



## 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:*

February 24, 2011

Letter in opposition to S1643 and A3205 as amended on February 17, 2011

Dear Senator Sweeney,

I am writing as the New Jersey representative of NAIA Trust, a broad-based national animal welfare organization with hundreds of members throughout the state to share our input on S1643 and A3205.

Your aide has been very helpful in going over this bill with us, but there are still some areas of concern. We also sit on the NJOA Conservation Foundation as an adviser on animal welfare issues. At this point, we regret having to advise them to oppose the bill as amended by the General Assembly on February 17, 2011.

The bill is very clear that only certified animal control officers may impound strays and may only use licensed shelters, pounds or kennels that serve that purpose to house the animals for the proscribed time, but the inclusion of the phrase, "or other animals found loose or stray" in the definition of an animal rescue organization suggests that these organizations are also empowered to act.

2. Section 16, both (2) and (3) require a certified animal control officer to seize animals that are off their property, with no allowance for being with their owners or under the owners' control. A common phrase that is used to describe an unattended dog would be "at large", differentiating it from one that is under the control of its owner. We realize that the new language is tweaking existing statute, but we should take this opportunity to correct that statute. Hunters, dog enthusiasts, trainers and others frequently take their dogs off their property without tags. Dogs that are working in the field typically don't wear tags because of the possibility of injury should they get entangled. Dogs that compete in American Kennel Club (AKC) events don't wear tags in the ring. Bitches that compete in AKC conformation events must be intact, and sometimes compete while in season. Those that compete in performance events are likewise frequently intact. The bill as written would require an animal control officer to seize all these animals, creating havoc for all involved. We don't think this is your intent.

I have attached a document from the AKC estimating that the economic benefit to the state in 2010 was more than \$16 million for purebred dog events alone. Deliberately keeping this old-fashioned language in the statute puts all these activities at risk. Although traditionally animal control officers haven't spent their time targeting dog events, animal rights activists are increasingly active in the animal control community

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and some would relish the opportunity to interfere with legitimate activities that require dogs being off-leash and off the owner's property. We are extremely concerned with the threat to our animals from overzealous extremists who take imprecise language in a law and use it for their own agenda.

We approve of the section on micro chipping, but would like to see the loophole "if the shelter, pound, kennel operating as a shelter or pound, or animal rescue organization facility has such technology available" removed. The State of Georgia recently passed a measure requiring scanning, and the AKC Companion Animal Recovery (CAR) made scanners available for shelters that could not afford them. Microchipping as a means of permanent identification is particularly popular with owners of performance dogs and cats. To allow any shelter or rescue to operate without using the latest technology is inviting a lawsuit.

Finally, Section 6, the establishment of a registry of animal rescue organizations. The language should read, "All animal rescue organizations shall participate in the registry." This is a public health issue. If a virulent, contagious canine or feline disease is introduced into New Jersey, the Department of Health needs to be able to contact everyone who has been in contact with the animal as quickly as possible. With the burgeoning industry of animals being imported into the state for sale through shelters and rescues, it is crucial that we be able to track the movements and placements of diseased pets. As many diseases are zoonotic, the threat exists for our human population as well as our animals.

Thank you for your attention to our concerns.

Sincerely,

Barbara Reichman