppy, Bea, whom I purchased from Le Petit Puppy in New York, NY on August 8, 2011.

After Bea came home with me on August 8, 2011, she became very ill, so I took her to a Veterinarian, Dr. Sans, who diagnosed her with Pneumonia. Bea has undergone over 15 Nebulization treatments, was hospitalized for 5 days and Oxygen Supplements. The X-rays that Dr. Sans took on August 11, only 72 hours after I took her home from Le Petit, indicate that Bea had this infection while under the ownership of Le Petit.

When I purchased Bea from Le Petit, I expected that she was in a condition fit for sale. Bea's condition could not be further from my expectation. Bea has been classified as "unfit for sale" by Dr. Sans. I therefore request to be reimbursed for the full \$2,900 purchase price for Bea, which is the maximum amount covered by this warranty plan. Note that Bea's Veterinary bills far exceed the warranty maximum and, although she is likely to be released today from inpatient care at Fifth Avenue Veterinary Specialists, she must undergo further medical treatment until she is in good health.

Since the monetary value of my claim exceeds the warranty maximum, I request that you assist me to obtain the full amount of my damages, which were incurred due to the gross negligence of Le Petit. Le Petit Puppy sold me an extremely ill puppy that should not have been in their store for sale, but should have been in a Veterinary Clinic receiving appropriate treatment for this infection.

Additionally, Le Petit Puppy, the seller and representative of your warranty product, has not once reached out to me, even though they were informed of Bea's condition on August 11, 2011.

I am extremely disappointed with Le Petit's treatment of animals in their custody and control, as well as their lack of concern for a situation caused by their own negligence.

Sincerely,
Melissa Milne
744 Greenwich Street
New York, NY 10014

Letter to Warranty Company.

10/06/2011 18:38 FAX 2129735711
10:00 FAX 2128765711

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TRANSMISSION OK

TX/RX NO 3243

CONNECTION TXL 13022852E

SUBADDRESS

CONNECTION ID

ST. TIME 08/28 10:01

USAGE T 03'28

PQS. SENT 7

RESULT OK

Never received anything claim faxed 8/26/11 and per form claim should have been paid w/in 7 days.



Please fax or email to:
Family Pet Health Plans Inc.
 FAX: 302-295-0857
 Email: Claims@familypetplans.com

WARRANTY CLAIM FORM

Name: Melissa Milne

Email: _____ Home Phone: _____ Cell Phone: _____

Current address: _____

City: New York State: NY Zip Code: 10014

CLAIM INSTRUCTIONS:

Filing a claim is a simple process. Please be sure all of the fields on this form are filled in and the following conditions are met in order to timely process your claim.

If you believe your pet has been diagnosed with any of the following diseases or any additional hereditary disease diagnosed by a licensed veterinarian, you may file a claim with Family Pet Health Plans.
 Alopecia, Dermatitis, Dermabaphylosis, Pyoderma, Bladder Infection / Urinary Tract Infection, Cherry Eye, Coccidia/Oochyomycosis, Colitis, Conjunctivitis / eye Infection, Cryptosporidiosis, Canine Distemper, Distichia, Otitis/Ear Infection/Ear Mites, Gastroenteritis/Intestinal Inflammation, Giardia, Hepatitis, Hip or Elbow Dysplasia, Kennel Cough, Tracheitis, Bronchitis, Liver Shunt, Lucidary Patella, Megasphagus, Intestinal Parasites, Parvo, Pneumonia, Prolapsed Rectum, Renal Dysplasia, Kinktail, Upper Respiratory Infection, Umbilical Hernia

To submit a claim, you must submit this form along with a detailed description from the treating veterinarian. This form must contain the date of treatment and any pertinent information related to the diagnosis of the incident.

If you are looking for a full reimbursement, you must have your veterinarian warrant your pet "unfit for sale" during the appropriate time periods allowed by this warranty and/or the laws in your state.

Claims with full documentation will be processed and paid within 7 days. This process may be delayed if additional information is necessary by Family Pet Health Plans. Additional information will be requested within 3 days of the submission of your claim.

PET/TREATMENT INFORMATION:

Pet Store/Breeder: Le Petit Puppy

Address: 18 Christopher Street Phone: 212-727-8111

City: New York State: NY Zip Code: 10014

Date of Birth: 5/23/11 Purchase Date: 8/8/11 Purchase Price: \$2900

Breed: Beabull Male Female Name: Bea

Vet/Animal Hospital: Multiple Service Providers Phone: _____

Address: See Attachments City: _____ State: _____

Date of Initial Vet Visit: 8/10/11 Is this the first claim filed on this pet? YES NO

10/08/2011 18:38 FAX 2120738718

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Please fax or email to:
Family Pet Health Plans Inc.
FAX: 302-295-2857
Email: Claims@familypetplans.com

WARRANTY CLAIM FORM		
Name: <u>Melissa Milne</u>		
Email:	Home Phone:	Cell Phone:
Current address: <u>[REDACTED]</u>		
City: <u>New York</u>	State: <u>NY</u>	ZIP Code: <u>10014</u>
CLAIM INSTRUCTIONS		
<p>Filing a claim is a simple process. Please be sure all of the fields on this form are filled in and the following conditions are met in order to timely process your claim.</p> <p>If you believe your pet has been diagnosed with any of the following diseases or any additional hereditary disease diagnosed by a licensed veterinarian, You may file a claim with Family Pet Health Plans. <i>Albopoda, Dermatitis, Dermatophytosis, Pyoderma, Bladder Infection / Urinary Tract Infection, Cherry Eye, Coccidia/Onchymycoela, Colitis, Conjunctivitis / Eye Infection, Cryptorchid, Demodex Mange, Diarrhea, Distichia, Otitis/Ear Infection/Ear Mites, Gastroenteritis/Intestinal Inflammation, Giardia, Hepatitis, Hip or Elbow Dysplasia, Kennel Cough, Tracheitis, Bronchitis, Liver Shunt, Luxating Patella, Microsporidium, Intestinal Parasites, Parvo, Pneumonia, Prolapsed Rectum, Renal Dysplasia, Rhinitis, Upper Respiratory Infection, Umbilical Hernia</i></p> <p>To submit a claim, you must submit this form along with a detailed description from the treating veterinarian. This form must contain the date of treatment and any pertinent information related to the diagnosis of this incident.</p> <p>If you are looking for a full reimbursement, you must have your veterinarian warrant your pet "unfit for sale" during the appropriate time periods allowed by this warranty and/or the laws in your state.</p> <p>Claims with full documentation will be processed and paid within 7 days. This process may be delayed if additional information is necessary by Family Pet Health Plans. Additional information will be requested within 3 days of the submission of your claim.</p>		
PET/TREATMENT INFORMATION		
Pet Store/Breeder: <u>Le Petit Puppy</u>		
Address: <u>18 Christopher Street</u>		Phone: <u>212-727-8111</u>
City: <u>New York</u>	State: <u>NY</u>	Zip Code: <u>10014</u>
Date of Birth: <u>5/23/11</u>	Purchase Date: <u>8/8/11</u>	Purchase Price: <u>\$ 2900</u>
Breed: <u>Beabull</u>	Male <input type="checkbox"/> Female <input checked="" type="checkbox"/>	Name: <u>Bea</u>
Vet/Animal Hospital: <u>Multiple Service Providers</u>		Phone:
Address: <u>See Attachments</u>		City: State:
Date of Initial Well Visit: <u>8/10/11</u>	Is this the first claim filed on this pet? YES NO	
Date first symptoms noticed: <u>8/8/11</u>	Is treatment completed or ongoing? <u>Ongoing</u>	
List ALL medications prescribed to your pet (if any):		
Medication: <u>See attachments</u>	Dose:	
Medication:	Dose:	
Medication:	Dose:	
PLEASE DESCRIBE THE NATURE OF THE ILLNESS OR INCIDENT INCLUDING SYMPTOMS SEEN ANY ADDITIONAL HEALTH INFORMATION OR OTHER ISSUES BEING TREATED BY THIS PRACTITIONER.		
<u>See attached letter</u>		
<p>You may file your claim either by mail to: Family Pet Health Plans PO. Box 479 Marlton, NJ 08053 or by email at: Claims@familypetplans.com or by fax at 302-295-2857. Please call 877-211-3259 with any questions about your claim.</p>		

10/08/2011 10:38 FAX 2128735718
DEC 01 2009 8:32PM HP LASERJET PRX

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P. 1

VETERINARY CERTIFICATION OF UNFITNESS OF DOG FOR PURCHASE

OWNER OF PET: Melissa Milne
ADDRESS: [REDACTED]

New York, NY 10014

TELEPHONE NUMBER 917-602-0579

BREED Beagle/Bulldog Mix

AGE 3 mo. SEX F COLOR Brown/White

DATE OF EXAMINATION 8/11/2011

DIAGNOSIS Pneumonia

TREATMENT RECOMMENDED Nebulization, Antibiotics, Intravenous supportive care
Serial X-rays, bandwork, oxygen therapy

ESTIMATE OR ACTUAL COST OF TREATMENT Up to and exceeding the cost of the dog

THIS IS TO CERTIFY PURSUANT TO ARTICLE 35-D OF THE GENERAL BUSINESS LAW OF THE STATE OF NEW YORK, THAT I AM A VETERINARIAN DULY LICENSED BY THE STATE OF New York, THAT I HAVE EXAMINED THE ABOVE ANIMAL AS SET FORTH HEREIN AND THAT I FIND THAT SAID ANIMAL IS UNFIT FOR PURCHASE DUE TO (CHECK ONE)

ILLNESS

& initial examination, post-purchase, was on 8/11/2011.

A CONGENITAL MALFORMATION WHICH ADVERSELY AFFECTS THE HEALTH OF THE ANIMAL; OR

THE PRESENCE OF SYMPTOMS OF A CONTAGIOUS OR INFECTIOUS DISEASE.

DATE 7/25/2011 SIGNATURE Tracy Sane

REMARKS

NAME OF VETERINARIAN (Print) TRACY SANE, DVM

ADDRESS 504 HUDSON STREET

NEW YORK, NY 10014

PHONE 212-691-1100

"Unfit for Purchase"

Dog should have not been sold!

10/06/2011 19:36 FAX 2140739728

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Vet Bills
from purchasing
sick dog!

Reprinted on 08/25/2011 at 12:14 PM
Avenue Veterinary Specialists
One W 15th Street
New York, NY 10011
(212)924-3311

Date: 08/24/2011 at 03:27 PM Invoice Number: 155306

No: 74684	Name: Bea	No: 92741
Species: Canine	Sex: Female	Date: 03/23/2011
Breed: Beagle Mix	Weight: 6.0 lbs	
Color: White And Brown		

	Quantity	Price	Tax	Total Price
08/21/2011 Emergency Exam/Consult	1	150.00		150.00
Biohazard Waste Mgmt	1	5.25		5.25
Fluid Therapy Set Up	1	146.95		146.95
Fluid 1st Bag	1	0.00		0.00
I.V. Catheter Include	1	0.00		0.00
I.V. Administration Set	1	0.00		0.00
Fluid Pump	1	36.80		36.80
KCl Additional	1	10.80		10.80
NaCl/CR Panel	1	76.60		76.60
Scham CBC SA020	1	180.40		180.40
Sedation	1	100.00		100.00
Endotracheal Wash	1	292.70		292.70
Cytology,CYTO	1	171.30		171.30
Aerobic C. & S.M020	1	190.65		190.65
Nebulize	1	81.30		81.30
Glucose Vin. Glucometer	1	27.55		27.55
Bayrel 22 7mg/ml/ml	2	35.30		35.30
Patient Care Injections	1	20.40		20.40
Oral/Topical Meds	2	15.60		15.60
Hospitalize Day	1	73.50		73.50
Intensive Care	1	24.55		24.55
Isolation/day	1	69.05		69.05
08/22/2011 Hospitalize	1	122.45		122.45
Occupancy	1	0.00		0.00
Patient Care	1	0.00		0.00
Professional Care	1	0.00		0.00
Intensive Care	1	24.55		24.55
Isolation/day	1	69.05		69.05
Fluid Therapy	1	24.55		24.55
Nebulize	1	81.30		81.30
Bayrel 22 7mg/ml/ml	2	35.30		35.30
Patient Care Injections	1	20.40		20.40
Oral/Topical Meds	1	23.40		23.40
Q&E Giardia TARR Iyr	1	55.12		55.12
08/23/2011 Hospitalize	1	122.45		122.45
Occupancy	1	0.00		0.00
Patient Care	1	0.00		0.00
Professional Care	1	0.00		0.00
Intensive Care	1	24.55		24.55
Fluid Therapy	1	24.55		24.55
Fluids Each Addl. Bag	1	37.90		37.90
KCl Additional	1	10.80		10.80
Nebulize	1	81.30		81.30
Patient Care Injections	1	20.40		20.40
Bayrel 22 7mg/ml/ml	2	35.30		35.30
Oral/Topical Meds	1	23.40		23.40

Thank you for trusting us with your pet's care • Your friends at 15th Avenue Veterinary Specialists

10/06/2011 18:30 FAX 2120730718

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DUPLICATE Reprinted on 08/24/2011 at 12:15 PM
BIRch Avenue Veterinary Specialists
One W 15th Street
New York, NY 10011
(212)924-3311

Discover Key Summary DVM • Date: 08/24/2011 of J187PMT • Invoice Number: 155804

Date	Description	Quantity	Price	Tax	Total Price
08/24/2011	Radiograph Thorax	1	197.00		197.00
	AIS Radiology report	1	65.00		65.00
	Nova ICU/ER Panel	1	76.60		76.60
	Baytril 68mg Tab	7	39.24		39.24
	Chloramphenicol 250mg	21	26.57		26.57
	Panacur Susp 10%/ml	2	9.95		9.95
	Hospitalize	1	122.45		122.45
	Occupancy	1	0.00		0.00
	Patient Care	1	0.00		0.00
	Professional Care	1	0.00		0.00
	Inventive Care	1	24.55		24.55
	Isolation Day	1	69.05		69.05
	Fluid Therapy	1	24.55		24.55
	Nebulize	1	81.30		81.30
	Patient Care Injections	1	20.40		20.40
	Baytril 22.7mg/ml/ml	2	35.30		35.30
	Oral/Topical Meds	3	23.40		23.40
	Nova ICU/ER Panel	1	76.60		76.60
Subtotal:					93,437.43

Patient Name	Total Price	Total Tax	Total Due
Bea	3,437.43		3,437.43

Cash:	0.00	Prev. Balancer	-2,119.00
Check:	0.00	Total Due:	1,324.43
Visa:	1,324.43	Amount Paid:	1,324.43
		Amount Due:	0.00

Thank You; Kamrica P.

\$ 3,437.43
in Vet Bills

Thank you for trusting us with your pet's care • Your friends at Birch Avenue Veterinary Specialists

10/08/2011 18:37 FAX 2120738718

NY DIGITAL

@012

Greenwich Village Animal Hospital
Tracy Sane, DVM PC
504 Hudson Street, New York, NY 10014
(212) 691-1100

Last Name Milne Pets Name Bea Date 8/11/2011 thru 8/21/2011

Examination	Recheck	Emergency	Cost
			<u>85</u>
Vaccination(s)			
	<u>Nebulization X 15</u>		<u>1125</u>
Injections	<u>Ampicillin inj. / Baytril inj.</u>		<u>160</u>
Laboratory	<u>x 3</u>		
Hospitalization			
IV Setup	<u>Fluids</u>		
Anesthesia			
Surgery			
Dentistry	<u>Extraction(s)</u>		
Radiology	<input checked="" type="checkbox"/>	<u># Views 4</u>	<u>330</u>
Fecal	<u>Giardia</u>		
Medication	<u>Baytril 22.7mg #20</u>		<u>25</u>
	<u>Clavam x 125 #28</u>		<u>44</u>

More
Vet
Bills!

\$ 1769.

Total	<u>\$ 1769</u>
Paid (Credit Debit/Cash)	
Balance	<u>—</u>
Initial	<u>ES</u>

10/08/2011 18:37 FAX 2120730718

NY DIGITAL

013

LE PETIT PUPPY
212-727-8111

08/08/2011 12:07PM 01
000000#8640 OCB

NO SALE

NO REFUNDS
STORE CREDIT ONLY

LE PETIT PUPPY
212-727-8111

08/08/2011 2:52PM 01
000000#8641 OCB

DEPT. 12 52957.38

ITEMS 10
CHARGE \$2957.38

NO REFUNDS
STORE CREDIT ONLY

Receipt for Puppy
Purchase

10/08/2011 18:37 FAX 2120736718

NY DIGITAL

014

GREENWICH VILLAGE ANIMAL HOSPITAL
 504 HUDSON STREET
 NEW YORK, NY 10014
 212-691-1100 (VOICE)
 212-691-6991 (FAX)
 GVAnimalHospital@hotmail.com

To the Petstore

8/11/2011

Ms. Melissa Melina presented
 her Beagle - Bulldog mix, "Bea" to us
 today for examination. She was febrile and
 had a deep, wet cough. Chest x-rays reveal
 early pneumonia. She is to receive
 several days of antibiotics and will likely
 be fine after a couple weeks medication.

Call me if any trouble.

Letter from

Vet.

Troy Jones, DVM

10/08/2011 18:36 FAX 21807335718

NY DIGITAL

013

The screenshot shows a website for 'Barkers Deluxe'. At the top, there is a navigation bar with a search icon and a 'Home' link. Below the navigation, there are two small images: one of a man's face and another of a puppy. The main heading is 'Shipping Your Puppy'. The text below this heading is mostly illegible due to heavy noise and low resolution, but it appears to discuss shipping procedures and costs. At the bottom of the page, there is a row of various icons representing different services or categories.

Barkers Delux
 aka Noah Crescej
 only ships via
 plane Le Petit
 Advertisises she
 only has car ~~cars~~
 deliver. Once again
 false advertising

10/00/2011 10:30 FAX 2126738718

NY DIGITAL

010

The screenshot shows a web browser window with a navigation bar at the top containing various icons. The main content area is divided into three columns. The left column contains the text "From: Webster" and "of the". The middle column has a heading "Welcome to our FAQ section" above a large, noisy block of text. The right column contains the text "If you have any questions" and "regarding the" followed by "DISPATCH" and "of" on separate lines. The bottom of the page features a navigation bar with icons for home, search, and other functions.

Merchant ID: 195510

Term ID: 001

Refund - Approved

Date: 11/06/14

Time: 07:12:59

Card Type: Visa

Entry Method: Manual

Card #: XXXXXXXXXX

Invoice #: 3651

Customer Ref: 1658-3651

Amount **\$398.00**

I agree to pay the above total amount according to the card issuer agreement (Merchant agreement if credit voucher)

X _____

Merchant Copy



Inspection Report

AMANDA CRESSEL
GEORGE CRESSEL
NOAH CRESSEL

Customer ID: 321752

Certificate: 43-B-3680

Site: 001

AMANDA CRESSEL & GEORGE CRESSEL & NOAH CRESSEL

30500 STERLING RD

Type: ROUTINE INSPECTION

LAQUEY, MO 65534

Date: Feb-28-2011

2.40 (b) (2)

ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).

Sec. 2.40 Attending veterinarian and adequate veterinary care (dealers and exhibitors).

- (b) Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include:
- (2) The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries.

***In the sheltered facility there was one adult dog (MC# 4A3B1C6111) with hair loss on legs, chest, neck and facial areas. The skin underneath was red and had small raised areas on it. According to the owner this started approximately a week ago. No veterinarian contact had been made at the time of inspection. Health issues not treated by a veterinarian may worsen the condition.

The owner has 48 hours to take this animal to be evaluated by a veterinarian and follow treatment instructions to assure that appropriate methods to prevent, control, diagnose, and treat diseases and injuries are being used throughout the facility in order to be in compliance with this regulation.

Affects 1 adult dog.
To be corrected by March 2, 2011.

***In the Old Whelping building, the following medications had expired:

Cal Pho Sol- 11/10

Albon- 7/09

Gentamicin Sulfate- 11/10

Medications that are expired or have an unknown expiration date and are given to the animals may not produce the desired result.

The owner needs to discard all expired medications to assure that appropriate methods to prevent, control, diagnose, and treat diseases and injuries are being used throughout the facility in order to be in compliance with this regulation.

Affects all of the dogs receiving these medications.

Prepared By:

BEVERLY HICKS, A.C.I. USDA, APHIS, Animal Care

Date:

Title: ANIMAL CARE INSPECTOR Inspector 5051

Feb-28-2011

Received By:

NOAH AND AMANDA CRESSEL- OWNER

Date:

Title: SENT BY EMAIL

Feb-28-2011



Inspection Report

To be corrected by March 3, 2011.

***In the hutch facility, primary enclosure E, there was one dog (MC# 101314889) that had moderately matted hair around the face and neck.

Matted hair increases the risk of skin issues and does not provide appropriate insulation for the animals.

The owner needs to remove the matted hair from the animals to assure that appropriate methods are being used to prevent diseases and injuries in order to be in compliance with this regulation.

