



## **NATIONAL ANIMAL INTEREST ALLIANCE**

*Supporting the people who care for America's animals*

May 7, 2009

Chair Bonamici and Members of the Senate Consumer Protection and Public Affairs Committee:

I am writing on behalf of the National Animal Interest Alliance (NAIA) to register our opposition to HB 2470. We support the spirit of the bill, which is to eliminate substandard kennels in Oregon, but disagree strongly with the provision capping the number of intact dogs allowed at a breeding facility.

NAIA is a national organization, headquartered in Portland Oregon, whose role is to provide a balanced, fact-based approach to animal welfare issues based on the expertise and perspective of those who live and work with animals. Many of our members are concerned dog owners and responsible breeders who are impacted by the unintended consequences of well-intentioned dog legislation such as HB 2470.

Our experience working on animal related legislation over the last 18 years has taught us that the most effective laws are those that focus on improving care and conditions. Instead, HB 2470 seems intent on eliminating an entire class of breeders based solely on the number of dogs they possess (more than 50), not how well they treat them. This amounts to stereotyping or profiling breeders by the numbers, which will unfortunately catch the good along with bad, giving no credit to people who work hard to provide healthy, well bred, socialized puppies. This bill treats them all with prejudice, basically persecuting Oregonians who are long-time, law-abiding citizens.

Limiting the number of intact dogs in a kennel to 50 accomplishes little, because quantity is not a reliable indicator of quality of care. NAIA opposes number limits of any kind because they are arbitrary, unscientific and fundamentally unfair. There is no magic number or established "tipping point" for when quality of care would decline, which is evidenced by the wildly different number limits being proposed in bills across the country. In one state it's 25, in another 10, another 75, and so on. Kennels should be graded on actual conditions, quality of care and outcomes, taking into account the unique demands of each breed.

It's important to keep in mind that the high profile cases of abuse in Oregon are dramatic but few and all of the recent cases were successfully prosecuted using existing laws. Passing HB 2470 would simply push the bad actors further underground while unfairly limiting the growth potential of good breeders who obey the law.

Given that cash strapped local governments lack the resources to fully enforce existing laws, this new enforcement tool is likely to be used by quasi-governmental humane officers sponsored by mission-driven organizations like the Oregon Humane Society.

Instead, NAIA would support greater enforcement of existing laws by local governments, closing loopholes in the current system that allow certain facilities to operate without oversight, and greater consumer education.

The key to eliminating inhumane breeding is to ensure that proper oversight is in place for the different types of facilities. HB 2470 should focus on facilities that are currently not subject to oversight by any entity or the public and exempt other kennels, like USDA breeders, who are already inspected by the federal government, local animal control agencies and often by the AKC.

Finally, and perhaps most importantly, consumers need more information so that they can differentiate between good and bad sources. Educating consumers before they decide to purchase a pet would go much farther to ensure that they are protected because they will know what questions to ask at the point of sale. Furthermore, informed consumers would insist on visiting the kennel and seeking out responsible and humane sources of pets. Substandard kennels would not last long under the scrutiny of an educated consumer base. In keeping with this philosophy, NAIA has offered alternative consumer protection legislation that is education based, and would be happy to submit it for your consideration.

We strongly recommend that you take advantage of the tremendous pool of knowledge available in the Oregon dog community. For members of this community, dogs are a labor of love and a full time passion. They are the people who are helping the public train their dogs, rescuing dogs, funding canine research to improve the health of dogs, promoting responsible dog ownership and breeding practices and raising the best source of healthy, well tempered dogs you'll find anywhere. These non-profit organizations host dog shows that bring millions of tourism dollars to Oregon each year and contribute excess profits to dog related causes.

Please consider NAIA and our Oregon members a resource when trying to identify realistic and fair solutions to the animal welfare and pet consumer challenges Oregon faces. We respectfully ask you to reconsider the numbers cap provision in this bill.

Thank you,



Patti Strand, Chairman  
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