



10370 Fleming Road • Carterville, Illinois 62918
Phone: 618-985-2336 • Fax: 618-985-5103 • brunatchbritts@midamer.net

American Brittany Club, Inc.

SPONSORS OF THE BRITTANY

Mary Jo Trimble
Executive Secretary

June 14, 2005

TO: Members of the Senate Agriculture Committee
RE: PAWS Legislation, S1139
REQUEST: **PLEASE OPPOSE PASSAGE**

The American Brittany Club would like to express its opposition to Senators Santorum and Durbin's PAWS legislation, S1139. The American Brittany Club is one of the largest sporting dog clubs in the United States. We feel S1139 would have a detrimental effect on our members.

The numbers are the most objectionable part: no more than 6 litters per year and 25 dogs sold (even if the term applies to dogs not raised by the breeder). The wording is vague as to whether it is either/or or both needed to bring one under USDA regulation. This new definition of commercial will have a trickle down effect to local and state governments and will further the Animal Rights Agenda to end all breeding. Quality of care is not determined by numbers if this is the purpose of the bill.

The legislation says hunting dogs will be regulated. This provision could be extended or interpreted differently in the future by cracking down primarily on hunting dogs as opposed to pets. Why single out Hunting Dogs in this or the existing legislation unless the intent is specifically aimed at the elimination of hunting and hunting dogs?

Classifying hobby breeders as "commercial" or even "retail" sellers can be dangerous as time goes on. Definitions are not clear and this leads to litigation.

AKC says the legislation will only affect 3-4% of all breeders under their registry. If that is really the case, where is the need for this expensive proposition. Laws like this are best handled by the local and state laws governing kennels and health and welfare of animals. The Federal Government does not need to be invading individual's homes with federal regulations. We don't want the federal government telling us how many kids we can have; the same applies to our dogs.

There is no way that USDA can hire enough people to enforce the regulations. There is a great fear that animal rights organizations will become the enforcers and all objectivity will be lost.

This contains some of the same wording as the Puppy Protection Act that AKC went to court over to keep from being enforced on hobby breeders. This will nullify the court's decision. If it was wrong then, it is wrong now.

Hobby breeders seldom earn profits. They break even or lose money, if anything. However, hobby breeders are not only regulated by the market and by abuse/neglect laws, but also by puppy lemon or consumer protection laws.

If any field trialers (particularly the professional trainers) fall into the commercial category, they will have to air condition their horse trailers and also heat them to transport dogs according to the transportation regulations already in this law. Crate requirements will make it difficult to haul more than a few dogs. Many will face the economic certainty of ending their professions. You can be sure that if HSUS is sitting at the table, they will want heavy restrictions on those people involved with hunting dogs. This could end the sport of field trailing. Dogs who live and work in the elements as do hunting dogs would not benefit but rather be harmed by these USDA regulations on transportation.

One of our main objections is that none of the regulations concerning hobby breeders are defined in this bill. We find writing regulations after the law has passed to be a very scary proposition. Depending on who controls this discussion on hobby breeder regulations, we may well see dog breeding left to those who have the money and resources to produce on a mass basis rather than the small hobby breeder who is looking to improve his breed, improve genetics, and produce quality animals.

In the past, rescue groups have been exempted from USDA regulation. With the advent of the number system and the vagueness of the new legislation, we are concerned that bona fide rescue groups may be subjected to the 26 number of dogs if their "donations" are considered sales by USDA. Most perform a valuable service by individual volunteers. Animals are better off because of Rescue's grass roots efforts. This bill puts Rescue in jeopardy.

In summary, the American Brittany Club Officers and Directors would like to go on record saying we are strongly opposed to the passage of the PAWS legislation, S1139 for the above mentioned reasons.

Sincerely,



Mary Jo Trimble

Executive Secretary

CC: Senator Rick Santorum
Senator Richard Durbin