Affects 1 adult dog.

To be corrected by March 3, 2011.

***In the outdoor facility, primary enclosures #2 (MC# 464C375148) and #7 (MC# 4720506C22) these two dogs had green matter in their eyes, with dried matter on the edge of the eyelids.

Health issues not treated by a veterinarian may worsen the condition.

The owner needs to contact the attending veterinarian and follow treatment instructions to assure that appropriate methods to prevent, control, diagnose, and treat diseases and injuries are being used throughout the facility in order to be in compliance with this regulation.

Affects 2 adult dogs.

To be corrected by March 3, 2011.

3.1 (c) (1)

HOUSING FACILITIES, GENERAL.

Sec. 3.1 Housing facilities, general.

(c) Surfaces--(1) General requirements. The surfaces of housing facilities--including houses, dens, and other furniture-type fixtures and objects within the facility--must be constructed in a manner and made of materials that allow them to be readily cleaned and sanitized.

***In the Double Decker building, the main walkway is constructed of treated sub-floor material, yet it is not sealed. Raw wood cannot be sanitized.

Moisture and disease hazards can penetrate raw wood and increase the disease risk to the animals.

The owner needs to provide finishing material to this area so that proper cleaning and sanitizing can be performed in order to be in compliance with this regulation.

Affects approximately 20 dogs.

To be corrected by March 21, 2011.

Prepared By:

BEVERLY HICKS, A.C.I. USDA, APHIS, Animal Care

Date:

Title: ANIMAL CARE INSPECTOR Inspector 5051

Feb-28-2011

Received By:

NOAH AND AMANDA CRESSEL- OWNER

Date:

Title: SENT BY EMAIL

Feb-28-2011



Inspection Report

3.1 (c) (2)

HOUSING FACILITIES, GENERAL.

3.1 Housing facilities, general.

(c) Surfaces-

(2) Maintenance and replacement of surfaces. All surfaces must be maintained on a regular basis. Surfaces of housing facilities- including houses, dens, and other furniture-type fixtures and objects within the facility- that cannot be readily cleaned and sanitized, must be replaced when worn or soiled.

***In the outdoor facility, the primary enclosures are built on cement slabs. Three of these slabs have small to large cracks in them that extend into the primary enclosures. Some of these areas were repaired in the past, yet the repair material has worn away and the cracks are collecting waste material.

The owner needs to provide finishing material to this area so that proper cleaning and sanitizing can be performed in order to be in compliance with this regulation.

Affects 22 adult dogs.

To be corrected by May 30, 2011.

3.1 (e)

HOUSING FACILITIES, GENERAL.

Sec. 3.1 Housing facilities, general.

(e) Storage. Supplies of food and bedding must be stored in a manner that protects the supplies from spoilage, contamination, and vermin infestation. The supplies must be stored off the floor and away from the walls, to allow cleaning underneath and around the supplies.

***In the Double Decker, there were several unopened bags of feed stacked on the floor in the corner. Proper food storage is essential for appropriate cleaning.

The owner needs to assure that all food is kept off of the floor and away from walls, to allow cleaning underneath and around the supplies to be in compliance with this regulation.

Affects approximately 20 dogs.

To be corrected by March 14, 2011.

This inspection began at 1447.

Inspection and exit interview conducted with owner.

Prepared By:

BEVERLY HICKS, A.C.I. USDA, APHIS, Animal Care **Date:**
Title: ANIMAL CARE INSPECTOR Inspector 5051 Feb-28-2011

Received By:

NOAH AND AMANDA CRESSEL- OWNER **Date:**
Title: SENT BY EMAIL Feb-28-2011



Inspection Report

End of report.

Prepared By:

BEVERLY HICKS, A.C.I. USDA, APHIS, Animal Care.

Date:

Title: ANIMAL CARE INSPECTOR

Inspector 5051

Feb-28-2011

Received By:

NOAH AND AMANDA CRESSEL- OWNER

Date:

Title: SENT BY EMAIL

Feb-28-2011



Photographer:	Beverly Hicks	Legal Name:	43-B-3680
Photo Taken:	Mon, Feb 28, '11 1614	AMANDA CRESSEL	
Inspection:	59112010480590	GEORGE CRESSEL	
Description:	Adult dog with hair loss, red skin and small raised areas on skin surface.		
		NOAH CRESSEL	

Public reporting burden for this collection of information is estimated to average .25 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, Room 404-W, Washington, D.C. 20250; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.

FORM APPROVED OMB NO. 0578-0036

No license may be issued unless a completed application has been received (7 U.S.C. 2133-2143), and the applicant is in compliance with the standards and regulations Section 2133.

U.S. DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

APPLICATION FOR LICENSE

(TYPE OR PRINT)

NEW LICENSE

DO NOT USE THIS SPACE - OFFICIAL USE ONLY

SEND THE COMPLETED FORM TO:

WIC 9-0038, c/b. 1653
Agg Annual Fee
Fee

USDA-APHIS-Animal Care
2150 Centre Ave, Building B
Mail Stop # 3W11
Fort Collins, CO 80526-8117

LICENSE NO.	RENEWAL DATE	FEES	
		AMOUNT	DATE RECEIVED
43-B 368c	4 Jun 10	760.00	17 Jun 09

1. NAME(S) OF OWNER(S) AND MAILING ADDRESS

Noah Cressel
George Cressel
Amanda [redacted]
COUNTY: Pulaski TELEPHONE 573 765-9985

2. ALL BUSINESS NAMES, LOCATIONS, AND ALL SITES HOUSING ANIMALS (P.O. Box not acceptable)

30500 Sterling Rd
Laguer MO 65534
COUNTY: Pulaski TELEPHONE 573 765 9985

3. IF PREVIOUSLY LICENSED - NAME AND ADDRESS

Barkers Delux
30500 Sterling Rd
Laguer MO 65534
PREVIOUS LICENSE NO: 43B0177

4. NAME AND ADDRESS OF OTHER BUSINESS(S) HANDLING ANIMALS IN WHICH APPLICANT/LICENSEE HAS AN INTEREST

5. TYPE OF LICENSE

A - Dealer (Breeder) B - Dealer C - Exhibitor

6. DATE OF LAST BUSINESS YEAR

FROM			TO		
MO	DAY	YEAR	MO	DAY	YEAR
04	26	08	04	26	09

7. NATURE OF BUSINESS (Check item(s) that describe nature of your business)

A - Zoo B - Aquariums C - Auction
 D - Breeder E - Pets F - Roadside Zoo
 G - Circus H - Animal Acts I - Carnival
 J - Drive thru Zoo K - Pet Store L - Broker

8. TYPE OF ORGANIZATION

Partnership Corporation Individual
 Other (Specify)

9. LIST OWNERS, PARTNERS, AND OFFICERS

NAME AND TITLE	ADDRESS
Noah Cressel George Cressel Amanda Deardenuff	30500 Sterling Rd Laguer MO 65534 (all)

10. DEALER ONLY

TOTAL NO. OF ANIMALS PURCHASED IN THE LAST BUSINESS YEAR	[redacted]
TOTAL NO. OF ANIMALS SOLD IN THE LAST BUSINESS YEAR	
TOTAL GROSS AMOUNT DERIVED FROM THE SALE OF ANIMALS	
DOLLAR AMOUNT ON WHICH FEE IS BASED (Sections 2.8 and 2.7)	

11. EXHIBITOR ONLY (No. of animals holding now or held during the last business year, whichever is greater.)

DOGS		RABBITS	
CATS		NONHUMAN PRIMATES	
GUINEA PIGS		MARINE MAMMALS	
HAMSTERS		WILD OR EXOTIC MAMMALS	
OTHER (i.e., farm animals) (List Species and No.)			

I hereby make application for a license under the Animal Welfare Act 7 U.S.C. 2131 et seq. I certify that the information provided herein is true and correct to the best of my knowledge. I hereby acknowledge receipt of and agree to comply with all the regulations and standards in 9 CFR, Subpart A, Parts 1, 2 and 3. I certify that I am over 18 years of age.

13. NAME AND TITLE (Type or Print)

Owner

14. DATE

5-11-09

(JAN 95)

(Previous editions are obsolete.)

PART 1 - SECTOR OFFICE

MAY 18 2009



United States
Department of
Agriculture

Animal and Plant
Health Inspection
Service

Animal Care
Western Region

2150 Centre Ave.
Building B
Mail Stop # 3W11
Ft. Collins, CO 80526
Phone: 970-494-7478
Fax: 970/494-7461

RE: NEW LICENSE APPROVAL
Certificate Number: 43-B-3680
Renewal Date: 06/04/2010

June 4, 2009
Customer ID Number: 321752

George Cressel
Amanda [redacted]
Noah Cressel
30500 Sterling Rd
Laquey, MO 65534

Dear Licensee:

We are pleased to inform you that you have met the licensing requirements under the Animal Welfare Act (AWA). Accordingly, we are enclosing a copy of your approved application (APHIS Form 7003A), along with the official license certificate, which is suitable for display.

Please note the license expiration date; each year, you are required to submit your license renewal application and renewal fees on or before the expiration date. The appropriate forms and instructions will be sent to you at least 60 days prior to the expiration date -- this will serve as the sole reminder that your license is nearing expiration.

In addition to maintaining your facility and animals in accordance with the AWA regulations and standards, you must keep current, accurate records -- including a written program of veterinary care. We have enclosed a supply of forms to assist you in maintaining your records in the prescribed manner. You must also notify this office by certified mail of any change of name, address, management, or substantial control or ownership of your business within 10 days of the change.

We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at (970) 494-7478 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

Robert M. Gibbens, D V M
Regional Director - Animal Care
Western Region

cc: Beverly Hicks, A.C.I.
Enclosures



Safeguarding American Agriculture
APHIS is an agency of USDA's Marketing and Regulatory Programs
An Equal Opportunity Provider and Employer



20-May-2009

CERTIFIED MAIL
RETURN RECEIPT
7008 0500 0000 7754 9705

43-10-5000
321752

United States
Department of
Agriculture

Animal and Plant
Health Inspection
Service

Animal Care
Western Region

2150 Centre Ave.
Building B
Mail Stop # 3W11
Ft. Collins, CO
80526
Phone: 970/494-
7478
Fax: 970/494-7461

Noah Cressel, George Cressel &
Amanda [redacted]
30500 Sterling Rd.
Laquey, MO 65534

Customer ID: 321752

Dear Applicant:

We recently received your check and application for a License under the Animal Welfare Act (AWA). However, we are unable to process it for the reasons indicated below. Please return the appropriate fee to our office on or before 01-June-2009 to avoid further delay.

Please complete and submit original form APHIS Form 7003-A.

Please send \$10.00 application fee.

Please send \$ 760.00 fee required under Block 10 of form.

Please return the corrected form along with payment of \$ _____.

Please correct/complete the enclosed Credit Card Authorization form.

Please provide an original signature.

We have returned your check #1681 in the amount of \$ 770.00, which was received on 18-May-2009, because of incorrect amount. Please send payment in the amount of \$760.00 to our office on or before 01-Jun-2009 to avoid further delay.

PLEASE CORRECT THE FOLLOWING BLOCKS ON THE FORM:

Block 1

Block 6

Block 10

Block 2

Block 11

Block 3

Block 7

Block 4

Block 8

Block 13

Block 5

Block 9

Block 14

Federal Tax ID (green sheet)

If you have any questions regarding this letter or the Animal Welfare Act, please feel free to contact this office at (970) 494-7469.

Sincerely,

Robert M. Gibbens, DVM
Director,
Western Region, Animal Care

cc: Beverly Hicks, ACI



Safeguarding American Agriculture
APHIS is an agency of USDA's Marketing and Regulatory Programs
An Equal Opportunity Provider and Employer



United States
Department of
Agriculture

Animal and Plant
Health Inspection
Service

Animal Care
Western Region

2150 Centre Ave.
Building B
Mail Stop # 3W11
Ft. Collins, CO 80526
Phone: 970-494-7478
Fax: 970/494-7461

RE: LICENSE RENEWAL
Certificate Number: 43-B-3680
Renewal Date: 06/04/2010

April 5, 2010
Customer ID Number: 321752

Amanda 
George Cressel
Noah Cressel
30500 Sterling Rd
Laquey, MO 65534

Dear Licensee:

This is to remind you that your U.S. Department of Agriculture (USDA) Animal Welfare Act (AWA) license is due for renewal on or before the above renewal date. This is the only renewal notice you will receive.

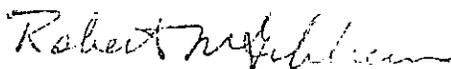
Please complete the enclosed application form, making any necessary corrections to the pre-printed information, and return it to the above address, along with the appropriate license renewal fee. The annual fee is calculated by using the enclosed fee schedule. You may pay by cashier's check, certified check, personal check or money order made payable to the United States Department of Agriculture. You can also pay with a Visa or MasterCard, using the enclosed credit card authorization form. However, we cannot accept cash payments.

Please note that you must have an approved, complete, and up-to-date program of veterinary care form on file at your place of business. You can obtain blank forms -- or any others you may need -- directly from this office or your USDA inspector. The AWA also requires that you report to us any changes in your name, address, location, management, control or ownership of your business via certified mail within 10 days after the change has occurred.

It is very important that you file your AWA license renewal application before the expiration date. Any renewal notices received after that date will be considered invalid and returned. Accordingly, to continue to conduct AWA regulated business, it would be necessary for you to reapply and undergo the entire pre-licensing process. If your license expires and you continue to operate as a dealer or exhibitor, you will be in violation of the AWA and subject to legal action.

We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at (970) 494-7478 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,



Robert M. Gibbens, D V M
Regional Director -- Animal Care
Western Region

cc: Beverly Hicks, A.C.I.

Enclosures



Safeguarding American Agriculture
APHIS is an agency of USDA's Marketing and Regulatory Programs
An Equal Opportunity Provider and Employer

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0036. The time required to complete this information collection is estimated to average 25 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM APPROVED OMB NO.: 0579-0036

No license may be issued unless a completed application has been received (7 U.S.C. 2132-2143), and the applicant is in compliance with the standards and regulations Section 2133.

U.S. DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

DO NOT USE THIS SPACE - OFFICIAL USE ONLY

APPLICATION FOR LICENSE
(TYPE OR PRINT)

RENEWAL

SEND THE COMPLETED FORM TO:
USDA APHIS ANIMAL CARE *6-17-10 2:52 PM CR. 1806*
Western Region
2150 Centre Ave.
Building B, Mailstop 3W11
Fort Collins, CO 80526-8117
(970) 494-7478

LICENSE NO./CUST NO	RENEWAL DATE	FEES	
		AMOUNT	DATE RECEIVED
43-B-3680	4-Jun-2010	485.00	28 Apr 10

1. NAME(S) OF OWNER(S) AND MAILING ADDRESS
Amanda ~~D... Cressel~~
George Cressel
Noah Cressel
30500 Sterling Rd
Laquey, MO 65534

2. ALL BUSINESS NAME, LOCATIONS, AND ALL SITES HOUSING ANIMALS (P. O. Box not acceptable)
30500 Sterling Rd.
Laquey, MO 65534
County: PULASKI

COUNTY: PULASKI TELEPHONE (573) - 765 - 9985

3. IF PREVIOUSLY LICENSED - NAME AND ADDRESS

4. NAME AND ADDRESS OF OTHER BUSINESS(S) HANDLING ANIMALS IN WHICH APPLICANT/LICENSEE HAS AN INTEREST

PREVIOUS LICENSE NO.

5. TYPE OF LICENSE
 A - Dealer (Breeder) B - Dealer C - Exhibitor

6. DATE OF LAST BUSINESS YEAR

7. NATURE OF BUSINESS (Check item that describes nature of your business)

- A - Zoo B - Aquariums C - Auction
 D - Breeder E - Pets F - Roadside Zoo
 G - Circus H - Animal Acts I - Carnival
 J - Drive thru K - Pet Store L - Broker
Zoo

FROM						TO					
MO	DAY	YEAR	MO	DAY	YEAR						
0	1	0 1 0 4	1	2	3 1 0 9						

8. TYPE OF ORGANIZATION
 Partnership Corporation Individual
 Other (Specify) _____

9. LIST OWNERS, PARTNERS, AND OFFICERS

NAME AND TITLE	ADDRESS
Noah Cressel Amanda Cressel George Cressel	30500 Sterling Rd Laquey MO 65534

10. DEALER ONLY
CLASS A (BREEDER) - LINE 'D' = 1/2 OF LINE 'C'
CLASS B (DEALER) - LINE 'D' = LINE 'C' LESS THE AMOUNT PAID FOR THE ANIMAL(S)
(Sections 2.6)

11. EXHIBITOR ONLY (No. of animals holding now or held during the last business year, whichever is greater)

A: TOTAL NO. OF ANIMALS PURCHASED IN THE LAST BUSINESS YEAR	DOGS	RABBITS
B: TOTAL NO. OF ANIMALS SOLD IN THE LAST BUSINESS YEAR	CATS	NONHUMAN PRIMATES
C: TOTAL GROSS DOLLAR AMOUNT DERIVED FROM REGULATED ACTIVITIES (SALES, BOOKING FEES, COMMISSIONS, ETC.)	GUINEA PIGS	MARINE MAMMALS
D: DOLLAR AMOUNT OF WHICH FEE IS BASED (Sections 2.6 and 2.7)	HAMSTERS	WILD OR EXOTIC MAMMALS
	OTHER (i.e., farm animals) (List Species and No.)	

CERTIFICATION

I hereby make application for a license under the Animal Welfare Act 7 U.S.C. 2131 et seq. I certify that the information provided herein is true and correct to the best of my knowledge. I hereby acknowledge receipt of and certify to the best of my knowledge I am in compliance with all regulations and standards in 9 CFR, Subpart A, Parts 1, 2, and 3. I certify that I am over 18 years of age.

(Signature)

13. NAME AND TITLE (Type or Print)
Noah Cressel Owner
14. DATE
4-7-10

APR 28 2009



EXPIRATION DATE: JUNE 4, 2011

**United States
Department of
Agriculture**

**Marketing and
Regulatory
Programs**

**Animal and
Plant Health
Inspection
Service**

Animal Care

This is to certify that

AMANDA CRESSEL
GEORGE CRESSEL
NOAH CRESSEL

is a licensed
under the

CLASS B DEALER

Animal Welfare Act

(7 U.S.C. 2131 et seq.)

Certificate No.

43-B-3680

Customer No.

321752

A handwritten signature in cursive script, reading "Charles A. Gibson".

Deputy Administrator



United States
Department of
Agriculture

Animal and Plant
Health Inspection
Service

Animal Care
Western Region

2150 Centre Ave.
Building B
Mail Stop # 3W11
Ft. Collins, CO 80526
Phone: 970-494-7478
Fax: 970/494-7461

RE: ACKNOWLEDGEMENT OF RENEWAL
Certificate Number: 43-B-3680
Renewal Date: 06/04/2011

April 29, 2010
Customer ID Number: 321752

Noah Cressel
Amanda Cressel
George Cressel
30500 Sterling Rd
Laquey, MO 65534

Dear Licensee:

Thank you for submitting your Animal Welfare Act (AWA) license renewal documents and applicable fees. Enclosed is a copy of the renewal form and a new certificate indicating that your AWA license has been renewed for another year.

As a reminder, you should file your application for renewal and pay your licensing fees on or before the expiration date each year. We will send you a renewal notice again next year about 60 days before the expiration date of your license. If you cease conducting regulated activities, you may cancel your license at any time by notifying us, in writing, that you wish to terminate your license.

The law also requires that you notify us, by certified mail, of any change in the name, address, location, management and control or ownership of your business within 10 days after such a change has occurred.

Please be advised that your facility records must be kept current and they are subject to review by APHIS Officials during compliance inspections. You may order record keeping forms from this office free of charge.

We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at (970) 494-7478 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

Robert M. Gibbens, D V M
Regional Director – Animal Care
Western Region

cc: Beverly Hicks, A.C.I.

Enclosures



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**TESTIMONY OF THE PET INDUSTRY JOINT ADVISORY COUNCIL
FOR CONSIDERATION OF THE
NEW YORK CITY COUNCIL COMMITTEE ON HEALTH
IN OPPOSITION TO INT. NO. 55-A**

November 24, 2014

The Pet Industry Joint Advisory Council (PIJAC) appreciates the opportunity to offer the New York City Council's Committee on Health our views regarding Int. No. 55-A, a local law that would have the effect of prohibiting licensed pet shops in New York City from acquiring puppies from USDA licensed brokers. As the country's largest pet trade association, representing the interests of all segments of the pet industry throughout the United States, PIJAC counts among its members national associations, organizations, corporations and individuals involved in the commercial pet trade. More specifically, PIJAC represents the interests of pet stores, distributors, pet supply manufacturers, breeders, retailers and pet owners throughout the state of New York and across the country.

