



## NAIA Trust for the Protection of Animals, Animal Owners and Animal Enterprises

*Educating the Public about the Critical Difference between Animal Welfare and Animal Rights:*

Assemblyman William Magee, chairman  
NY Assembly Agriculture Committee  
LOB 828  
Albany, NY 12248

Sent via Facsimile

May 15, 2006

Dear Mr. Chairman & Committee Members:

### **A letter in opposition to A11242, a bill to ban certain animal husbandry procedures and give animal rights organizations standing to sue animal owners**

The National Animal Interest Alliance Trust (NAIA Trust) is a coalition of animal owners and public and private organizations dedicated to animal welfare, animal health and wellbeing, responsible animal ownership, and maintaining the rights of citizens to responsibly keep and enjoy pets. We back reasonable laws that support the wellbeing of animals and strongly oppose laws that ignore science and interfere with decisions that belong to pet owners and their veterinarians. We are contacting you in regard to A11242 on behalf of our many members in New York and those who travel to your state to exhibit their dogs in hundreds of exhibition and performance events each year.

We urge you to kill A11242 because it is unnecessary, unreasonable, unscientific, and coercive, and invites extremists to sue animal owners based on the aberrant philosophy of animal rights, not on necessity, reasonable cause, established legal precedent or constitutional grounds.

NAIA Trust opposes A11242 because it

- imposes unnecessary restrictions on two safe and acceptable dog husbandry practices, i.e., ear cropping and tail docking.
- represents an unwarranted intrusion in the relationship between dog owners and their veterinarians;
- carries an excessive penalty that may drive ear cropping and tail docking underground, making them dangerous;
- codifies a radical animal rights philosophy in state animal laws directly assaulting the actions, ideals and reason of responsible animal owners and caretakers;
- creates a legal basis wherein activists can harass veterinarians and dog owners and breeders;
- will allow frivolous lawsuits to be filed by animal rights extremists over docked and cropped dogs, dogs that are not harmed in any way by these procedures. These frivolous lawsuits will further burden our already overburdened court system
- interferes with the conduct of hundreds of dog shows and performance events by criminalizing time and field tested, humane procedures and adversely affects the local economics of such events by disrupting revenue from the events themselves as well as site-related travel, lodging, food and entertainment businesses; and

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- establishes a precedent that replaces the professional judgment of veterinarians with laws based on public opinion and the belief system of special interest advocates.

The pressure to ban these traditional husbandry practices comes from false and pernicious beliefs and from a lack of information about modern surgical techniques. For example, ear cropping can now be performed with so little risk or pain that there are no compelling reasons to outlaw it and, in a free and diverse society that supports dog activities in myriad settings, many reasons to allow it.

Prohibiting animal husbandry practices performed in accordance with established veterinary practices creates a low threshold for government interference in private ethical choices and opens the door to intolerance and persecution, allowing one group to impose its values on another with virtually no requirement that doing so serves any public good. Those who fail to follow accepted procedures and provide veterinary oversight can be dealt with under existing law.

Historically, cropping has been performed on military dogs, police dogs, search and rescue dogs and other protection dogs to prevent injury during work and to improve hearing acuity in breeds without natural upright ears. Docking has been used to protect the tails of dogs that work in brush and brambles. It should not be surprising that many pet owners who treasure these breeds want to maintain their traditional appearance and aspire to enjoy them while they work within their instinct-bred purpose.

Many owners of traditionally cropped breeds observe that a cropped dog has keener hearing and know that dogs with cropped ears suffer fewer ear infections than drop-eared dogs of their breeds. On this score, A11242 disagrees with the judgment of many veterinarians and experienced owners who have discovered from owning many cropped and uncropped dogs of the same breed that cropped dogs have significantly fewer ear infections.

NAIA Trust opposes A11242 because we believe that breed experts including long-standing pet owners and breed enthusiasts should be able to make animal husbandry decisions based on their own experience and that of the medical professionals they consult. They should not be bound by the opinions and values of people who lack personal experience with these practices or who bring no body of evidence to support their beliefs, and in fact use such restrictions as carefully planned stepping stones to destroy animal ownership.

**Therefore, we urge you to vote against A11242 and to preserve the right for dog owners and their veterinarians to make informed animal care decisions.**

Sincerely,

Patti L. Strand, Trustee  
NAIA Trust

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