



AMERICAN
KENNEL CLUB®

Dennis B. Sprung
President and
Chief Executive Officer

January 26, 2012

RE: AKC Opposition to H.R. 835/S. 707 the “PUPS” Act

Dear Member of Congress,

I write you today to express the concerns of the American Kennel Club® (AKC) regarding H.R. 835 and S. 707, the Puppy Uniform Protection and Safety (PUPS) Act.

Founded in 1884, the AKC® is the world’s largest registry of purebred dogs. Along with its more than 5,000 licensed and member clubs and affiliated organizations in all 50 states, the AKC, a not-for-profit organization, advocates for the purebred dog as a family companion, advances canine health and well-being, works to protect the rights of all dog owners and promotes responsible dog ownership. In 2011 AKC sanctioned and regulated 22,497 competitive dog events nationwide. Such events included our cherished institution of all-breed conformation shows, agility competitions, sporting dog field trials, and obedience trials.

The AKC believes that all dog breeding programs should be undertaken responsibly. We demonstrate our commitment to responsible dog ownership and breeding through a variety of educational programs, humane programs, a multi-million dollar commitment to canine health research through the AKC Canine Health Foundation, and by conducting thousands of kennel inspections each year of breeders who register their dogs with us.

The AKC does not oppose the concept of regulating high volume breeder retailers but we believe that the definitions proposed in this bill are misleading, overly broad, and potentially damaging to responsible breeders who individually maintain and breed only a few dogs in their homes.

Although PUPS was designed to regulate *internet* sales of puppies, it would require *anyone* who owns or co-owns even a few female dogs that produce 50 or more puppies offered for sale in a year to be regulated under existing USDA dog "dealer" regulations. **These regulations are designed for high-volume commercial kennels that produce puppies for wholesale, and require a USDA commercial license, maintenance of specified commercial kennel engineering standards and regular inspections.** They are not appropriate for small breeders who may keep only a few dogs in their homes.

Our specific concerns with PUPS include the following:

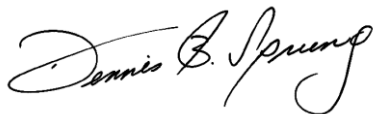
- Defines “high volume retail breeder” as someone with “an ownership interest in or custody of one or more breeding female dogs”. This definition is overly broad and does not take into account co- and joint ownerships common among dog owners, dog show participants, hunting club members, sporting dog trainers and other hobbyists. This would hurt many small hobby breeders who keep or breed only a few dogs in their homes by subjecting them to commercial standards of regulation as a result of co-ownership agreements with other small breeders.

- Defines “high volume retail breeder” as someone with “an ownership interest in or custody of one or more breeding female dogs”. Because the threshold for regulation is based on the number of dogs bred and sold, any reference to the number of dogs owned or in custody is unnecessary and potentially misleading.
- Defines “high volume retail breeder” as someone who “... offers for sale ... more than 50 ...”. This should be clarified to ensure that this refers to 50 distinct puppies to ensure that multiple advertisements for the same puppy are not double counted.
- Defines “breeding female” as an intact female dog aged 4 months or older. This is misleading and implies that a female dog may be bred at 4 months. Female dogs are not sufficiently mature at 4 months of age to be bred.
- Exercise language should be clarified with respect to the terms “solitary and goal oriented” to ensure that the daily exercise requirements do not preclude training that involves other types of activity as well (e.g., solitary exercise on a lead or on a treadmill).
- PUPS would exponentially expand the pool of breeders regulated and inspected by the Animal Care division of the United States Department of Agriculture’s (USDA) Animal, Plant and Health Inspection Service (APHIS). *However, a May 2010 audit of this program by the USDA’s own Inspector General demonstrated that the existing inspections program is insufficient to carry out current responsibilities.* AKC believes these issues and full funding for the current program should be addressed before attempting to exponentially expand the program’s responsibilities and workload.

We respectfully request that you withhold support of PUPS until additional funding for AWA enforcement is provided to APHIS and until the above concerns regarding this legislation are adequately addressed. We will be happy to work with you and your staff to assist you with these or other related matters. The AKC point of contact is Ms. Sheila Goffe, Director of Government Relations, 919-816-3720.

Thank your consideration of this important matter.

Sincerely,

A handwritten signature in black ink that reads "Dennis B. Sprung". The signature is written in a cursive style with a large, looping "S" at the end.

Dennis B. Sprung