Let me start by saying that nobody cares more about healthy and safe pets than do PIJAC and our members. We have for many years provided a well-respected animal care certification program that is widely utilized by not only persons in the commercial pet trade but shelters and humane societies as well. Our association has long been recognized as the voice for a responsible pet trade, and we routinely advocate legislative and regulatory proposals establishing governmental mandates where appropriate to advance the public interest and welfare of pets. PIJAC works closely with USDA to ensure effective enforcement of the federal Animal Welfare Act, and has since its inception. We regularly work with federal and state agencies as well as local governments to advance animal welfare interests.

Even as we have worked to raise standards of care, PIJAC has battled misconceptions about the quality of pet store animals and the source of such animals. The unsubstantiated assertion that pet store puppies generally come from substandard breeding facilities is commonly used as a smoke screen to obscure the fact that the overwhelming majority of pet owners who choose pet stores bring home a happy, healthy pet and that they remain highly satisfied with their pet store experience.

The reality is that almost all pet store puppies originate from USDA licensed breeders and distributors who are regularly inspected and found to comply with appropriate care standards. By contrast, many of the dogs and cats from other sources, including rogue Internet operators, private breeders, shelters and rescues, are not subject to similar oversight.

We at PIJAC respectfully oppose the prohibition of USDA Class B-licensed "brokers" (as defined by the city) as a source of dogs or cats in §17-702 b (2), as animals delivered to pet stores from these sources are subject to the same inspections and oversight as animals acquired directly from Class A-licensed breeders. Acquiring animals through "brokers" provides pet shops with the greatest opportunity to ensure that they are providing customers with the healthiest, most varied and most genetically diverse animals. Animals acquired through USDA Class B licensees undergo an initial veterinary inspection, quarantine to ensure their health, regular play and social interaction and a follow-up veterinary inspection prior to their transport to the pet shop.

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Many Class B licensees conduct seminars to educate their partner breeders on emerging science in animal husbandry and pay a premium for animals provided by breeders that exceed USDA standards in care and raising. They microchip each of their animals to ensure accountability and traceability. Prohibiting the sale of any dog or cat acquired through a USDA Class B licensee will have the effect of reducing, not improving, the quality and diversity of the pets available.

It should be noted that the Class B licensees who provide animals to pet shops are subject to USDA scrutiny and oversight. Banning the sale of the dogs and cats from sources that are subject to this strict regulation and sourcing transparency will only drive prospective pet owners to unscrupulous sellers of pets who are not licensed and are unconcerned about compliance with animal care standards. Thus, in considering an arbitrary and capricious ordinance, New York City risks enacting a law that will not only fail to alleviate the conditions about which it has concerns, but will actually exacerbate the very problem the law would seek to address.

Animals delivered to pet stores in New York City are highly regulated:

- In the state of their birth
- In the state of their distributor
- By the federal government
- By New York when the animals enter the state
- And animal cruelty is a criminal offense everywhere

Similarly, PIJAC fails to understand the justification for the prohibition in §17-1702 b (3) c against the sale of rabbits. Unless there is a rabbit overpopulation problem within New York City that we are unaware of, this particular pet seems to have been pulled out of a hat from among the thousands of species that people keep for singular treatment. To call this arbitrary would be a gross understatement.

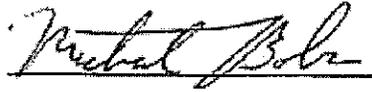
PIJAC's final concern regarding Int. No. 55-A is the restriction placed on Class A licensees in §17-1702 subsection 3.(b).(ii). It is standard policy for USDA inspectors to make a repeat attempt at an inspection in cases where a "no access" situation occurs. Once that successful inspection has occurred, they return to the standard schedule of inspections. As written, this subsection would blacklist a breeder for a single no access violation – which can occur for any number of valid reasons, as inspections are intentionally unannounced – until two subsequent inspections had occurred. If it is the City's intention to follow the legislative precedent set by Suffolk County and others, we would respectfully suggest that you omit the words "either of" in front of "the two most recent," thereby penalizing those breeders who have received repeated "no access" violations without a subsequent successful inspection.

Hyperbole and emotionalism are poor substitutes for rational evaluation of objective information in establishing public policy. PIJAC recognizes that a few substandard facilities supplying pet stores do exist, as do substandard breeders providing dogs directly to the public and, in fact, substandard shelters as well. Our efforts to ensure humane standards of care are met in all of these facilities will continue. However, singling out pet stores for specious generalizations based on anecdotal evidence will **NOT** eliminate the existence of substandard conditions. While this proposal may be a "feel good" approach it only diverts attention away from efforts to really accomplish effective solutions and we urge the Board not to move forward with the proposal.

PIJAC is highly sympathetic to the concerns motivating this proposed law, but an effective ban on retail pet sales is unjustified and ultimately will fail to better protect pets as will creating a two class system in which shelters are not required to care humanely for the animals in their care. We respectfully urge the Committee on Health and the entirety of the New York City Council to reject this ordinance as written and not impose excessive restrictions on all pet owners by punishing legitimate local businesses that are committed to the health, safety and well-being of animals and who are positive, contributing members of the local community and economy.

We would welcome the opportunity to work with the New York City Council to arrive at a meaningful public policy solution related to the care of animals. By working together we can make sure the people of New York continue to have access to healthy animals to love as pets.

Thank you greatly for your consideration of our views.

A handwritten signature in black ink, appearing to read "Mike Bober", written over a horizontal line.

Mike Bober
Executive Vice President
Pet Industry Joint Advisory Council



**TESTIMONY OF THE PET INDUSTRY JOINT ADVISORY COUNCIL
FOR CONSIDERATION OF THE
NEW YORK CITY COUNCIL COMMITTEE ON HEALTH
IN REGARD TO INT. NO. 73-A**

November 24, 2014

POSITION: REQUEST AMENDMENT FOR CLARIFICATION

The Pet Industry Joint Advisory Council (PIJAC) greatly appreciates the opportunity to address the New York City Council Committee on Health on the subject of a proposed change to the prohibition of transfer of animals to animal abusers. As the world's largest pet trade association, representing the interests of all segments of the pet industry throughout the United States, PIJAC counts among its thousands of members associations, organizations, corporations and individuals across the United States involved in the commercial pet trade. More specifically, PIJAC represents manufacturers, distributors, breeders and retailers throughout the state of New York.

No one is more interested in the assurance of healthy and safe pets than PIJAC – our members don't just care about animals, we care for them. Our association has long been recognized as the voice for a responsible pet trade, and we routinely advocate for legislative and regulatory proposals establishing governmental mandates where appropriate to advance the public interest and welfare of pets. We consider the promotion of responsible pet ownership and animal welfare to be the first of the three elements in our mission statement.

PIJAC requests clarification to the proposed change in the law under consideration that would exempt pet shops housing shelter or rescue animals from the law's requirement that they deny possession of an animal to a convicted animal abuser. While we at PIJAC do not assume that it is intended to enable convicted animal abusers access to another animal to abuse, we would request that the City Council add language clarifying that the responsibility for consultation of the registry and denial of adoption to anyone found to be on the registry would rest with the animal shelter or animal rescue organization offering the animal for adoption, as the pet store is not involved in the transaction.

Many of the animals taken in by shelters and rescues have already been the victim of terrible neglect or abuse. These animals above all others deserve added protection, not to be victimized again by an unintentional loophole that places them back into the hands of those who would do them harm.

We would therefore respectfully urge the City Council to amend this ordinance to provide greater clarity prior to passage.

Thank you for your attention,

Mike Bober
Executive Vice President
Pet Industry Joint Advisory Council

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**TESTIMONY OF THE PET INDUSTRY JOINT ADVISORY COUNCIL
FOR CONSIDERATION OF THE
NEW YORK CITY COUNCIL COMMITTEE ON HEALTH
IN OPPOSITION TO INT. NO. 136-A**

November 24, 2014

POSITION: OPPOSED

The Pet Industry Joint Advisory Council (PIJAC) greatly appreciates the opportunity to address the New York City Council Committee on Health on the subject of a proposed amendment to its mandatory spay/neuter and licensing law. As the world's largest pet trade association, representing the interests of all segments of the pet industry throughout the United States, PIJAC counts among its thousands of members associations, organizations, corporations and individuals across the United States involved in the commercial pet trade. More specifically, PIJAC represents manufacturers, distributors, breeders and retailers throughout the state of New York.

No one is more interested in the assurance of healthy and safe pets than PIJAC – our members don't just care about animals, we care for them. Our association has long been recognized as the voice for a responsible pet trade, and we routinely advocate for legislative and regulatory proposals establishing governmental mandates where appropriate to advance the public interest and welfare of pets. We consider the promotion of responsible pet ownership and animal welfare to be the first of the three elements in our mission statement.

PIJAC wishes to speak to the proposed law under consideration that would require all dogs and cats to be sterilized by pet stores prior to sale. This is a change from current code, under which customers can provide a veterinarian's recommendation that an animal not be altered prior to sale and committing to perform the procedure not more than four months after sale. PIJAC has been concerned about, and involved in, the complex issues surrounding unwanted animals for years. They represent a real cause for concern and you are to be applauded for attempting to address them. Unfortunately, the bill before you today will not solve these issues. Current veterinarian consensus is that the earliest age at which it is appropriate to spay or neuter dogs is 6-8 months depending upon the breed and individual animal. While PIJAC does not believe that the current spay/neuter law will have the intended effect of reducing the shelter population, we would ask that the city retain the current waiver system in order to allow animals to reach an age at which the surgery can be performed without risking long term consequences.

Consensus on animal ownership issues is difficult to come by, especially when considering the positions of such disparate groups as the American Kennel Club, the American Veterinary Medical Association, the ASPCA and the Humane Society of the United States. In this case, however, these groups have all publicly stated their opposition to mandatory spay/neuter laws, as mandatory sterilization does not achieve the stated goal of decreasing the number of unwanted and abandoned dogs and cats. Simply put, animals from responsible pet owners represent a small percentage of shelter and rescue intake.

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These documents are all readily available online, but we have taken the liberty of including them with our testimony as attachments. We feel it is important that you consider the views of these organizations in their original forms.

Like these other organizations, we at PIJAC are sympathetic to the concerns motivating this legislation and we are supportive of efforts to encourage pet owners to spay or neuter their animals – provided that these efforts are focused on education and a recommendation that pet owners work with their veterinarians to determine the course of action that is best for their particular animal and situation. We do not believe that removing the ability of a potential pet owner to decide, in conjunction with his or her veterinarian, when it is best to spay or neuter an animal will benefit the people and pets of New York City; rather, we are concerned that such an effort would have the opposite effect and discourage potential pet owners from bringing a new companion into their life.

Similarly, PIJAC opposes the requirement that pet shops act as agents for the city by licensing dogs. While we do not oppose New York City's dog licensing requirement, and many pet stores already assist purchasers with completing the license application, we do not feel that it appropriate that the pet stores are placed in the position of enforcing an ordinance directed at pet owners on behalf of the city. Further, we feel that it is inappropriate that private businesses would be required to serve as fee collectors for the city of New York.

We would therefore respectfully urge the City Council to withdraw or vote down this amendment to current regulations and consider alternative approaches to address the issue of unwanted animals within city limits.

Thank you for your attention,



Mike Bober
Executive Vice President
Pet Industry Joint Advisory Council

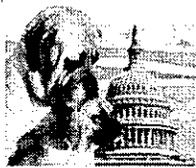
Enclosure

http://images.akc.org/pdf/canine_legislation/MSN_Article.pdf

<https://www.avma.org/KB/Policies/Pages/Dog-And-Cat-Population-Control.aspx>

<http://www.aspcanet.org/nyc/mobile-spay-neuter-clinic/position-statement-on-mandatory-spayneuter-laws>

<https://www.facebook.com/humanesociety/photos/a.82110372841.79736.6041057841/10152026049887842/?type=1> – HSUS Comment timestamped 11:44 AM, February 26, 2014



Issue Analysis: Why Mandatory Spay/Neuter Laws are Ineffective

No dog should ever go unloved or unwanted. Stories of dogs being relinquished to shelters break the hearts of every dog lover.

These issues are the result of a variety of causes. National research organizations have reported that the majority of unwanted dogs in the United States come from owners who are unable or unwilling to train, socialize, and care for their dogs.

As part of encouraging responsible dog ownership, the American Kennel Club (AKC) urges pet owners to spay and neuter their dogs if they do not want to participate in AKC dog shows or performance events or use them in a responsible breeding program. The AKC supports public education programs that teach future pet-buyers and help current

mandatory sterilization policies.

Identifying the Problem

Although MSN may sound like a logical solution to the problem of unwanted dogs, they only address a symptom of the problem. A truly effective solution will require addressing this larger issue.

National studies and anecdotal experiences of shelters across the country demonstrate that economics also plays a significant role in animal relinquishment. Unemployment, tighter budgets, and other monetary concerns including unexpected relocation all contribute to families to giving up pets.

As communities recognize that there are irresponsible dog owners who do not properly train their dogs and who allow

basic animal control laws they are already tasked with enforcing.

Many communities that enact MSN laws find that enforcement can be expensive. A mandatory spay/neuter law enacted in Dallas, Texas, in 2008 resulted in a 22 percent increase in animal control expenditures, as well as an overall decrease in licensing projected to reduce revenue by \$400,000. The City of Santa Cruz, California, experienced a 56% cost increase over the first 12 years of implementation. The City of Los Angeles' budget ballooned from \$6.7 million to \$18 million following implementation. Similar increases in animal control costs following the establishment of mandatory spay/neuter laws have been experienced in communities

“Nearly one in every two families in the United States has a dog, generating a significant demand for well-bred puppies.”



BULLDOG: ISABELLE FRANCAIS FOR AKC

dog owners understand the great responsibility that comes with dog ownership.

Some policymakers and groups assert that the solution is mandatory spay/neuter (MSN) laws. The AKC disagrees. Unlike voluntary programs, mandatory spay/neuter laws have proven to be ineffective. Numerous studies have found they result in significant cost increases and many other unintended consequences for responsible dog owners, local shelters, and the community at large – *without addressing the real underlying issue of irresponsible dog ownership.*

For these reasons, the American Kennel Club is joined by numerous organizations including the American Veterinary Medical Association, the National Animal Interest Alliance, and the American Society for the Prevention of Cruelty to Animals in opposing

their dogs to roam or otherwise create a nuisance, it becomes increasingly evident that most problems stem from owner irresponsibility. Mandatory spay/neuter laws will not address these problems; however, they will punish law-abiding citizens who wish to keep an intact animal, while those who already neglect their responsibilities will likely continue that behavior.

Unintended Consequences

Mandatory spay/neuter laws also have a tendency to create problems for communities because they are very difficult to enforce and can be easily evaded by avoiding dog licensing.

MSN laws also greatly increase the workload for animal control officers, who must now also verify the sterilization of residents' pets in addition to the

throughout the country from Colorado to North Carolina to Washington.

Mandatory spay/neuter policies prove expensive for the public as well. When these laws are established, many cities find that their publicly-funded low-cost spay/neuter programs cannot meet the demand, which forces dog owners to pay full price for the procedure. This can be a huge financial burden for low-income dog owners, who may ultimately be forced to choose between harboring an illegal unsterilized dog and turning it over to a shelter because they cannot afford the procedure.

Unintended broader public health and safety consequences should also be considered. The American Veterinary Medical Association's "Dog and Cat Population Control" policy notes that the mandatory nature of these laws may

Continued on next page

result in pet owners avoiding rabies vaccinations and other general veterinary care in order to hide their lack of compliance.

Another disturbing trend arises when these laws prevent responsible breeders from being able to breed and raise quality family pets. Nearly one out of every two families in the United States has a dog. This generates a significant demand for well-bred puppies. Responsible breeders are committed to raising healthy pure-bred dogs and provide the opportunity for local residents to purchase a quality dog from an expert in the breed who is also knowledgeable about the needs, temperament, and background of the puppy offered for sale. These breeders help potential new owners understand the breed and ensure that a prospective buyer is a good lifestyle fit with the new puppy.

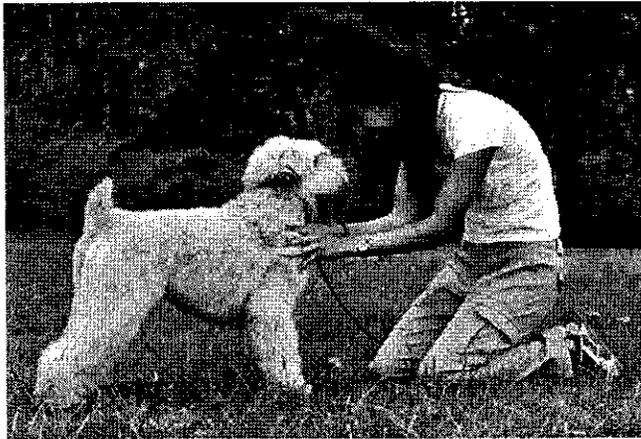
If responsible breeders are forced out of business, those who wish to purchase a purebred dog are forced to seek other avenues. This may include buying puppies over the Internet, where the dogs may be imported from countries with fewer health and safety standards than the United States. Anecdotal evidence has shown a significant increase in the number of dogs being transported into the country, with little to no veterinary oversight and care before the dogs are given to the new owners. A number of these dogs have become seriously ill with diseases such as rabies that are dangerous to both the dog and humans.

Why Exemptions Aren't Enough

Sometimes, instead of an outright spay/neuter mandate, lawmakers will opt to enact laws with stricter regulations on those who choose to not sterilize their dogs. Intact animal permits and differential licensing require those who choose not to sterilize their dogs to obtain a license that is often significantly more expensive than those for sterilized dogs. Some communities do not require licenses unless a dog is intact. Other policies provide exemptions for owners whose dogs are listed with a nationally-recognized registry.

These policies, including exemptions,

punish responsible dog owners simply because they choose to own an intact dog. Responsible dog breeders and owners have a right to own an intact dog if they so choose without being subject to regulations beyond those of other dog owners.



SOFT COATED WHEATEN TERRIER- MARY BLOOM © AKC

“Public education about responsible dog ownership improves public safety, reduces economic burdens on a community, and preserves the rights of dog owners – all while helping dog owners learn how to care for their pets.”

The AKC encourages dog owners to sterilize their pets unless they wish to participate in responsible breeding programs, performance events, or AKC conformation dog shows. As conformation shows are ultimately designed to judge the quality of breeding stock, all dogs entered into these events must be intact. Mandatory spay/neuter defeats the whole purpose of traditional dog shows!

Some laws offer exemptions to MSN policies for “show dogs”. However, this exemption misses the point that spaying/neutering should be an individual decision made by an owner, not forced by the state. It is also very difficult to prove whether or not a dog is being kept for exhibition. Some mandatory spay/neuter schemes require a dog to be shown at least once a year in order to be exempted from the sterilization policies, but not all breeders show all their dogs every year. In addition, many breeders choose to breed their female show dogs after they have finished showing them to their championships. Other owners may choose to see how a dog develops before making a decision about whether to show

the dog. There are many valid reasons for an exhibitor not to show a dog every year, and this choice should be respected.

What's the Solution?

Targeting the issue of irresponsible ownership is the best solution for addressing dog-related issues in a community. This begins with gathering data about the extent and nature of a possible problem in a community. Does the community have reliable statistics on unowned or unwanted animal populations? Does the community currently have comprehensive animal control statutes to address at-large dogs, nuisance dogs, and stray animals? If so, how are they enforced?

Does enforcement include appropriate fines and penalties? Does the community need additional support to enforce these laws? If existing laws are not being followed or enforced, then adding more laws will not improve the situation. Communities may also want to consider encouraging private organizations to provide/subsidize low-cost

spay/neuter clinics to help give low-income individuals the opportunity to sterilize their dogs if they wish.

One of the most effective ways to ensure compliance is through strong public education programs. These programs cover the basics of responsible dog ownership and local dog laws. The American Kennel Club has a wealth of materials to help shelters, community organizations, schools, and other public organizations educate the public about responsible dog ownership. The AKC also provides resources through thousands of local kennel clubs, located in all 50 states, who are willing to assist local leaders in designing and implementing positive canine education programs.

Addressing irresponsible dog ownership through strict enforcement of animal control laws and strong public education programs are effective and cost-efficient ways to address animal control issues. Public education about responsible dog ownership improves public safety, reduces economic burdens on a community, and preserves the rights of responsible caring dog owners – all while helping dog owners learn how to care for their pets.



Dog And Cat Population Control

The population of dogs and cats in the United States currently exceeds the capacity of our society to care and provide homes for them as companion animals. As a result, millions do not have homes and are euthanized annually by animal control agencies, humane organizations, and veterinarians in private practice. Dogs and cats that are not adopted can become victims of trauma, starvation, or disease. The AVMA concludes that dog and cat population control is a primary welfare concern of our society.

A. Public Policy

The AVMA does not support regulations or legislation mandating spay/neuter of privately owned, non-shelter dogs and cats. Although spaying and neutering helps control dog and cat populations, mandatory approaches may contribute to pet owners avoiding licensing, rabies vaccination and veterinary care for their pets, and may have other unintended consequences.

The AVMA believes that state and local governments must evaluate their needs and resources to develop appropriate and effective dog and cat population control programs. This would include:

1. Providing sufficient funding to animal control agencies to facilitate:
 - a. Strict enforcement of existing animal control laws, and
 - b. Licensing of all dogs and cats.
2. Prohibiting the sale or adoption of intact dogs and cats by humane organizations and animal control agencies.
3. Promoting surgical and nonsurgical sterilization of intact dogs and cats. Just as for other veterinary medical and surgical procedures, veterinarians should use their best judgment in recommending at what age sterilization should be performed for individual animals.
4. Requiring licensing, rabies vaccination and permanent identification through microchipping.

B. Research

1. The AVMA encourages research into the development and use of nonsurgical methods of sterilization.
2. The AVMA encourages research to better define and quantify the dog and cat overpopulation problem.

C. Education

1. The AVMA supports public education campaigns that help pet owners be more responsible and concerned.
2. Comprehensive public education campaigns to prevent relinquishment require the commitment and cooperation of state and local governmental agencies, humane organizations, and veterinary associations.
3. Education to prevent relinquishment should include tenets of responsible pet ownership, including appropriate selection, the importance of spaying and neutering, keeping pets indoors or in restricted environments, preventing or solving behavioral problems, and consulting with veterinarians for information on these issues.
4. The AVMA encourages all independent sources of pets (e.g., breeders, pet shops, shelters, animal control facilities, private individuals) to educate new owners about the importance of surgical or nonsurgical sterilization and regular veterinary care.
5. Schools of veterinary medicine and veterinary technology should emphasize the prevention and/or solution of behavioral problems and other factors leading to dog and cat relinquishment.

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Position Statement on Mandatory Spay/Neuter Laws

Background

Per capita shelter intake and euthanasia have been in a steady decline nationwide for the past several decades. Research indicates that the main reason for this decline is the increasing incidence of spayed and neutered animals in the pet population (Zawistowski et al., 1998; Irwin, 2001; Clancy & Rowan, 2003). In fact, the veterinary community recently formally acknowledged the importance of safe, efficient, accessible sterilization programs as the "best antidote to the mass euthanasia of cats and dogs resulting from overpopulation" (Looney et al., 2008). There is, however, variation in shelter intake and euthanasia rates across communities as well as a difference between that for dogs and cats. As a result, many communities are currently searching for methods to reach those who are still contributing disproportionately to companion animal overpopulation. Attempts to reduce shelter intake and euthanasia through the passage of legislation mandating the spaying and neutering of companion animals has recently garnered much attention and debate.

To the knowledge of the ASPCA, the only method of population control that has demonstrated long-term efficacy in significantly reducing the number of animals entering animal shelters is the voluntary sterilization of owned pets (Clancy & Rowan 2003; FIREPAW, 2004; Secovich, 2003). There is also evidence that sterilizing very specific, at-risk sub-populations of companion animals, such as feral cats and animals in shelters, can also contribute to reductions in overpopulation (Zawistowski et al., 1998; Clancy & Rowan 2003; Levy et al., 2003; Lord et al., 2006; Natoli et al., 2006). However, the ASPCA is not aware of any credible evidence demonstrating a statistically significant enhancement in the reduction of shelter intake or euthanasia as a result of the implementation of a mandatory spay/neuter law.

Caution must therefore be applied when interpreting existing claims regarding the effects of local mandatory spay/neuter (MSN) laws. First, because per capita shelter intake and euthanasia are in decline due to voluntary spaying and neutering, it is impossible to determine the effect of an MSN-law without comparing a community's trends in shelter intake and euthanasia for several years before and after the law was enacted to trends in adjacent, similar communities without MSN legislation. Furthermore, to determine with confidence the effects of any spay/neuter program on the animal population, which naturally fluctuates somewhat from year to year, population trends must be examined over a period sufficiently long to absorb those natural fluctuations. Claims based on one or two years of data can be misleading.

In addition, it is imprudent to generalize about the effects of MSN laws. One reason is that the definition of "mandatory" varies greatly across communities. In some localities, a citation may be issued for any animal over the age of four months seen unaltered, while in other communities, a citation results only when another animal control offence has been committed or if more than one unspayed female lives in the household. Another complication is that it can be extremely difficult for even a veterinary professional to visually determine if an animal, particularly a female, has been sterilized; it would be virtually impossible for an animal control officer to make those determinations in the field. For these reasons, and due to variation across communities in law enforcement funding and personnel support, actual enforcement of MSN laws varies widely, making comparisons between MSN laws or predictions about their impact very difficult.

Another reason for caution when interpreting the effects of MSN legislation is that shelter intake and euthanasia statistics are often presented as a total number of dogs and cats. In some communities, the number of dogs entering and being euthanized in shelters is dropping significantly while the number of cats is declining more slowly or even increasing. Therefore it is critical to examine population and shelter statistics for dogs and cats separately, so that reductions in dog intake and euthanasia do not mask increases in cat intake and euthanasia. This issue is particularly critical in the analysis of the effect of MSN laws, since feral and unowned stray cats continue to represent a substantial proportion of the shelter population and euthanasia. This major contributing factor is not addressed by MSN laws that, by nature, target owned animals.

Even when an MSN law seems to have a positive effect on one aspect of animal welfare, it may have a negative effect on another. For instance, in at least one community that enacted an MSN law, fewer pets were subsequently licensed, likely due to owners' reluctance to pay either the high fee for keeping an unaltered animal or the fee to have the pet altered (Office of Legislative Oversight, 1997).

The ASPCA is also concerned that some communities may rely primarily or exclusively on MSN legislation to reduce shelter intake and euthanasia even though the animal shelter population is actually very heterogeneous with no single cause or source (National Council on Pet Population Study and Policy, 2001). Many social, cultural and economic factors as well as animal health and behavioral issues contribute to shelter intake; therefore, no single program or law can be relied on to solve the problem.

Furthermore, one of the main barriers to spaying and neutering of pets is accessibility of services, which is not addressed simply by making spaying and neutering mandatory. Cost is one of the primary barriers to spay/neuter surgery in many communities (Patronek et al., 1997; Ralston Purina, 2000; Frank, 2001). In fact, low household income and poverty are

statistically associated with having a sexually intact cat (Patronek et al, 1997; Chu et al., 2009), with relinquishment of pets to shelters (Patronek et al., 1996), and with shelter intake (Frank, 2003). As a result, the proportion of pets from poor communities who are being euthanized in shelters remains high; shelter euthanasia rates in the poorest counties in states such as California and New Jersey are several times higher than those in the most affluent counties (Handy, 2002; Marsh, 2008).

Each community is unique, however, in terms of the particular sources and causes of companion animal overpopulation and the primary barriers that exist to having pets altered. No one-size-fits-all solution is therefore possible. In examining communities around the country that are having significant success in reducing companion animal overpopulation, it appears that the common denominator is a *multifaceted, targeted* community program that:

- is based on careful research to determine which segments of the animal population are actually significantly contributing to shelter intake and euthanasia and then targets efforts to those segments of the population;
- focuses on the particular barriers to spay/neuter that are predominant and strives to overcome them;
- is well-supported and well-funded; and
- has an efficient voluntary spay/neuter infrastructure in place to service the populations it targets.

ASPCA Position

The ASPCA does not support mandatory spay/neuter laws, however, based on currently available scientific information, the ASPCA strongly supports spay/neuter as an effective means to reduce companion animal overpopulation. In particular, the ASPCA supports voluntary, affordable spay/neuter programs for owned pets, Trap-Neuter-Return (TNR) programs for feral cats and the mandatory sterilization of shelter animals and certain individual, owned animals based on their or their owners' behavior (such as animals deemed dangerous under local ordinances or those repeatedly caught at-large). In order to assure the efficacy of any spay/neuter program designed to reduce shelter intake and euthanasia, the ASPCA believes that each community must conduct credible research into the particular causes of relinquishment and abandonment and the sources of animals in its shelters, including the barriers to spay/neuter services that are faced by those populations contributing disproportionately to the problem. Each community must address these issues with a tailored, multifaceted approach as described below:

- 1) The community should have in place an adequately funded, readily accessible, safe, efficient, affordable spay/neuter program.
- 2) Community research should identify the particular segments of the population that are contributing disproportionately to shelter intake and euthanasia, and the community should produce programs that are targeted to those populations.
- 3) The community should strive to maximize the accessibility of spay/neuter services and provide compelling incentives to have the surgery performed.
- 4) The spay/neuter program should be developed with the guidance of veterinary professionals who are committed to delivering high quality spay/neuter services to all patients (Looney et al., 2008).
- 5) The program must adequately address the contribution that feral and stray animals make to overpopulation.
- 6) The program must be adequately supported in terms of financing, staffing and infrastructure.
- 7) The efficacy of all aspects of the program must be monitored and revisions made as necessary to achieve its goals.

In summary, the ASPCA recognizes that sterilization is currently the best method to reduce companion animal overpopulation, and therefore to reduce shelter intake and euthanasia. The most important step a humane community can take to decrease companion animal overpopulation is to make a safe, effective, voluntary spay/neuter program available and readily accessible to the community, and create programs and incentives targeted to the populations known to be contributing disproportionately to shelter intake and euthanasia.

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The Humane Society of the United States

Today is World Spay Day. Please spread the word: spay and neuter your pets! — with Karen Hamza, Mendy Thomason, Kelly Laura, Ammara Amni and Belinda Perrin.

Top of Form

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- Kristina Campbell Josafat Will HSUS be sponsoring mandatory spay and neuter legislation anytime soon?



Remove

The Humane Society of the United States Hi Kristina, great question! We choose to focus our efforts on providing affordable spay/neuter through programs such as World Spay Day and Pets for Life, rather than lobbying for mandatory spay/neuter. Requiring the sterilization of owned pets and penalizing those who do not comply can put low-income pet owners between a rock and a hard place, resulting in unnecessary relinquishment and missed opportunities for meaningful community education and engagement. Laws that generate spay/neuter resources and that focus on incentivizing spaying and neutering can be more effective in reducing the pet overpopulation in a given community.



**TESTIMONY OF THE PET INDUSTRY JOINT ADVISORY COUNCIL
FOR CONSIDERATION OF THE
NEW YORK CITY COUNCIL COMMITTEE ON HEALTH
IN SUPPORT OF INT. NO. 146-A**

November 24, 2014

POSITION: SUPPORT WITH AMENDMENT

The Pet Industry Joint Advisory Council (PIJAC) greatly appreciates the opportunity to address the New York City Council Committee on Health on the subject of a proposed mandatory microchipping law. As the world's largest pet trade association, representing the interests of all segments of the pet industry throughout the United States, PIJAC counts among its thousands of members associations, organizations, corporations and individuals across the United States involved in the commercial pet trade. More specifically, PIJAC represents manufacturers, distributors, breeders and retailers throughout the state of New York.

No one is more interested in the assurance of healthy and safe pets than PIJAC—our members don't just care about animals, we care for them. Our association has long been recognized as the voice for a responsible pet trade, and we routinely advocate for legislative and regulatory proposals establishing governmental mandates where appropriate to advance the public interest and welfare of pets. We consider the promotion of responsible pet ownership and animal welfare to be the first of the three elements in our mission statement.

PIJAC wishes to speak to the proposed law under consideration that would establish a mandatory requirement for all dogs and cats to have a microchip implanted prior to sale or adoption. PIJAC has been concerned about, and involved in, the complex issues surrounding unwanted animals for years. They represent a real cause for concern and you are to be applauded for attempting to address them. PIJAC believes that the first step in addressing the challenges associated with unwanted pets, particularly those with issues that make them unadoptable, is identification of their source.

Even as we have worked to raise standards of care, PIJAC has battled misconceptions about the quality of pet store animals and the source of such animals. The unsubstantiated assertion that pet store puppies generally come from substandard breeding facilities is commonly used as a smoke screen to obscure the fact that the overwhelming majority of pet owners who choose pet stores bring home a happy, healthy pet and that they remain highly satisfied with their pet store experience. We are confident that an honest analysis of information gleaned from microchip scanning by shelters during intake will vindicate pet shops of the accusation that they are substantial contributors to New York City's animal overpopulation problem.

PIJAC respectfully requests that the proposed legislation be strengthened by requiring shelters to check, track and report the information regarding source contained on the microchips of the animals that they accept. Even the fact that an animal does not have a microchip is important. This will allow the city of New York, rescue organizations and the pet industry to focus all of our efforts to end animal homelessness where they can be most effective.

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PIJAC does have a few concerns about Int. No. 146-A. The first is that in order to ensure that that they are procuring their dogs from only the most reputable sources, and to comply with USDA identification requirements, most animals are microchipped by the Class B dealers before arriving at a pet shop. Many states permit this implantation by personnel other than veterinarians so we respectfully propose that an exception be allowed for animals that are microchipped prior to acquisition, to prevent the unintentional requirement of a second microchip being implanted by a veterinarian. This reality also speaks to the unintended consequences of another proposed ordinance under consideration today, Int. No. 55-A. By prohibiting pet stores from obtaining animals from USDA Class B licensees, you are inadvertently removing the source that most consistently microchips animals prior to delivering them to New York City pet shops.

PIJAC would also respectfully request that the City Council define “bona fide pet microchip registration company”. Because we agree that registering the microchip is an essential part of the process, we feel that defining the term would avoid any single company gaining a competitive advantage which would cause the law to be challenged. We would also encourage the Council to consider lending its voice in support of the AVMA proposal (included as an attachment) that would standardize the microchips.

Our final concern is the exception granted to pet shops with shelter or rescue animals. In order to be effective we submit that all sources of dogs and cats should be required to implant and register microchips, so we would request clarification that this exception does not waive the requirement that the shelter or rescue conducting the adoption ensure that the animal has been microchipped. We would also request that the words “or adopter” be added after the word “purchaser” in subparagraphs 1, 2 and 3 of paragraph § 17-815 in order to prevent any confusion as to who must be provided with microchip registration information.

We believe that this legislation can become a model for other jurisdictions to continue reducing the population of unwanted pets. We would therefore respectfully urge the City Council to strengthen and pass so that all of us who are concerned about animal welfare can more effectively address the issue of unwanted animals within city limits.

Thank you for your attention,



Mike Bober
Executive Vice President
Pet Industry Joint Advisory Council

ATTACHMENTS

AVMA Position on Microchip Standardization

Microchips: The Objectives and Key Elements Needed for Effective Electronic Identification of Companion Dogs, Cats, Other Small Mammals, Birds, Fish, Reptiles, Amphibians and Equids

The AVMA endorses the use of electronic identification in animals and supports standardization in materials, procedures, equipment, and registries. Veterinarians are thereby encouraged to recommend the use of electronic identification of animals to their clients.

The objectives of an effective system of electronic identification of animals are to:

1. Accurately identify animals to aid in reuniting animals with their owners
2. Accurately identify animals for regulatory purposes
 - a. Travel (international and domestic)
 - b. Certificates of Inspection
 - c. Identification of specific animals such as breeding animals, competition animals, animals where legislation mandates permanent identification (e.g., an animal adjudicated to be a "dangerous individual")
3. Accurately identify animals prior to providing medical or surgical treatment

Scanning animals for microchips is necessary for the identification system to be effective. Therefore, every companion dog, cat, other small mammal, bird, fish, reptile, amphibian, and equid presented to a veterinarian should be scanned, whenever possible, for the presence of a microchip. The veterinarian, or designated staff, should scan the animal and note in the patient's medical record if a microchip is present, and if so, record the microchip number in the patient's medical record. This routine scanning for a microchip not only aids in the positive identification of an animal, but also provides the opportunity to assess if the microchip is still functioning properly and located appropriately, as well as reminding owners to keep their microchip database contact information current.

If a microchip implant is detected of which the client is not aware, the veterinarian, or designated staff, should inform the client of this fact, provide the client with contact information for the microchip database company, and encourage the client to contact that company. The veterinarian should document in the patient's medical record that he or she spoke to the client about these matters and should consider contacting the microchip database company with the client's permission. The veterinarian is not expected to investigate nor resolve ownership disputes over an animal, nor should a veterinarian be held liable for relying on a client's claim of ownership following scanning.

7
A veterinarian is expected to exercise his or her professional judgment on ownership before establishing a Veterinarian-Client-Patient Relationship (VCPR). In those circumstances that raise suspicion that the presenting person may not actually be the lawful owner of the animal, a veterinarian should ask for documentation of ownership, such as governmental registration, bill of sale, adoption documents, or microchip documentation. Documentation of ownership should be required when a client requests that a veterinarian remove a microchip. Where the veterinarian has cause to believe that ownership of the animal is unclear, the veterinarian should postpone treatment until evidence of ownership is presented unless, in the judgment of the veterinarian, the treatment is necessary to maintain the health of the animal, to preserve its life, or protect public health. The detection of a microchip implant of which the client is unaware may raise suspicion but should not be considered, in and of itself, sufficient evidence that the client is not the lawful owner. In such a case, a veterinarian may proceed with treatment. In the situation where an animal that has a microchip is found and brought to a veterinarian with no claim of ownership, the veterinarian should contact the microchip database company to locate the owner of record. If unsuccessful, the proper animal control authority should then be contacted for assistance, consistent with any local ordinance.

The following key elements are necessary to achieve the objectives of an effective system of electronic identification of animals:

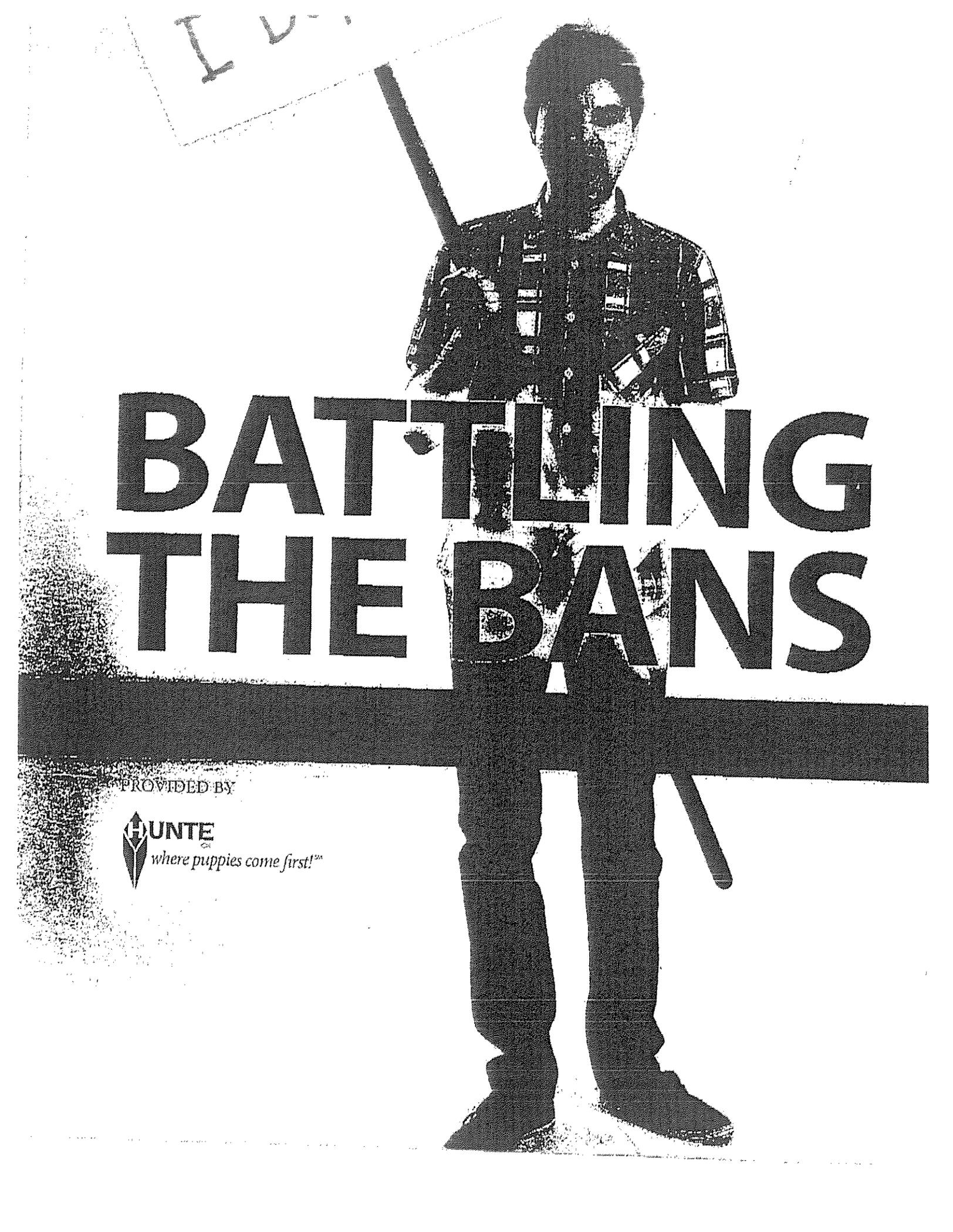
1. The RFID (Radio Frequency Identification) Device (transponder) – a microchip implant for companion dogs, cats, other small mammals, birds, fish, reptiles, amphibians, and equids
 - a. ISO (International Organization for Standardization) compliant RFID technology that adheres to and is based on ISO 11784/11785
 - b. Open technology as defined by the ISO 11784/11785
 - c. Unique numbers must be used to reduce the chances of misrepresentation of the animal. A country code should be used only if there is a centrally run, national database that assumes responsibility for ensuring identification number uniqueness to prevent duplication of numbers. If there is no centrally run, national database, then manufacturer codes must be used to ensure that every animal identification number will remain unique.
 - d. Transponders shall be visible on radiographs (x-ray) and ultrasound.
2. The scanner/reader network –
 - a. All scanners used must be backward and forward compatible ("Global Scanners" capable of reading multiple frequencies), where all scanners can read the data contained in all chips
 - b. An appropriate period of time for implementation of approved technologies must be incorporated (2 years suggested by AVMA) to allow for a smooth transition and implementation of the appropriate infrastructure, once the national system has been adopted

- c. Technical/medical services should be provided by manufacturers/distributors
 - I. Provide for means of receiving reports of adverse reactions and provide recommendations of medical mitigation of the situations
 - II. Respond to technical questions concerning implantation or device operation
- 3. Database operation and management, including process of registration of implanted animals
 - a. Cost of operating the database and the initial animal registration should be included in the purchase price of the microchip from the manufacturer or distributor
 - b. Database must be accessible 24/7/365
 - c. Microchip numbers should be able to be traced from the appropriate manufacturer/distributor to the implanted animal
 - d. Owner education is crucial
 - I. Still need external identification, such as collar/tags
 - II. Must update registration information as needed on a timely basis
 - 1. Without appropriate registration, a lost, microchipped animal that is scanned would probably not be able to be reunited with its owner(s).
 - e. Security of information must be ensured
 - I. The unique 15-digit, animal identification number contained on the microchip in accordance with ISO 11784/11785 cannot be changed
 - II. Only the owner can change registration information
 - f. The AVMA supports the AAHA Universal Pet Microchip Lookup Database for companion animal microchip database information recovery. www.petmicrochiplookup.org/
 - g. The AVMA endorses the use of companion animal microchip registration databases for reuniting animals and owners.
- 4. Defined operating procedures
 - a. Education of veterinary, shelter and animal control individuals on the appropriate method to scan for microchips. The "global"/multiple frequency scanner may take a few seconds longer to accurately scan for all possible implanted microchips than a scanner which reads only one frequency. The advantage of using a multiple frequency scanner is that each animal will only have to be scanned with one scanner/reader.
 - b. The implantation of a transponder (an electronic identification device such as a microchip) in an animal requires precise placement of the microchip with respect to sensitive anatomical structures in the immediate area of accepted implantation sites (some sites are described in section 4c of this policy). Improper placement of the microchip can result in detrimental consequences to the animal which can severely compromise its health and well-being. Improper placement of the microchip can also impede

the detection of the microchip. Therefore, implantation of microchips is a veterinary procedure that should be performed by a licensed veterinarian or under supervision of a licensed veterinarian.

c. Sites in animals where microchips are to be implanted must be standardized. For domestic dogs and cats, the recommended site for subcutaneous injection of a transponder is on the dorsal midline, just cranial to the shoulder blade or scapula. For companion birds, the recommended site for intramuscular injection of a transponder is in the pectoral muscle. For fish, the recommended site for a transponder is in the posterior coelomic (i.e. abdominal) cavity or the dorsal musculature on either side of the dorsal fin. Because of the broad range of shapes and sizes of small mammals, reptiles and amphibians, the site for transponder implantation varies and should be established by consultation with individuals familiar with appropriate transponder placement in that species. For horses, the transponders are injected on the left side at approximately the level of the 3rd or 4th cervical vertebrae and into the nuchal ligament.

5. RFID technology will eventually include the market availability of advanced transponders having enhanced data storage and read-write capabilities. Data security issues exist and are being addressed by the ISO, such as through the development of ISO 14233. The AVMA would support the use of advanced transponders when an open-standard solution for advanced transponders exists.



I.V.

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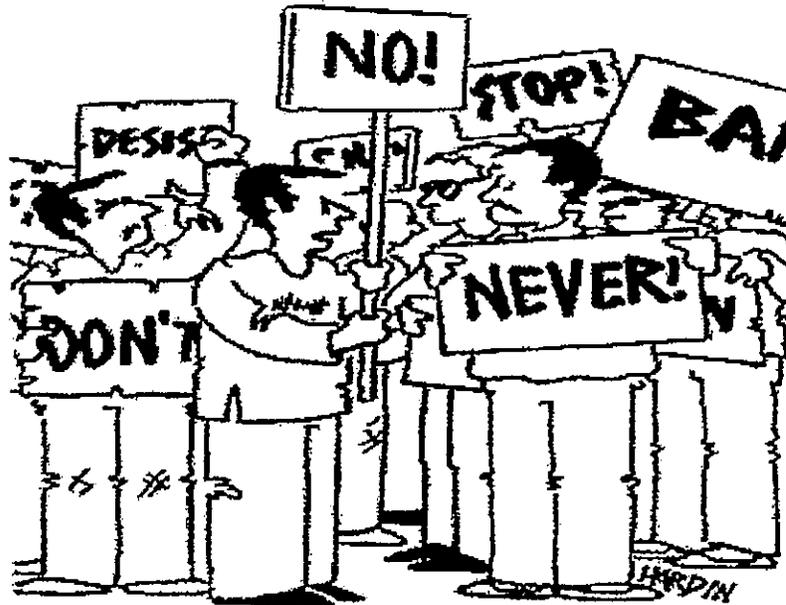
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INTRODUCTION



Animal rights activists are escalating their attacks on the pet industry with campaigns aimed at putting an end to the breeding and retail sale of pets, particularly dogs and cats.

This guide has been developed to assist The Hunte Corporation's retail partners in responding effectively to animal rights efforts to ban or severely restrict the sale of puppies in retail outlets. These efforts may be local or statewide in scope. They are driven, in most cases, by some of the nation's wealthiest and most radical animal rights groups, including the Humane Society of the United States (HSUS) and the American Society for the Prevention of Cruelty to Animals (ASPCA).

There are no "silver bullets" that can magically eliminate the animal rights threat to the purebred pet industry, but the suggestions and resources offered in this guide are intended to help pet retailers mount an effective strategic response to local and state policy initiatives that could eliminate or significantly harm their businesses.

THE ANIMAL RIGHTS AGENDA

The animal rights attack on the breeding and retail sale of pets is part of the broader animal rights agenda, which also calls for eliminating the use of animals for food, clothing, medical research, education and entertainment.

Some animal rights groups want to see an end to pet ownership. PeTA (People for the Ethical Treatment of Animals) founder Ingrid Newkirk has said, "Pet ownership is an absolutely abysmal situation brought about by human manipulation." (Harper's, August 1988, p. 50).

PeTA's Statement on Companion Animals reads, "In a perfect world, animals would be free to live their lives to the fullest, raising their young and following their natural instincts in their native environments. Domesticated dogs and cats, however, cannot live "free" in our concrete jungles, so we are responsible for their care. ...It is important to keep our companion animals from reproducing, which perpetuates a class of animals who are forced to rely on humans to survive." The meaning is unmistakable—PeTA's goal is a world with no pets.

But PeTA doesn't stop there. In "Fettered Kingdoms: An Examination of a Changing Ethic," written by activist John Bryant and published by PeTA in 1982, expressed this view (page 15): "Let us allow the dog to disappear from our brick and concrete jungles—from our firesides, from the leather nooses and chains by which we enslave it... The cat, like the dog, must disappear. We should cut the domestic cat free from our dominance by neutering, neutering and more neutering, until our pathetic version of the cat ceases to exist."

PeTA isn't the only organization whose leaders advocate the eventual extinction of pet dogs and cats. In May 1993, Wayne Pacelle, then a spokesperson for Friends of Animals and now President and CEO of the Humane Society of the United States (HSUS) told the publication Animal People, "We have no ethical obligation to preserve the different breeds of livestock produced through selective breeding. One generation and out. We have no problem with the extinction of domestic animals. They are creations of human selective breeding."

Later that same year, Pacelle extended his "no problem with extinction" view to pets in a publication entitled Bloodties: Nature, Culture and the Hunt," by Ted Kerasote. "In fact, I don't want to see another dog or cat born," Pacelle told the writer.

If no more dogs or cats are born, of course, pets will become extinct. That's the hidden agenda of the radical but well-funded organizations that hide behind the

smokescreen of animal welfare to sell breeding and retail bans to well-intentioned lawmakers and an unsuspecting public.

For more revealing quotes from animal rights leaders, please visit the website of the [National Animal Interest Alliance \(NAIA\)](#).

DOING YOUR HOMEWORK

Sometimes proposals to ban retail pet sales just come out of the blue, but if you pay close attention to what's happening in your community, you can sometimes get advance warning that hostile legislation may be in the works. There are three likely sources of information about potential threats.

Monitoring online news sources

Both Google and Yahoo have free alert services that allow you to get daily emails with news about selected topics based on selected key words. They monitor blogs and online content as well as print and broadcast media. Start by choosing key words like "puppy mills," "pet sales," or "sales bans." Both services have a "preview" feature that allows you to see the kind of information you'll receive using those key words. Sometimes it's necessary to experiment with different key words until you feel the results are most relevant and informative.

The National Animal Interest Alliance (NAIA) also has a list-serve distribution called NAIA News and Views, which provides daily updates on a wide range of animal rights topics. The volume is quite considerable, but it is a valuable source of good information on what's happening in the animal rights world.

Monitoring animal rights websites

Wealthy national animal rights groups such as HSUS and ASPCA are the driving force behind most state and local sales ban proposals, so you should visit their websites regularly to see what activities and campaigns they're highlighting. Don't assume there's nothing happening on your issue if you don't see it mentioned on their home pages; use the website search features to find any mention of your issue in their interior pages or downloadable documents.

You also should sign up for their e-mail lists, even if it requires becoming a "member." These groups recruit supporters for their state and local initiatives from their membership lists, so if they're planning a campaign in your area, you'll probably be among the first to know it if you're "joined" their ranks.

Local animal rights groups also get recruited for such campaigns, so you should monitor the websites of the most active local organizations. Usually these groups publish their newsletters online, and many have email networks for which you can

sign up. Remember, this is your early warning system—so overcome your natural distaste for engagement with these groups, and add your name to their list.

If you're uncomfortable passing on your own name and email, recruit a friend or family member you can trust to sign up and pass any relevant emails on to you.

Monitoring state/local government activities

The earlier you can identify potential legislative threats, the better able you'll be to defeat them. Getting to know your local elected officials (city/county/state) is the best way to keep current on potential developments. In the "Building Relationships with Lawmakers" section, we'll discuss how to work with local officials to get advance warning of hostile legislation.

However, until you have been able to establish the necessary relationships with local government officials, monitoring the activities of your local and state lawmakers is vitally important. There are several ways this can be done.

In most municipalities, city councils must publish their meeting agendas in advance so members of the public have ample opportunity to attend and speak on matters of importance to them. Some cities offer citizens the opportunity to sign up online to receive meeting agendas via email; others simply post the meeting agendas on their websites for download." Depending on the format in which the agenda is posted, you should be able to search the document for key words such as "pet sales" or "pet stores."

Another option is to subscribe to a local government monitoring service, several of which can be found online. These services vary in cost, but may be a useful option if the cost can be shared by multiple entities with a common interest in the issue. Most of these services also offer state-level monitoring, so you may be able to get both services together more cost-effectively than one or the other alone. Here are links to the websites of two local/state monitoring services:

<http://www.stateside.com>

<http://www.statescape.com>

A third option is to retain a lobbyist for legislative monitoring services only. Not all lobbying firms are willing to provide monitoring services without a contract for full representation, but some will offer these services with the understanding that you'll hire them if hostile legislation actually is introduced. Often smaller lobbying firms or individual lobbyists are more willing to consider such arrangements than the larger lobbying or law/lobby firms.

DEFINING YOUR MESSAGE

Without a well-defined and clearly articulated key message (or messages), winning an issue becomes infinitely more difficult. As you develop a strategy for defeating hostile legislation, one of your first steps should be to define your key messages. What is the most important thing you want others to know about you?

For those who work in animal enterprises, it is imperative that we convey our firm commitment to high standards of animal care, in policy and procedure as well as practice. When sub-standard breeders or irresponsible pet retailers fail in their animal care responsibilities, it's not only bad for the animals; it's bad for the "good guys" in the industry. It ruins our reputation and undermines our ability to attack our animal rights adversaries for the extremism of their radical agenda.

The public and lawmakers understand that every industry has a few "bad apples," but they want to feel confident that we are acting in good faith, doing our best to provide a high standard of animal care based on sound veterinary science. It's not enough to express that good faith in words; it's all about our actions. If we aren't doing the right thing for animals, our words will not be persuasive.

Keep this strategic imperative in mind as you begin developing your 2-3 key messages and related talking points. Here are examples to illustrate this process.

Position yourself: "Here's who we are."

Write one sentence that tells people what you want them to know about you.

Example: "Joe's Pets sells only healthy puppies from responsible breeders, and guarantees our customers' satisfaction."

> Talking Point 1: "We don't do business with breeders who fail to meet our high standards."

> Talking Point 2: "We are so confident of the quality of our pets that we provide a one-year warranty to guarantee our customers' satisfaction."

> Talking Point 3: "We work with a licensed veterinarian to make sure that the puppies we sell are healthy and free from hereditary or congenital disorders."

2. Position opponents: *"Here's who they are."*

Write one sentence that tells people what you want them to know about your opponents.

Example: "Animal rights groups want to put all puppy breeders and pet stores out of business, no matter how responsible they are."

> Talking Point 1: "HSUS President Wayne Pacelle has admitted he wants to see the extinction of all purebred domestic animals."

> Talking Point 2: "For ASPCA and HSUS, it isn't about healthy puppies, it's about completely abolishing all pet breeding. If that happens, our pets will become extinct."

> Talking Point 3: "These groups talk about animal welfare, but they operate no pet shelters and spend most of their donations on lobbying and media stunts."

3. Engage audience: *"Here's why this matters to you."*

Write one sentence that tells people how this issue affects them.

Example: "The ban will take away customer choice and drive consumers out of regulated pet stores toward less regulated, less accountable puppy sources."

> Talking Point 1: "If the ban goes into effect, customers will no longer be able to choose a purebred puppy with the specific traits and disposition best suited to their families."

> Talking Point 2: "Pet stores are well regulated and accountable, but banning pet stores will force people to buy their puppies from less regulated backyard breeders or pet shelters."

> Talking Point 3: "By forcing people to buy puppies from less regulated sources, these bans will actually benefit sub-standard breeders instead of forcing them out of business."

4. Encourage action: *"Here's what you can do."*

Write one sentence that tells people what action you want them to take.

Example: "Call your City Council member and tell him/her to vote NO on the pet sales ban."

Obviously, your own key messages need to be tailored to your own situation. The most important thing is to define them clearly and then stick with them. Repetition is the name of the game in communications; the more you repeat these key messages, the more likely they are to be remembered.

As you develop the talking points to support these messages, be sure to back them up with documentation, third-party verification, statistics, illustrations and examples to give them extra weight and credibility.

Later in this guide, you will find some useful tips for making sure that your messages come through in media interviews or other communication situations such as public speeches or meetings with lawmakers.

BUILDING RELATIONSHIPS WITH LAWMAKERS

Building and maintaining relationships with your elected officials is one of the best ways to ensure that your voice will be heard when important decisions affecting your business are on the horizon.

Although it may not seem like it at times, politicians are human, too. They appreciate attention, and they tend to support people who have been helpful to them. It follows, then, that the best way to establish a relationship with a politician is to find a way to help him/her. Since most local offices are non-partisan, you don't need to worry about party labels; just identify the people you think are opinion or thought leaders.

State legislative offices, in contrast, are usually partisan, and officials are elected under various party labels. It's important to ensure that you have relationships on both sides of the aisle, so as you begin making these vital connections, be sure to reach out to people of all major parties.

Keep in mind that every local government operates differently. Small cities and towns often have part-time (often unpaid) City Councils or County Commissions. Sometimes the individuals who hold those elected positions also work at other jobs to make a living. They rarely have staff support for functions such as scheduling and research, so elected officials are on their own for those activities.

However, in larger cities, City Council or County Commission position are often full-time jobs with staff support. If you live in a large city where this is the case, remember that these staffers are often the gatekeepers who control access to the official you want to meet. Get on the right side of the secretaries and assistants, and you are more likely to get access when you want it. Treat them with respect and recognize their value. Make sure they get all the same information you provide to the officials themselves.

Here are some tips for developing and maintaining relationships with your key elected officials.

- **VOLUNTEER IN A CAMPAIGN**

Elected officials rely on volunteers to get elected and re-elected, and they develop close relationships with their key supporters. Volunteering to drop literature, put up lawn signs, make phone calls or help out at a fundraiser will put you high on that official's "friends" list. Make sure you do your homework before getting involved.

You don't want to have to back away later if you realize that you just aren't comfortable with that official's position on issues or philosophy of government.

- DONATE TO THE CAMPAIGN

Write a small check—not a big one—when the elected official is soliciting campaign funds. Large donations can send an inappropriate message about expectations, and sometimes can backfire, especially in small local races. Small donations are both appropriate and appreciated. Remember that money is always appreciated, but sometimes your time is even more valuable (see above).

- ATTEND EVENTS

Often, members of the City Council or state legislators will hold Town Hall meetings or other informal gatherings to allow citizens the opportunity to ask questions and get information on current issues. Use those opportunities to show support for your elected official. Speak out in front of the others present with a positive comment or observation.

And don't miss those fundraisers!! Not only will your official appreciate your attendance, but you're likely to meet other "movers and shakers" whose support might be an added value. In most communities, the people who show up at political fundraisers are among the most influential in local politics.

- ASK QUESTIONS

Remember that it isn't all about you and your issue. Like everybody else, politicians appreciate someone who's sincerely interested in what they have to say. Ask questions about the official's background and history in politics. Find out about their interests and community activities. The more you know about an official, the more common ground you may find. There's no better basis for a relationship than shared interests and views.

On the other hand, don't assume that your relationship will mean 100 percent agreement all the time. Recognize and respect opposing views, and where possible, look for areas of agreement that can serve as the basis for compromise. Remember to pick your fights carefully, and don't fritter away your political capital on minor issues.

- ISSUE AN INVITATION

Invite your official to visit your facility and meet your staff. It's best not to do this at campaign time to avoid politicizing the event. Make it informal and low-key. Provide a tour and written materials for the official to take home for future reference. Anticipate the questions he/she may have about your operation and make sure that you allow ample time for thorough discussion of those items.

Invitation opportunities aren't limited to your own facility. If there are other pet industry entities in your community, gather them together and invite your official to address the group. This assumes, of course, that you're all on the same page with respect to challenges such as retail sales bans or restrictions. If you're not able to speak with one voice, it's better to skip the group invitation.

- **BE A RELIABLE SOURCE OF ACCURATE INFORMATION**

It should go without saying that we must never misstate or misrepresent the facts to an elected official. If you don't have the answers, admit it and take steps to get the accurate information needed. If the facts aren't helpful to your position, then acknowledge it and explain what steps you're taking to improve the situation.

If you knowingly provide misinformation to an elected official and that individual gets burned or embarrassed because of it, there could be very serious negative consequences for you and your business. If you unintentionally provide incorrect information, you need to correct it as soon as humanly possible and make sure it never happens again. Your credibility is at stake.

MOBILIZING SUPPORTERS

Public officials often base their decisions, at least in part, on the number of people or businesses that will be affected. Politicians don't worry too much about alienating a handful of people, but if an issue appears problematic for many of their constituents, they tend to take a second look. In most cities, there aren't enough pet retailers to make for very compelling numbers, so it's essential that members of the pet industry reach out to others with a stake in the debate.

When animal rights challenges arise—especially those that may affect the ability of customers to buy puppies from retail outlets in the future—it's important to identify potential sources of support for future mobilization.

Here are some target groups to consider:

- **CUSTOMERS**

Customers who have had a good experience buying a pet from a retail store should be among your strongest supporters. Most good pet retailers don't just sell a pet; they serve as a long-term source of pet care information and support for their customers. Many customers are uncomfortable with the idea that their local pet store might be shut down by city or state officials, making it impossible for them to get assistance or pursue satisfaction under warranties issued at the time of purchase.

In this day of email and social media, there are many tools available for reaching out to your customers. Each of them offers a great opportunity to educate and mobilize those who appreciate what you do.

- **OTHER ANIMAL-BASED BUSINESSES**

Other retailers with animal rights exposure may be potential supporters as well. From fast-food chains like McDonald's and Burger King to high-end restaurants that sell steak, seafood or foie gras, many food retailers are under intense pressure from animal rights activists. Fur and leather stores are in a similar situation. Sporting goods stores that cater to hunters and fishing enthusiasts also may be willing to stand up. Horse and greyhound racing tracks may be willing to help.

Agriculture groups, especially livestock producers, also may be willing to help out. Contact your state Farm Bureau and/or Farmers Union for help in identifying farm organizations in your area. Beef, pork, dairy, egg and poultry producers are good potential allies, along with smaller specialty farmers (i.e., lamb, sheep, goat, llama,

and even camel dairies!) A Google search for farm organizations in your state or county should give you a good start.

Sporting organizations are another good potential source of support. The U.S. Sportsmens Alliance is a good starting place for finding local hunters, fishing enthusiasts and trappers, all of whom have their own advocacy networks. The website's "Government Affairs" section offers a clickable map to identify local issues and organizations working on them.

As you reach out to these groups, remember that they will expect your support in return when they are under threat. Being part of a coalition means being there for others, just as you expect them to be there for you.

- BUSINESS GROUPS

Even business owners who don't sell animal-based products recognize the inherent danger of precedents that allow government to shut down businesses in response to activist campaigns. Animal rights activists aren't the only ones out there trying to shut down businesses. Environmental groups, "natural food" opponents to genetically modified crops and other activists are just as likely to target the businesses they oppose.

For this reason, local Chambers of Commerce and other independent business groups such as the National Federation of Independent Business (NFIB) may be good sources of support in fighting such initiatives.

- PRO-BUSINESS ELECTED OFFICIALS

It is important to identify and reach out to those officials in local government who are considered "pro business" by the business community. They are natural allies in the fight against extreme animal rights initiatives. Other business owners in your community should be able to help you identify those pro-business lawmakers.

As you begin identifying and mobilizing supporters, keep in mind that the earlier you get your network of supporters in place, the more prepared you will be to mobilize quickly when necessary. To that end, consider these tips:

- > DON'T WAIT; REACH OUT NOW.

Don't wait for a crisis; begin reaching out to potential allies now. You won't have the time to do it properly when hostile legislation is fast-tracking its way through your city council or state legislature. One good way to do it: offer help when someone else is under siege by animal rights groups. (See the next item.)

> GIVE HELP TO GET IT

It's important to remember that alliances are two-way streets. If you want help, you must be prepared to give help as well. If somebody else's business is at risk because of animal rights activists, step up and offer support—even if it's nothing more than writing a letter or two to the editor of your local paper or signing a petition. You'll find that your assistance is remembered, and you're more likely to get help in return.

> DECIDE ON "THE ASK"

Before you approach potential supporters, you must know, and be able to communicate, exactly what you want from them. Organizations and individuals are cautious about committing time, money and people, so you need to be clear about what you're asking for, and they need to be clear about what they're willing to do. Consider offering a checklist of possible ways to get involved. Here's one example:

- Write or sign letters to the editor of the local newspaper
- Write or sign letters to appropriate elected officials
- Testify at a public hearing
- Attend a meeting with a decision maker
- Sign a petition*
- Donate a small amount for printed materials

This list is just an example. You can create your own list, based on the activities you expect to include in your campaign.

*You can create your own online petition [here](#).

UTILIZING NEWS MEDIA

Proposals to ban the retail sale of pets usually make news in the states or localities where they are introduced. It falls to those who oppose the ban to find a way to earn media coverage for their point of view. "Earned media," or free media coverage in traditional news outlets, is one of the most important tools in the issue management toolbox. It is separate and distinct from paid advertising, which may or may not be an option as you develop your media plan. For purposes of this document, we have focused on earned media because it is less expensive and may be more persuasive than paid ads.

The first step in generating local media coverage is to get to know the reporters in your area. The success of any reporter depends in large measure on the quality of his/her "Rolodex." Reporters need contacts and sources in order to get the information they need to be competitive in the media world. That's why they will usually welcome you with open arms when you introduce yourself and offer your expertise on all topics related to puppies, puppy health, puppy sales and public policy issues related to those areas.

Reach out to the newspaper reporters who cover city government and business issues for your local newspaper. Stop by and introduce yourself to the news directors at the local TV and radio stations. Invite them to breakfast, lunch or coffee (but don't expect to buy, since they will view that as inappropriate; most media have policies prohibiting the acceptance of gifts or free meals from people they may cover in future).

As you get to know these reporters, learn their deadlines; find out how they prefer to be contacted; and get to know what their interests are. Let them know they can contact you at any time for background information on the pet industry and the issues associated with it. Make sure they have your business card so they can reach you quickly and easily, even after hours if needed.

If you have the time and interest, join local organizations like Rotary or Kiwanis to meet the editors, publishers and station owners your reporter friends work for.

Before you begin thinking about ways to garner local media coverage, it's important to understand the function of the news media. The word "media" is plural (the singular form is "medium"). The media are a diverse group of print, broadcast and internet sources of news and information. There is no monolithic "media" community, so our approach to each medium must be tailored to that medium.

However, most news media think about news in the same basic way. They will put your message to three tests:

- Is it unusual?
- How many does it affect?
- How does it affect them?

As you frame your message for delivery to the news media, remember that they will evaluate its news value in these terms. But once you've decided you have a newsworthy story to tell, how do you get the word out?

- News Releases

The most basic tool for media outreach is the news release. A news release (or "press release") is a written communication distributed to news media by an organization or entity with a particular point of view. It's the appetizer, not the main course, so your goal should be to provide just enough information to motivate editors or reporters to pick up the phone or email you for more.

Your news releases must appear professional and written to reasonable journalistic standards. A news release is not a sales pitch or a propaganda piece. The more your news release sounds like an objective news article, the more likely it is to survive the editing process at your local paper. That means following a standard news release format, using a journalistic style and keeping to approximately 400-500 words.

Always remember that news and quotes come from people, not organizations. A pet store can't talk, but the owner of a pet store can.

Several elements comprise the standard news release format, including:

> **Contact info:** Name of person who will respond to media inquiries, including full name and title, office and cell phone numbers and email address.

> **Release date:** In most cases, your news release will be "for immediate release," which means that the media may use it as soon as they get it. It is possible to "embargo" news for a specific date and time, but that's risky and in most cases, unnecessary.

> **Title and Subtitle:** Even though the newspaper will write its own headline for your story (if they use it), providing a well-written title and subtitle helps the editor identify the news hook of the story and understand where it might fit in the paper.

> **Lead paragraph:** The first paragraph of your news release must grab the reader and give the main news value of the story in one or two well-written sentences. Those sentences must include the most important (but not necessarily all) of the "who, what, when, where and why" information.

> **Body paragraphs:** The next two or three paragraphs are the body of the news release, written in the third person (as if you were writing about someone else). The paragraphs should be short, no more than 3 or 4 sentences each, and should include quotes from you or the primary source of the release. All those quoted should be identified with full name and title.

> **Boilerplate closing paragraph:** A short paragraph that is used in all your news releases, with basic information about your business and what it does, and contact information if different from that at the top of the news release.

The following template, from one online source, shows one fairly standard news release format. The sample news releases shown on the next pages follow a similar format with minor differences.

The first sample news release illustrates how you might want to promote an event designed to position you and your business as community resources on pet health. The second illustrates how you might want to alert the media that you have something important to say about pending legislation to ban retail pet sales.

SAMPLE NEWS RELEASE 1

**Joe's Excellent Pets
2125 Blackboard Drive
Superior, NY 41028**

Contact: Joe Johnson, Owner, 222-333-4444
Email: excellentpets@gmail.com

FOR IMMEDIATE RELEASE

PET STORE TO HOST FREE OPEN HOUSE, PROVIDE FREE PUPPY HEALTH ADVICE
Free event to include refreshments, prizes and pet health tips from veterinary experts

Superior, NY (July 1, 2014) – Pet retailer Joe Johnson says most puppy owners want to do the right thing for their pets, but they're not always sure what's right and what's not. That's why Johnson has added a special feature to the Saturday, July 10 open house at Joe's Excellent Pets, located at 2125 Blackboard Drive in Superior – free puppy care advice from local veterinary experts.

From 10 am to 3 pm, Dr. Sheila Nelson and two certified veterinary technicians from her Superior clinic will be at the store to answer questions from pet owners about puppy health, behavior and training. Johnson said many pet owners, especially "first-timers," have questions about proper puppy nutrition, exercise, housebreaking, disease prevention, bathing and grooming.

"Every puppy is different, and every breed is different," he noted. "There's no such thing as a stupid question when it comes to your pet's health. That's why we developed our owners' education program."

Joe's Excellent Pets launched a comprehensive pet owner education program in 2009. The program includes the annual open house, as well as a quarterly email newsletter on various pet health topics and a website, www.excellentpets.com, featuring short videos on various aspects of proper puppy care and links to other educational resources.

Other highlights of the open house include free hot dogs, chips and sodas for human guests, and doggie treats for canine visitors, as well as prize drawings and merchandise giveaways.

"Our open house is a fun event, and it's become an annual tradition," said Johnson. "Buying a puppy is a long-term commitment, and we want to be there for our customers every step of the way."

###

Joe Johnson IV is the second-generation owner of Joe's Excellent Pets, which was founded in 1985 by his father, Joseph Johnson, Jr. In its nearly 30 years of operation, the store has supplied over 21,000 healthy puppies to more than 18,000 pet-loving families.

SAMPLE NEWS RELEASE 2

**Joe's Excellent Pets
3126 Blackboard Drive
Superior, NY 41629**

Contact: Joe Johnson, Owner
Cfc: 222-333-4444
Email: excellentpets@gmail.com

FOR IMMEDIATE RELEASE

BUSINESS OWNER TO TESTIFY AGAINST PET STORE BAN

Ban will benefit unregulated, back-door puppy sellers, says Joe's Excellent Pets owner

Superior, NY (July 1, 2014)—A long-time Superior pet store owner will testify before the City Council tonight that a proposed citywide ban on retail pet sales will have the unintended effect of driving customers to unlicensed backyard and internet puppy sellers who may be totally unregulated and fail to comply with accepted animal welfare standards.

Joe Johnson, owner of Joe's Excellent Pets, said the proposed ban has been promoted as a means of putting sub-standard puppy breeders out of business, but, if adopted, it's likely to have the opposite effect.

"The city has the authority to license and regulate pet stores doing business within its borders," Johnson said. "However, if customers can't buy their pets from responsible, regulated pet stores, they'll have to find other sources for their puppies, including totally unregulated back-yard and internet sources, or shelters and rescue facilities that may or may not be regulated and held accountable for the health of the pets they sell."

Another problem with the proposed ban, according to Johnson, is that it denies consumers the right to purchase the particular kind of dog that suits their family best. "Some families want to buy a young puppy and experience that pet throughout its life," he said. "Others want a particular breed of dog because they are looking for certain breed-specific qualities. That's what stores like ours are all about. If you close our store, you greatly reduce the responsible options available to consumers."

Johnson had met with several City Council members to express his concerns. "I think some had not really considered the unintended effects of this proposal," he said. "When I explained that it's likely to do more harm than good, they seemed to get it. Hopefully, they'll exercise their common sense and vote right when the time comes."

###

Joe Johnson III is the second-generation owner of Joe's Excellent Pets, which was founded in 1985 by his father, Joseph Johnson, Jr. In its nearly 30 years of operation, the store has supplied over 21,000 healthy puppies to more than 18,000 pet-loving families.

When you send your news release to the media, make sure you direct it to the right person. The best way to find out the name and title of that person is to contact the media outlet, tell them the topic of your news release, and ask who should receive it. Most newspapers will ask you to send it to the editor or city editor; TV and radio stations will aim you toward the news director. Most media websites provide this information as well. Also check the websites to find any guidelines for news release submission.

Most editors prefer to get news releases by email, but their email systems often won't accept attachments for security reasons, so you should include the complete text of the news release and contact info in the body of your email. The more personalized your email is, the more likely it will get opened. Make sure the subject line of the email makes it clear that this is a news release regarding a local issue.

If you wish to distribute your news release statewide to many outlets (in the case of a proposed statewide ban, for example), you may wish to use one of several free or low-cost news release distribution services available online. A Google search for "free news release distribution" will bring up a list of dozens to choose from. Many of these websites include media lists by state.

- Letters to the Editor

In virtually every newspaper, regardless of size, the editorial page is among the most widely read sections of the paper. Readers seem to love seeing letters from their friends and neighbors in print, and those who write the letters get extra satisfaction from seeing them published.

Getting your supporters to write letters to the editor is a great way to show that you are not the only one who opposes the proposed legislation. When letters start appearing in the newspaper on a particular topic, politicians pay attention. That's why they are so important as part of a media relations effort.

Letters to the editor usually are written in response to current events. A city council meeting or public hearing can stimulate a barrage of letters. Newspaper articles sometimes provoke letters to the editor, either agreeing or disagreeing with the articles' content. Sometimes letters are submitted in response to other letters. Whatever triggers these communications, they can make a big impact.

Editors receive dozens, even hundreds, of letters every day, so they must pick and choose the ones they publish. Most newspapers publish guidelines for letters to the editor, setting out requirements for length and other restrictions on language and

content. No matter what your message, you must follow these guidelines in order for your letter to be seriously considered for publication.

Here are some tips for writing an effective letter to the editor:

> Open with a strong statement. For example, "The current proposal to ban retail pet sales in St. Paul will actually hurt customers and benefit the very sub-standard breeders the measure aims to eliminate."

> Use a personal story or illustration to make your point. "My pet store is licensed and regulated by the city, and the puppies I sell come exclusively from professional breeders that meet or exceed federal standards. If people can't buy pets from someone like me, they will be forced to seek out unlicensed, unregulated backyard breeders, shelters or online sources of very questionable repute and quality. That's bad for customers, and bad for the pets themselves.

> End with a call to action. "This proposal should be rejected. I hope those who agree will contact their city council members and urge them to vote 'no' on the retail pet sales ban."

Submit your letter by email, with the full text of it in the body of the email rather than attached as a separate file. Some newspapers have online webmail forms on their websites which must be used to submit letters. Others provide an email address for the appropriate editor.

Include your full name, mailing address, email and phone number in your email. They will not publish this information but may use it to contact you to verify that you actually wrote the letter they have received under your name.

- Guest Opinion Columns

Sometimes a newspaper will publish an editorial in support of the proposed ban, or a guest column (an "op-ed," meaning opinion-editorial) by a city leader that supports it. If your local paper publishes something like that, you should ask for an opportunity to submit your own "counter" commentary to ensure proper balance in the paper's coverage. Make sure you ask how many words you'll be allowed, and honor the length requirement.

Keep in mind that you want your op-ed to deliver your own messages, not your opponents'. Don't waste words repeating negative attacks; focus on what you want readers to know. Here is one example of an op-ed that does exactly that. It was ultimately published exactly as submitted in the email shown here.

November 19, 2014 1:34 PM

To: Helen Taylor
Cc: Sally Briggs
Commentary from Sally Briggs for your consideration

Good morning, Mr. Taylor--The enclosed guest commentary is forwarded on behalf of Sally Briggs, General Manager at Gulf Greyhound Park, in response to the November 10 article by Michael Smith regarding another Grey2K USA attack on the track. We would greatly appreciate your consideration of this 400-word response as a commentary rather than a letter, since the very strict length limits on letters simply do not permit a full discussion of the issues raised in Smith's piece. For verification, you may contact Ms. Briggs at the email above, or by phone at [REDACTED]. Thank you very much for your kind consideration.

GREYHOUND RACING: A GOOD SOURCE OF ACCURATE INFO ON GREYHOUND RACING By Sally Briggs, General Manager, Gulf Greyhound Park, La Marque TX

A recent article by Michael Smith regarding greyhound track safety omitted some important background information. Complaints about greyhound racing from Grey2K USA are as routine and predictable as the daily sunrise. Grey2K exists for one purpose: to put an end to greyhound racing. That means they are anything but an objective source of information on what happens at Gulf Greyhound Park or any other track in the region.

At Gulf, we take our responsibility for greyhound welfare very seriously. To ensure the safety of racing greyhounds, we have consulted with some of the nation's leading veterinary experts on greyhound orthopedics and physiology. We have followed, and continue to follow, their recommendations for track surface maintenance.

As a result of these efforts, which are ongoing, the rate of injury for greyhounds performing on our track is even lower than the national average. Fewer than one-tenth of one percent of all racing starts result in injuries, and most of those are minor enough to permit the greyhound to return to racing in a week or so.

When breeders or kennel operators have concerns about any aspect of our track operations, they know they can raise these concerns with track management. We have an excellent working relationship with the Texas Greyhound Association (TGA), and regularly collaborate with that group to address issues that may arise from time to time. We have jointly sponsored track safety seminars to discuss new technologies and state-of-the-art techniques for keeping track surfaces in optimum condition.

It's easy to blame track management when racing doesn't go well for a particular breeder or kennel operator, but the fact is that our door is always open to those individuals. That may be why the negative comments quoted in Mr. Smith's article came from only one or two people and did not need to be quoted.

In any case, Grey2K USA is the last source that anyone should rely on for factual information about greyhound racing. Grey2K is a political action and lobbying organization. It offers no direct services to benefit greyhounds; while Grey2K offers no services to greyhound adoption, it does not actively promote or participate in any adoption programs. This is something the public should remember the next time Grey2K demands attention from the Texas Racing Commission for publicity purposes.

As you read this response, you might guess that the original negative piece by Grey2K, an animal rights group opposed to greyhound racing, had something to say about greyhound safety and injuries at the track, but there is no specific reference or direct response to the attacker's particular allegations. Instead, the Briggs column is written in a way that puts forth the industry's positive messages about track safety, and at the same time challenges the credibility of Grey2K as "the last source" of factual information on the sport.

The opening paragraph in the sample email also illustrates how to request the editor's consideration in publishing your piece. It is important to be respectful and reasonable in tone when dealing with editors. Offering them an opportunity to ensure balance in their coverage is the best way to remind them that both sides deserve a fair opportunity to present their views.

- Editorial briefings

In larger metro areas, the function of writing editorials is usually divided up among several editors who make up an "editorial board." Editorial boards are usually open to meeting with local businesses and elected officials for more in-depth discussion of certain issues. These meetings may or may not result in editorial columns supporting your position, but they can offer an opportunity to give the editorial writers a more thorough understanding of the complex issues surrounding the debate.

Contact your local newspaper to find out if there is an editorial board, and whether they routinely conduct such meetings. When you decide to ask for a briefing, make sure there's a good reason. For example, if a retail pet sales ban has been proposed, let the editorial board know you want to meet with them to make sure they have a clear understanding of the negative consequences of such legislation. Provide them with written materials (no more than 2-3 pages) explaining and documenting your position. Provide links to websites where they can find statistics and other resources to validate your points.

Avoid the temptation to argue with editors who appear to disagree with you. Just let them know that you appreciate their time, and their willingness to hear from all sides in the debate. Assure them of your willingness to come back if they need more information as they continue to cover the issue. And remember: you are on the record at all times, unless you specifically ask for—and receive—their permission to speak off the record or "for background only."

- Television

Television is a visual medium; it's all about the pictures. It's in your best interest to ensure that both you and your facility present a positive and appealing image in front of the camera.

Even the best breeding kennels and retail stores can earn a bad reputation if they appear to be grubby and in poor repair. No matter how excellent the quality of animal care provided at those facilities, if the visuals present an image of neglect and lack of care, that's the perception viewers will have. For this reason, it is extremely important to ensure that your facilities are clean, in good repair and aesthetically appealing.

- Initiating TV coverage

At times, you may choose to invite TV coverage of your facilities as part of a public promotion such as an open house or educational event. If so, make sure that your property is looking its absolute best—clean, orderly, in good repair and the perfect place to find happy, healthy puppies. One negative image can undo everything you're trying to accomplish.

To the extent possible, try to limit the area where you will permit TV cameras to shoot. If feasible, gather a few puppies together in a spacious area where the cameras can film them. (At one recent pet industry trade show, I saw 4-5 puppies in a very large open-top pen that looked much like a larger version of a child's playpen.) This makes it unnecessary for the crew to shoot video of puppies in smaller enclosures.

One of the benefits of inviting the TV cameras into your facility is that it allows the station to compile file footage for later use in news coverage. This is called "B roll." Stations may use it later if your store (and others in your community) becomes the focus of legislative action in the form of sales bans or other restrictions. This is a bonus because otherwise stations might use negative footage provided by animal rights groups. Most local stations prefer to use their own video of local facilities than video from beyond the area provided by outside sources.

- Doing TV interviews

Doing an interview for the TV cameras has its own set of challenges. The following tips apply to any interview situation, but are even more important when facing the TV cameras:

- > Ask questions in advance

Before you agree to an interview, get as much information as possible. What is the topic or "angle" of the interview? What is the format? Will it be live or taped? Will it be a stand-alone interview or part of a larger news segment? Who else is being interviewed for the piece? What audience is served by the news outlet requesting the interview? Where will the interview take place?

- > Prepare thoroughly

Make sure you allow yourself adequate time for thorough preparation. Anticipate any hostile questions that might come up, and prepare your answers. If the interview

is in response to a news development, make sure you have all the relevant information on that issue before you speak. Practice delivering your key messages (see below).

> Know your messages

Review and refine the one to three most important facts you want your audience to know (your key messages). Review the talking points you want to mention in support of those messages. Make sure you know key statistics or other facts by heart.

> Talk straight

Avoid jargon and "industry speak," so your audience can understand you. Make your key messages and supporting points simple and understandable. Since the average TV news sound bite is only 8-10 seconds in length, you need to get your message out quickly and concisely.

> Make eye contact

Remember that you're talking to the interviewer and not to the camera. Don't look at the camera unless you are directed to do so. Don't let your eyes stray from the interviewer, since wandering eyes can convey an impression of untrustworthiness. Looking at the interviewer makes it easier to maintain a conversational tone throughout the session.

> Stick to the facts

Never guess at the facts; if you don't know, use a bridging technique to shift the discussion back to solid ground. For example, "I don't have that information at the moment, but what I can tell you is this..."

> Stay focused

Don't get bogged down in refuting the claims of others or answering hypothetical questions. Bridging techniques are helpful here too; for example: "I can't speak for others, but this is what I know..." or "The more important question is this..."

> Remember your audience

Your audience needs to know why they should care about your issue. Remember that you're not just talking to a reporter; you're actually talking to real people who have a stake in the outcome of the debate. Think about how you would talk to a neighbor or friend, and adjust your language accordingly.

> Dress appropriately

Your dress should be appropriate, simple, and not a distraction. Avoid stripes, plaids, florals and patterns that can look too "busy" on camera. Wear rich, flattering solid colors, and avoid black and white if possible. Light colored shirts under darker jackets usually work well. Don't wear noisy jewelry! Earrings, if worn, should be small (the size of a dime or smaller) and matte finish rather than shiny/sparkly.

> Be aware of body language

If you are interviewed while seated, sit up straight and lean slightly forward in the chair to show your interest. Keep your hands in your lap or place them on the table in front of you, one on top of the other.

If you are interviewed while standing, stand still with your hands at your side. Don't sway or rock while speaking. When you gesture, visualize a box from your shoulders to your waist, and keep your hands within that box. And don't be afraid to smile!

- Radio interviews

Radio is a great tool for getting your message out. Many small rural communities have local radio stations and talk shows that afford the perfect opportunity to provide education and community service while elevating your positive profile. You don't need a controversy to get on the radio; you just need to be able to share information that other people want.

As an expert on pets, especially puppies, you are well positioned to serve as a resource for the station's listeners. Contact your local radio station to find out if they have a regular talk show. If so, find out who schedules guests on that show; it is usually the producer or the host him/herself. Offer yourself up as an expert on whatever pet topics you feel most comfortable addressing.

You can cover everything from selecting the perfect pet for your family to the unique characteristics of various breeds to how you make sure the pets you sell come only from responsible breeders who meet or exceed federal standards. You can speak to basic issues of puppy care, feeding, health management, housing, training, and so on to the extent you feel qualified and comfortable doing so. You might even consider inviting a veterinarian you know and trust to join you to address more technical veterinary medical issues.

Look for a "news hook" to make your radio appearance timely. Has there been a dog-related incident in your community? New legislation under consideration? Is it "National Love Your Pets" Month? Did a dog bite somebody? When pets are in the news, that's the time to reach out to local radio stations.

Most talk shows include call-ins. Be prepared for a few hostile questions from animal rights activists who want to give you heartburn. Always respond moderately without defensiveness. Most talk shows that accept call-ins have a "screener" to weed out hostile calls before they hit the air. However, occasionally those callers get through. If it happens to you, just express your own point of view and acknowledge that the caller's perspective is obviously different, but he is entitled to his opinion, as we all are. Let the show host deal with it beyond that.

When speaking on radio, it's just as important to be well prepared so you don't have a lot of dead air space while thinking of answers to caller questions. Anticipate the questions that are likely to be asked, and prepare simple, clear answers. If you get a question you can't answer, suggest that the caller leave his/her email with the station, and offer to email the answer when you get it.

Some additional tips for your radio interview:

- > Avoid speaking in a monotone; try to energize your voice and vary it in pitch and tone.
- > Speak more slowly than you might otherwise, to ensure that you are properly heard.
- > Feel free to refer listeners to websites you trust, including your own. Read the URL slowly and repeat it so people can write it down.
- > Write down the name of the caller so you can address him/her by the proper name, in order to personalize your answer to his/her question.

UTILIZING SOCIAL MEDIA

Social media have revolutionized public relations and marketing communication. Social media like Twitter, Facebook and YouTube offer tremendous opportunities for getting your message out, but they also represent a significant challenge for those trying to manage an issue. To a great extent, social media are the "wild west" of communications. There are very few rules, and people can say and do pretty much anything without major consequences.

To give you an idea of the extent and reach of social media, just consider these numbers:

- > 1.1 billion people are on Facebook, 50% log on every day
- > 150 million people use Twitter, mostly over 35 years of age
- > YouTube gets 100 million hits per day from 48 million users
- > 200 million blogs have been created

Social media interactions of one kind or another are now the #1 activity on the internet. And, believe it or not, 1 out of 8 couples married in the U.S. last year met through social media!

There are dozens of social media tools available, but for purposes of this guide, we will focus on three: Facebook, Twitter and YouTube. Each has benefits as well as limitations, and each is useful for a different purpose.

Before we get into the specifics of how to utilize these tools, there are some general guidelines to consider as you develop your social media program:

- > Be strategic

If you don't have a particular objective in mind, your social media posts may not be serving the purpose you intended. (We're assuming that you are utilizing these tools for your business. Your personal accounts may be just for fun.) Think about what you want your social media program to do for your business. Is the goal to build sales? Is the goal to create a particular image? Is the goal to mobilize support around an issue? Make sure you have a clear objective in mind before jumping into the social media pool.

- > Be consistent

Make sure that the messages you communicate via social media are consistent from one platform to another. This is easy to do, since Facebook and Twitter have tools that allow you to post on both simultaneously if you wish to do so. The posts don't have to be identical (Facebook posts are not limited to 140 characters as Twitter is), but the two platforms do need to reflect essentially the same content from your company.

> Stay professional

One of the most difficult aspects of using social media for business is keeping your posts professional and focused on your business goals. This is especially hard to do when your adversaries are posting negative and abusive messages. However, that's when it becomes even more important to keep your tone and language moderate and reasonable. The contrast between the way our opponents conduct themselves and the way we conduct ourselves should be sharp and well defined.

> Offer value

The most successful Facebook and Twitter presences are those that offer helpful information to their friends and followers. No one wants to be inundated with sales pitches, which is why ad-blocking applications are so popular. Instead, it's best to use your social media accounts to offer helpful information that is of true value to your readers. News articles or blogs about pets or pet-related issues are of value to people who share that interest. Include links that bring people to more content on your own website or other credible websites that offer high-value content.

Now for some specifics on each of these social media tools:

- Facebook

For many small businesses, their Facebook page is their primary online presence. The disadvantage of this approach is that Facebook gives the user very limited options for sharing the information people want, and arbitrarily changes its rules to suit its own purposes. The only way to have total control over your internet presence is to create your own website. Then your Facebook page can serve to drive people to that site for more extensive information on your products, services and issues.

However, as another tool in your online toolbox, Facebook serves a valuable purpose. Facebook status updates are a great way to keep your friends and customers informed of upcoming events, changes at your facility, or news that may be of interest to them.

Your status updates should be brief (100-250 characters), and may include photos, videos or links to websites you want your audience to see. You can post longer status updates but research shows that the most widely read updates are those that are less than 250 characters (about three full lines of text). People tend to pass over longer posts unless the information is of special importance to them.

Remember that the minute you post something, it's public. Even if you delete it, there's a good chance that in the brief time it was visible, it was seen and noted. That's why it is so important to think carefully about what you have said before you click "post."

By managing your privacy settings, you can control who can see and comment on your posts, and how you are notified when someone posts a comment on your page.

To learn more about how Facebook works, check out this online resource: [Facebook 101](#).

- Twitter

Twitter is a platform that enables very short (140-character) "micro-blogs"—that is, very short posts commenting on a subject of interest to the writer. While skeptics mock the "I'm having muffins for breakfast" tweets that some people insist on sharing, many more have learned that Twitter is a remarkable resource for finding and sharing timely information, and connecting with customers and supporters.

Twitter operates in real time, which means information is shared immediately as events occur. This makes Twitter an extraordinary tool for posting and following breaking news and changing conditions. It was on Twitter that the world first learned of terrorist attacks on a hotel in India, and the protests that ignited the Green Revolution in Iran.

The 140-character limit means that tweets must pack maximum impact in a few words. Special services such as Bit.ly and TinyURL have been created specifically for shortening lengthy URLs so they can be tweeted without using up the entire allowance of 140 characters.

Twitter's best use is to highlight current news, call attention to important information, and drive your followers to your website, where they can get "the rest of the story." To learn more about how Twitter works, check out this online resource: [Twitter 101](#)

- YouTube

If a single picture is worth a thousand words, then YouTube is priceless. As noted earlier in this document, the video website gets a million hits per day by an estimated 48 million users. When people want to see a video of anything worth watching, they look for it on YouTube. Six BILLION hours of video are viewed every month on YouTube; over 100 hours of video are uploaded every minute of every day.

Smart phone technology has made shooting and sharing video almost ridiculously easy. You can shoot very simple videos, or you can make them a bit more elaborate using computer video editing applications. But knowing how to get the most out of the video once it's finished is sometimes a little more difficult.

First, it's important to know what you want to show on the video. Think through what you want people to know about your store and your commitment to animals. Then make a list of potential topics for short (2 or 3 minute) videos. Here are some examples to get you thinking (some may or may not be applicable to your operation):

- > Intake process when puppies arrive at store (paperwork)
- > Personal "interview" with you (owner)-"get to know us" message
- > Veterinary checks of newly arrived puppies
- > Daily routines that ensure puppy health
- > Individual puppy "profiles"
- > Testimonials from satisfied customers
- > Staff interacting with puppies in play
- > Sales and warranty procedures
- > "How-to" videos--bathing/grooming pups, administering medications, housebreaking, etc.

When you upload videos to YouTube, you are asked to select certain keywords to help viewers find the material. Be as specific as you can in describing the content of your video so it will show up quickly in searches. Select an appealing thumbnail to accompany the video so it draws attention. Provide a full explanation of the content

in the text that accompanies each video posted. Don't forget to include links to your website and your other social media pages such as Facebook and Twitter.

If you produce a number of videos, you may want to create your own YouTube channel. This allows you to customize an entire YouTube page with your own logo, signature colors, and tags. Creating your own channel takes some time but it is not terribly complicated; there are numerous online resources to help you through the process.

The bottom line: if you're not telling your story on YouTube, you're missing an important opportunity to get your message out with strong visual impact.

DEALING WITH PROTESTS

If you operate a business that involves animals, you are likely to be the target of animal rights protests at some point. Activists stage these protests primarily to attract media and public attention. Sometimes the media cover such events, and sometimes they don't. Our goal is two-fold: to avoid making the story more newsworthy than it might be otherwise, and to ensure that our response is part of any story that ultimately makes it onto the airwaves or into the newspaper.

Here are some tips for handling protests effectively.

Gather Intelligence in Advance

In many cases, protesters may announce their plans in advance. They may alert local media via a news release. They may issue an e-mail notice to their members. They may post a notice in the local newspaper. Since their goal is make their protest as large as possible, they may do all of the above. Since your goal is to be as well prepared as possible, you will want to gather intelligence and monitor all available information sources so you know what's planned. That means:

- Know that your major events—big races, meetings and conferences, etc.—are likely to be protest magnets because they offer higher visibility for protesters.
- Cultivate key local media personnel so they're more likely to contact you if they receive notice of a planned protest.
- Identify hostile organizations likely to protest at your site, and sign up for their e-mail alerts and other communications, using a separate e-mail from your normal business or personal address (i.e., Yahoo, Gmail, etc.)
- Monitor your local newspapers, both major and minor, for information on upcoming protests.

Before the Protest

If you determine that a protest is planned, you have the advantage of time to ensure adequate preparation. If the protest is scheduled at an industry facility, you can implement these steps internally. If the protest is scheduled at a hotel or other outside facility where industry members will be present, you should coordinate these activities with facility management.

- > Interface with Law Enforcement

- Contact local law enforcement and inform them of the pending protest.
- Clarify with law enforcement where the boundaries of public property lie, where protesters may legally stand without violating the law, and what areas over which you have legal authority and control.
- Ask whether a specific area of public property may be designated for use by protesters, so that they do not block driveways, access roads, entrance sidewalks or other points which may be public property but are vital for safe facility access by employees and customers.
- Check to see if protesters using public property such as streets and sidewalks are required to obtain permits, and whether the group planning to protest has obtained such permits.
- Ask for police assistance on the day of the protest to keep protesters off privately owned property and ensure that no damage to property or harassment of people occurs. If the local police department is unable to provide this service, off-duty uniformed officers sometimes can be hired on a free-lance basis.

> Inform and Manage Employees

- When protest plans are confirmed, inform employees that a protest is scheduled and provide guidelines for proper behavior during the event, as outlined later in this document.
- If the entrance normally used by employees is in the same area where protesters may be present, designate an alternate entrance for employee use that will keep them away from the protest area. If an alternate entrance is not available, prepare to set up ropes or other barriers to prevent protesters from impeding access to the building entrance.

> Prepare for Media

- Designate an official spokesperson to be responsible for dealing with media on the day of the protest.
- Prepare a statement incorporating 2-3 key messages for use by the spokesperson in interviews, and for distribution to other media outlets that may request it (sample attached).

- Use informal means (phone calls, e-mails) to let specific reporters know that an industry spokesperson will be available on the day of the protest to ensure balanced coverage.
- Remember that commenting in advance on pending events risks changing a one-day story into a two or three-day story; just confirm your spokesperson's availability on protest day and leave it at that.

During the Protest

> Law Enforcement

- Designate a "security chief" or one person whose responsibility is to interface with law enforcement, to avoid confusing or contradictory instructions from "too many bosses."
- Let law enforcement worry about keeping protesters on public property and off industry grounds.
- Recognize that law enforcement's role is to ensure that no laws are broken while protecting the right of the protesters to express their views within the law. Police have an obligation to protect both parties, not just one or the other.

> Employees

- Employees should use the designated alternate entrance to avoid exposure to protesters.
- If employee exposure cannot be avoided, instruct all employees to refrain from ANY personal interaction with protesters—no words exchanged, no hand or body gestures, and absolutely no physical contact of any kind. Protesters can use verbal or physical responses as evidence of assault, sometimes resulting in bogus but bothersome civil or criminal charges against individuals or companies.
- If employees see a protester violating the law or otherwise behaving improperly, instruct them to inform the designated "security chief" so that law enforcement may be notified, and refrain from taking any other personal action.
- Instruct employees to refrain from making comments to the media, since an official spokesperson has been assigned that job.

> Media

- Designate a location away from the protest site (either in an inside office or an outdoor area away from the noise and confusion of the protest) where the spokesperson will be available for interviews.
- Assign a security or other staff member the task of watching for media and escorting them to the designated interview site when they arrive.
- Even if you are personally interviewed, provide media with a copy of your written statement to reinforce the key messages you want to deliver. Your key messages should include information on the adoption/animal welfare initiatives in place at your facility. If you have other materials to show the extreme nature of the protesters (their own literature, previous public statements, media editorials, etc.), make those available as well.
- Keep the tone of all media communications moderate, reasonable and responsible. Leave the hyperbole and excessive rhetoric to the protesters.
- Recognize that the media will interview the protesters as well as industry representatives; their job is to present both sides.

> A Final Word

In most cases, protesters engender little public sympathy, even if people believe the protesters' cause might be just. Even so, such events can do a lot of damage if they are poorly handled. Remember that protesters wish to create confrontation in order to attract more media attention. If there is no confrontation, there is very little story. Thorough planning and preparation and a calm, reasonable response can go a long way toward ensuring that such events become "non-stories" instead of public relations disaster

APPENDIX: LINKS AND OTHER RESOURCES

An infinite universe of information is available on the Internet, and most people in the pet industry are accustomed to utilizing Google, Yahoo and other search resources to locate information quickly and easily. However, it's not always easy to separate the "wheat from the chaff" in online content.

The purpose of this "Links and Resources" section is to provide you with some helpful links to reliable sources for good information. We have attempted to group them in general categories for ease of access.

EXPOSING THE ANIMAL RIGHTS AGENDA

National Animal Interest Alliance

The mission of NAIA is to promote the welfare of animals, to strengthen the human-animal bond, and safeguard the rights of responsible animal owners, enthusiasts and professionals through research, public information and sound public policy. NAIA founder Patti Strand is one of the leading voices in support of responsible animal owners and in opposition to animal rights extremism.

NAIA founder Patti Strand and other members of her group have written extensively about the animal rights campaign against pet breeding and retail pet stores. Here is one excellent article:

[Animal Mobsters Collaborate to Eradicate Purebreds and Take Over the Pet Marketplace, 9/11/2013](#)

[Dog Rescues and Animal Shelters Risk Public Health and Safety, 7/30/14](#)

AnimalScam.com

AnimalScam.com is a project of the [Center for Consumer Freedom](#), a non-profit organization dedicated to protecting consumer choice. AnimalScam.com focuses on animal rights extremist groups, particularly PeTA. The website includes resources such as audio, video and document files for download.

ActivistFacts.com

Another project of the Center for Consumer Freedom, ActivistFacts.com contains profiles of some of the largest and wealthiest activist groups, not only in the animal rights field but also in environmental and other areas. The site offers profiles of many AR groups, including HSUS and PeTA, along with celebrities, foundations and key players involved in each. The "key players" section includes bios and quotes from the profiled leaders.

Humanewatch.org

This website focuses on the Humane Society of the United States (HSUS), and includes an extensive library of resources, including annual reports, book excerpts, financial documents, fundraising materials, publications and leaflets, media articles and video. It also includes ads attacking HSUS that have appeared in USA Today, Roll Call, the Los Angeles Times, New York Times, Wall Street Journal and other newspapers, as well as TV commercials, transit ads and billboards, all critical of HSUS and its deceptive practices. Humanewatch also has posted a series of videos exposing the HSUS agenda on YouTube. Here are links to several of the ads and videos:

HSUS AND THE SHELTER SCAM/1

HSUS AND THE SHELTER SCAM/2

HSUS AND THE FUNDRAISING SCAM

HSUS AND THE \$15 MILLION FELD SETTLEMENT

HSUS AND ITS CARIBBEAN HEDGE FUNDS

THE KEY ANIMAL RIGHTS GROUPS

There are many animal rights groups, but the three wealthiest and most influential are HSUS, ASPCA, and PeTA. A fourth organization, Companion Animal Protection Society, has become highly visible in recent months, focusing specifically on pet breeders and retail pet stores.

Following are links to these organizations' websites as well as news stories about their activities (where available). Monitoring the activities of these groups is important to successful management of the animal rights challenge.

American Society for the Prevention of Cruelty to Animals (ASPCA)

ASPCA is one of the leaders in the campaign to end retail pet sales. Although the organization claims to distinguish between responsible breeders and sub-standard breeders, its website features a December 4, 2013 blog entitled, "What Not to Buy? Puppies from Pet Stores!" Here is a link to recent news on ASPCA.

ASPCA PAYS NEARLY \$10 MILLION IN RACKETEERING LAWSUIT

MERRY GRINCH-MAS: THE TRUTH ABOUT ASPCA & HSUS SPENDING

WHO IS REALLY STANDING FOR ANIMALS?

IS THE ASPCA'S TEAR-JERKING COMMERCIAL DECEPTIVE?

ANIMAL GROUPS BARKING AT ASPCA

Humane Society of the United States (HSUS)

HSUS has become one of the most extreme animal rights organizations in the U.S., and is actively engaged in the campaign to end retail pet sales. Although it claims to acknowledge the existence of "responsible breeders," the website offers a "How to Find a Responsible Dog Breeder" checklist that includes the statement, "A responsible breeder sells puppies only to people he/she has met in person, not to pet stores or to unknown buyers over the Internet." The website also encourages people to pledge to adopt their next pet from a shelter. Other HSUS campaigns include meat-free eating; opposition to fur, zoos, circuses and aquariums; and opposition to biomedical research.

The following links will take you to news articles about the HSUS agenda and recent activities. These do not include the extensive HSUS info found on Humanewatch.org, previously cited.

HSUS AND CO-DEFENDANTS PAY \$15.75 MILLION IN RACKETEERING LAWSUIT

HSUS/ASPCA ON "PUPPY MILLS"

HSUS SUIT DISMISSED FOR "FAILURE TO JUSTIFY ALLEGATIONS"

HSUS CAMPAIGNS AGAINST COLORADO AGRICULTURE

ANIMAL AGRICULTURE ALLIANCE STATEMENT ON HSUS 'AG COUNCILS'

U.S. SPORTSMEN'S ALLIANCE 'DIRTY DOZEN' ANIMAL RIGHTS GROUPS

CRITICS QUESTION SPENDING BY HSUS

AVMA RESPONDS TO PACELLE/HSUS CRITICISM

NEBRASKA'S GOVERNOR CONTINUES CRITICISM OF HSUS

People for the Ethical Treatment of Animals (PeTA)

PeTA has earned a reputation as one of the most radical of all animal rights groups, and as a result it has become somewhat marginalized in recent years. The organization has made use of celebrity supporters and bizarre media stunts to call attention to its

agenda, but has sacrificed some credibility in the process. However, PeTA's annual budget is approximately \$37 million, so they have enough money to generate plenty of media attention, contribute to political candidates, and produce slick animal rights propaganda for distribution in schools.

A look at PeTA's website shows why the organization has become controversial. Billboards carry slogans such as "If you wouldn't eat your dog, why eat a pig?" and "Got Zits? Ditch Dairy." A PeTA flyer promoting veganism showed a disappointed Santa with the slogan, "Santa's not coming this Christmas. Milk can make you impotent. Soy brings joy."

Other sources of information on PeTA:

PetaKillsAnimals

When Good Causes Go Wrong

What's Wrong with PeTA?

PETA's Euthanasia Rates Have Critics Fuming

PeTA Will Help Detroiters Without Water If They Go Meatless

Time Magazine: Outrageous PeTA Stunts

AnimalScam.com

NAJA ON PETA

Companion Animal Protection Society (CAPS)

CAPS positions itself as the only national organization focusing exclusively on "cruelty" in pet shops and pet breeding facilities. The group's website highlights its close relationship with the Humane Society of the United States: "After learning more about the plight of the pet shop and puppy mill dogs, (CAPS founder) Ms. (Deborah) Howard joined forces with Robert Baker, the foremost puppy mill investigator in the country. During his 13 years as chief investigator of The Humane Society of the United States (HSUS), Mr. Baker inspected over 700 puppy mills."

Upcoming protests are promoted in the "Outreach" section of the website, under "Events." Its fundraising activities are reported by Guidestar.

POTENTIAL ALLIES

General

National Animal Interest Alliance

Animal Agriculture

[American Agri-Women](#)
[American Dairy Goat Association](#)
[American Sheep Industry](#)
[Animal Agriculture Alliance](#)
[Dairy Farmers of America](#)
[National Cattlemen's Beef Association](#)
[National Chicken Council](#)
[National Pork Producers Council](#)
[National Turkey Federation](#)
[United Egg Producers](#)
[United Poultry Growers](#)

Pet Organizations

[American Dog Breeders Association](#)
[Cat Fanciers Association](#)
[American Kennel Club](#)
[Pet Industry Joint Advisory Council \(PIJAC\)](#)

MEDIA RELATIONS RESOURCES

News Release Distribution Services (Free or Low-Cost)

[PRUrgent](#)
[PRLog](#)
[Free-Press-Release](#)
[PR.com](#)

Public Relations for Small Businesses

[PR Basics](#)
[PR Toolkit](#)
[Getting Your Message Right](#)

Social Media Tips

[Small Business Owner's Guide to Social Media](#)
[The Beginner's Guide to Social Media](#)
[Download Free Guide to Social Media](#)

Lobbying/Government Relations (Local)

Dozens of organizations have posted lobbying tips online. A simple Google for "tips for citizen lobbyists" or "lobbying local government" will produce numerous entries, but here are a few of particular interest (including a darn good tip sheet from Animal Protection Voters, an animal rights group!)

[Local Lobbying: How to Fight City Hall](#)

[Guide to Citizen Lobbying](#)

[APV's Tips for Citizen Lobbying](#)



EXHIBIT A

BILL OXFORD, DVM
DIRECTOR OF VETERINARY SERVICES

Puppy Veterinarian Health Exam Summary

Pet Identification

Breed: HAVAMALT

Sex: Male

WhelpDate: 08/23/2013

Color: WH

Microchip# 95600009315061

Implant Date: 10/24/2013

INITIAL EXAM

Date: 10/22/2013

By: DVM

Weight: 2.2 lbs

Temperament:	Acceptable	<u> X </u>	Unacceptable	<u> </u>
Eyes:	Acceptable	<u> X </u>	Unacceptable	<u> </u>
Ears:	Acceptable	<u> X </u>	Unacceptable	<u> </u>
Nose:	No Discharge	<u> X </u>	Discharge Found	<u> </u>
Mouth:	Acceptable	<u> X </u>	Unacceptable	<u> </u>
Gums:	Good Color	<u> X </u>	Pale	<u> </u>
Heart:	Acceptable	<u> X </u>	Unacceptable	<u> </u>
Respiratory:	Acceptable	<u> X </u>	Unacceptable	<u> </u>
Hernia:	None Found			
Testes:	Both Decended			
Coat:	Acceptable	<u> X </u>	Unacceptable	<u> </u>
Skin:	Acceptable	<u> X </u>	Unacceptable	<u> </u>
Skeletal:	Acceptable	<u> X </u>	Unacceptable	<u> </u>
Open Font:	None Found			

X At the time of examination on 12/08/2013, I find this puppy to be healthy and fit for sale.

Examining Veterinarian Signature

N023348 197176 (7452)



EXHIBIT
B.



HUNTE
where puppies come first!SM

AMERICAN CANINE HYBRIDS

Patent Pending
Scan Here - Learn More!

HAVAMALT

USDA# 43-B-123

INVOICE # 197176 (7452)

Chip

ID #

SEX

COLOR

D.O.B.

REG #

956000009315061

N023348 male

WH

08/23/2013 I13-15047B

Breeder 71-A-1277 PRISCILLA TATUM, AR
Sire F09-36788B LYONS LEROY (HAVANESE)
Dam I13-31274T PRISSY SNOWBALL (MALTESE)

AMERICAN CANINE HYBRIDS

Please Note:

Prior to arrival at our facility and in addition to the below vaccination records our breeders have met our requirements for vaccination protocol and deworming which include vaccinations for parvo, distemper/measles, adenovirus (2), and parainfluenza @ 6 weeks of age, tracheo-bronchitis @ 4 weeks of age, and (2) dewormings @ 4 & 6 weeks of age. Unless otherwise noted all listed medications are given for preventative purposes only. The below were administered at our facility under the supervision of our Staff Veterinarian.

TYPE	MANUFACTURER	LOT #	EXPIRE	DATES GIVEN
**DA2PP				10/08/13
Sulfadimethoxine	Midway Vet Clinic	OAXRJ	03/16	10/22/2013 - 10/27/2013
Fenbendazole	Midway Vet Clinic	FenS1009J01	12/13	10/22/2013 - 10/24/2013
CHIP IMPLANT	TROVAN	10089	01/18	10/24/2013
Nutri-Drops	Pet Health Pharmacy	08/08/2012	08/14	10/22/2013 - 10/27/2013
Pyrantel Pamoate	COLOMBIA	504-1009	04/15	10/22/2013
Vanguard Plus 5	Pfizer	1175860	05/14	10/23/2013
VANGUARD BORDETELLA	Pfizer	1301073A	05/15	11/11/2013
Rabdomun1	RABDOMUN <i>Tag # 8718</i>	1305537	09/14	11/15/2013
Vanguard Plus 5	Pfizer	1307216	09/14	11/08/13
Vanguard Plus 5	Pfizer	1307216	09/14	11/22/13
Vanguard Plus 5	Pfizer	1307215B	09/14	12/4/2013

Distemper vaccine

12/11/13
administered by the breeder to the purchase of this dog by Hunte. All information was provided by the Breeder and has met our pre-purchase requirements. The date(s) given are approximated based on the whelp date of the puppy.

**I should not have it's next booster vaccination
at ten (10) days after it's last vaccination.
I recommend a fourteen (14) day interval.**

1 Dose/1 ml
Parvovirus Vaccine
Modified Live Virus
See outer package for directions and precautions.
Store at 25-35°F (2-7°C).
Dose: 1 ml s.c.

1 Dose
Rehydrate with 1 ml.
Canine Distemper Adenovirus Vaccine
Modified Live Virus
See outer package for directions and precautions.
Store at 25-35°F (2-7°C).
Dose: 1 ml s.c.

See Box: 347048A
347048A
24JAN15
34701-02

See Box: 341267
341267
05DEC14
34101-02

The Hunte Corporation 121 North Royhill Blvd. Goodman, MO 64843

Missouri Department of Agriculture
 Veterinary Division
 P.O. Box 630
 Jefferson City, MO 65102

Truck: (X)

Permit # _____

Sale: (X)

Consignor: 43-B-123
 THE HUNTE CORPORATION
 121 N ROYHILL BLVD
 GOODMAN, MO 64843

Consignee:
 WE LOVE PETS WLP2
 523 BALTIMORE PIKE
 MEDIA, PA 19063

I HEREBY CERTIFY THAT ANIMALS IN THIS SHIPMENT ARE TO THE BEST OF MY KNOWLEDGE ACCLIMATED TO AIR TEMPERATURES BELOW 7.2 DEGREES C, (45 DEGREES F), ANIMALS ARE TOO YOUNG FOR RABIES VACCINATION EXCEPT WHERE NOTED ON INDIVIDUAL RECORDS AND ARE NOT FROM AN AREA UNDER QUARANTINE FOR RABIES. THE ANIMALS HAVE BEEN SUBMITTED TO A PREVENTIVE TREATMENT AGAINST INTERNAL AND EXTERNAL PARASITES PRIOR TO THEIR MOBILIZATION AND THEY WERE FOUND FREE OF INTERNAL AND EXTERNAL PARASITES. PRIOR TO THE EXPORT INSPECTION, THE ANIMALS WERE FOUND CLINICALLY HEALTHY.

ID#	Sex	Age	Breed	Color	Chip#	Rabies vacc
N023348	M	15 wks	HAVAMALT (S2)	WH	956000009315061	*R(11/15/2013)
N023943	F	12 wks	BASSET HOUND (M3)	LMN WH	956000003065923	*R(12/06/2013)
N023954	F	12 wks	SHIH TZU (M38)	GLD WH	956000009300661	*R(12/06/2013)
N024225	M	11 wks	GOLDEN RETRIEVER (L1)	GLDN	956000003060026	
N024348	F	9 wks	AUSTRALIAN SHEEP (L1)	RD MRL:WH MKGS TN	956000003100192	
N024510	F	8 wks	YORKIE-POO (S4)	BLK TN	956000003054966	
N024527	M	9 wks	ZUCHON (S2)	BLK WH	956000003057050	
N024638	F	9 wks	POORANIAN (S4)	CR	956000003061138	
N024646	F	9 wks	POOCHON (S46)	APCT	956000003068840	
N040894	M	11 wks	HAVASHIRE (S3)	BLK:WH MKGS	956000003068859	
N040909	M	12 wks	LABRADOR RETRIEV (L3)	YLW	956000003285082	*R(12/06/2013)
N041034	F	10 wks	POORANIAN (S6)	BLK:WH MKGS	956000003228928	
1214	F	9 wks	SHIH-POO (S5)	BRDL:WH MKGS	956000003351820	
11233	F	9 wks	BICHON FRISE (M2)	WH	956000003357014	
N041253	M	9 wks	MINIATURE PINSCH (M38)	BLK RST	956000003228889	
N041332	M	9 wks	YORKSHIRE TERRIE (S43)	BLK TN	956000003068711	
N041333	M	9 wks	YORKSHIRE TERRIE (M37)	BLK TN	956000002879161	
N041334	F	9 wks	YORKSHIRE TERRIE (S42)	BLK TN	956000002880708	
N060747	F	12 wks	COCK-A-POO (S44)	BF	956000003071676	*R(12/06/2013)
N060873	M	11 wks	DACHSHUND (S3)	BLK TN:DPL	956000003056756	
N060920	M	11 wks	DOBERMAN PINSCH (L28)	BLK RST	956000003067196	
N061253	M	9 wks	LABRADOR RETRIEV (L2)	CHLT	956000003282297	
N061278	M	10 wks	CHIHUAHUA (S46)	BLK TN	956000002887183	
N061292	F	9 wks	CHIWEENIE (S1)	RD	956000003057148	
N061294	M	9 wks	PEKE-A-POO (S43)	BLK:WH MKGS	956000003316525	
N090095	F	12 wks	MINIATURE PINSCH (S44)	BLK RST	956000003066685	*R(12/06/2013)
N090255	F	11 wks	CHIHUAHUA (S1)	RD:WH MKGS	956000003220577	
N102682	M	8 wks	MALTESE (S5)	WH:BLK PTS	956000003206910	
N143708	M	10 wks	SHORKIE TZU (S6)	BLK GLD:WH MKGS	956000003281774	
N143895	M	9 wks	CHIHUAHUA (S45)	CHLT	956000003242912	
N143896	M	9 wks	CHIHUAHUA (S45)	BLK	956000003212231	

Total number: 31 Species: Canine Shipment Purpose: Pets

*R - This pet has received a rabies vaccination prior to shipment. Please see pet's vaccination record for details.

COUNTRY OF ORIGIN: USA

COUNTRY OF PRECEDENCE: USA

I CERTIFY THAT THE ANIMALS DESCRIBED ABOVE HAVE BEEN INSPECTED BY ME THIS DATE AND APPEAR TO BE FREE OF ANY INFECTIOUS OR CONTAGIOUS DISEASES AND TO THE BEST OF MY KNOWLEDGE, EXPOSURE THERETO, WHICH WOULD ENDANGER THE ANIMAL OR OTHER ANIMALS OR WOULD ENDANGER PUBLIC HEALTH. THE VACCINATIONS AND RESULTS OF TEST ARE INDICATED ON THE HEALTH RECORD. TO THE BEST OF MY KNOWLEDGE, THE ANIMALS LISTED ON THIS CERTIFICATE MEET THE STATE OF DESTINATION AND FEDERAL INTERSTATE REQUIREMENTS.

USDA Accredited Veterinarian Signature	Address	Date	Vet Code
	121 N ROYHILL BLVD GOODMAN MO 64843	12/08/13	028842

197176

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 11/24/14

(PLEASE PRINT)

Name: Mario Merino

Address: ASST. COMMISSIONER, Veterinary Health

I represent: DOHMH

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 55 Res. No. 55A

in favor in opposition

Date: 24 Nov 14

(PLEASE PRINT)

Name: ROBERT LUKINS

Address: 1149 19TH ST NW, WASHINGTON, DC 20024

I represent: PET INDUSTRY JOINT ADVISORY COUNCIL (PIJAC)

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Bob YARRAW

Address: 365 CITRUS TOWER BLVD

I represent: AMERICAN CANINE ASSOC.

Address: CASBENT, FL.

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 11/24/14

(PLEASE PRINT)

Name: SANDRA JEFFO

Address: 306 E 54 ST NYC 10025

I represent: -Humane Society of NY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 136 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DR. LIKITA JACOBSON

Address: 291 KINGS HWY, BROOKLYN NY

I represent: ADMA, MSVMS, MYSELF

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 11/24/14

(PLEASE PRINT)

Name: Daniel Kass

Address: Deputy Commissioner, Environmental Health

I represent: DOHMH

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 55 Res. No. _____

in favor in opposition

Date: 11-24-14

(PLEASE PRINT)

Name: Natalie L. Reeves
Address: 95 Worth Street, Apt 14B, NY, NY 10013

I represent: Big Apple Bunnies
Address: Same as above Natalie L Reeves@

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 55A, 73A, B6A, 196A Res. No. _____

in favor in opposition

Date: 11/24/14

(PLEASE PRINT)

Name: Joel M. Bhuiyan
Address: 131 Vanick St, Ste. 942, New York, NY 10013

I represent: NYCLASS
Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Melanie Lynn Kahn
Address: 2100 L Street, N.W., D.C.

I represent: The Humane Society of the United States
Address: 700 Professional Drive, Gaithersburg, MD

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 354 Res. No. _____

in favor in opposition

Date: 11/24/14

(PLEASE PRINT)

Name: BRIAN SHAPIRO

Address: 4 CLOUWOOD RD. HIGH FALLS, NY 12440

I represent: THE HUMAN SOCIETY OF THE U.S.

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: COURTNEY STROM

Address: 227 W. 77TH ST. APT. 15A NY, NY 10024

I represent: MYSELF and HUSB

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 11/29/14

(PLEASE PRINT)

Name: Assemblymember Linda B. Rosenthal

Address: 230 W 72nd Street, 2F

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 55A Res. No. _____

in favor in opposition

Date: 11/24/2014

(PLEASE PRINT)
Name: VIVIAN BARNA
Address: 110-11 QUEENS BLVD FOREST HILLS
I represent: ANIMALS RESCUE NY
Address: 110-11 QUEENS BLVD FOREST HILLS

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)
Name: David Barton
Address: 147 8th Avenue
I represent: CITOPUPS
Address: Chelsea

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)
Name: Marilga Galfin
Address: _____
I represent: New Yorker Against Puppy Mills
Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Roxanne Velazquez

Address: 1130 Pelham Parkway South

I represent: Self

Address: Box 107 Coy St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 55 Res. No. _____

in favor in opposition

Date: 11/24/14

(PLEASE PRINT)

Name: Doborah Howard

Address: Compan

I represent: Companion Animal Protection Society

Address: Cohasset, Mt 02025

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: William SACARY

Address: 230 Riverside Dr

I represent: Self

Address: 230 Riverside Dr

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

with concerns -

Date: _____

(PLEASE PRINT)

Name: EDWARD C. WALLA

Address: C/O GREENBERG

I represent: PET SMART

Address: Phoenix AZ

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 5573 Res. No. 136-146

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Michael Gill

Address: P.O. Box 30

I represent: Spruced Knoll LA 1998

Address: We love house pets

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 55-A 136A Res. No. 146A

in favor in opposition

Date: 11/24/14

(PLEASE PRINT)

Name: Jane Hoffman

Address: 55 West

I represent: Mayor's Admin for NYC's Animals

Address: 244 Fifth Ave Suite 1290 NYC 10001

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 55A 136A / 73A 140A Res. No. _____

in favor in opposition

Date: Nov.

(PLEASE PRINT)

Name: Emily McCoy / PETA

Address: 80 Chambers St

I represent: PETA

Address: 501 Front St. Norfolk VA

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 551736 / 46 Res. No. _____

in favor in opposition

Date: 11/24/14

(PLEASE PRINT)

Name: Christine Mott

Address: _____

I represent: NYC Bar Association

Address: 42 W. 44th St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 55A Res. No. _____

in favor in opposition

Date: 11/24/14

(PLEASE PRINT)

Name: Cori Menkin

Address: 520 8th Ave, NY, NY 10018

I represent: ASPA

Address: 570 8th Ave NY, NY 10018

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

146A

I intend to appear and speak on Int. No. 55A, 136A, 73A Res. No. _____

in favor in opposition

Date: NOV. 24, 2014

(PLEASE PRINT)

Name: MICHELLE VILLAGOMEZ

Address: 520 8th Ave 7th Fl. NY 10018

I represent: ASPCA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 55A Res. No. _____

in favor in opposition

Date: NOV 24, 2014

(PLEASE PRINT)

Name: Bill Ketter

Address: _____

I represent: ASPCA

Address: 520 8th Ave, 7th Fl NY 10018

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 55A Res. No. _____

in favor in opposition

Date: 11/24/14

(PLEASE PRINT)

Name: Matt Bershadker

Address: _____

I represent: ASPCA

Address: 520 8th Ave NY 10018

▶ Please complete this card and return to the Sergeant-at-Arms ◀

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 136, 35, 146 Res. No. _____
 in favor in opposition (general comments)
Date: 11/24/14

(PLEASE PRINT)

Name: Sheila Gotte
Address: 260 Madison Ave, NY 10016
I represent: American Kennel Club
Address: see above

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 136, 35, 46 Res. No. _____
 in favor in opposition
Date: _____

(PLEASE PRINT)

Name: DANN LETTIS
Address: 91 WIMAN AVE
I represent: RESPONSIBLE DOG OWNERS OF NY
Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 55A Res. No. _____
 in favor in opposition
Date: 11/24/14

(PLEASE PRINT)

Name: Monica Wright
Address: 371 Madison St, 10002
I represent: ~~XXXXXX~~ Melissa Milne
Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 11/24/14

(PLEASE PRINT)

Name: Randie J. Blumhagen (NAIA)

Address: 254 Hillside Ave
CLAYTON NJ 07016

I represent: NAIA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. ^{55 136} 146 Res. No. _____

in favor in opposition

Date: 11-24-2014

(PLEASE PRINT)

Name: MICHAEL GLASS

Address: 1927 FIRESTONE ST POTTSDAMOR

I represent: America's Pet Registry Inc

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. ^{55A, 136, 141A} Res. No. _____

in favor in opposition

Date: 11/24/14

(PLEASE PRINT)

Name: Risa Weinstock

Address: 11 Park Place NYC

I represent: Animal Care + Control NYC

Address: 11 Park Place Ste 805
NYC 10067

Please complete this card and return to the Sergeant-at-Arms