



**PET INDUSTRY JOINT
ADVISORY COUNCIL**
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TESTIMONY OF THE PET INDUSTRY JOINT ADVISORY COUNCIL BEFORE THE SAINT PAUL, MN CITY COUNCIL REGARDING PROPOSED ORDINANCE (ORD 18-63) BANNING SALE OF DOGS AND CATS AT PET SHOPS AND PET SHOP FACILITIES

December 5, 2018

The Pet Industry Joint Advisory Council (PIJAC) appreciates the opportunity to offer the Saint Paul City Council our views regarding the proposed ordinance “prohibiting the sale of dogs and cats in pet stores” in Saint Paul. As the country’s largest pet trade association, representing the interests of all segments of the pet industry throughout the United States, PIJAC counts among its members national associations, organizations, corporations and individuals involved in the commercial pet trade. More specifically, PIJAC represents the interests of pet stores, distributors, pet supply manufacturers, breeders, retailers and pet owners throughout The North Star State and across the United States.

No one cares more about healthy and safe pets than do PIJAC and our members. We have for many years provided a well-respected animal care certification program that is widely utilized by persons in the commercial pet trade as well as in shelters and humane societies across the country. Our association has long been recognized as the voice for a responsible pet trade, and we routinely advocate legislative and regulatory proposals establishing governmental mandates where appropriate to advance the public interest and the welfare of pets. PIJAC works closely with USDA to ensure effective enforcement of the federal Animal Welfare Act, and has since its inception. We regularly work with federal and state agencies as well as local governments to advance animal welfare interests.

Even as we have worked to raise standards of care, PIJAC has battled misconceptions about the quality of pet store animals and the sources of such animals. The unsubstantiated assertion that pet store animals generally come from substandard breeding facilities is commonly used as a smoke screen to obscure the fact that the overwhelming majority of pet owners who choose to purchase from pet stores bring home a happy, healthy pet and remain highly satisfied with their pet store experience.

As such, we respectfully urge the City Council to not advance this ordinance.

The reality is that almost all pet store puppies originate from USDA licensed breeders who are regularly inspected and found to comply with appropriate care standards. By contrast, many of the dogs and cats from other sources, including rogue Internet operators, private sales, shelters and rescues, did not come from licensed breeders.

We are proud to have supported sourcing standards for companion animal sales and applaud those states and localities that are leading a national trend for improved standards instead of bans; states like New Jersey, Illinois, and Ohio as well as the City of Las Vegas, NV—which recently reversed its retail pet sale

ban in favor of revamped regulations on local pet shops, while the Commissioners of Clark County, NV recently rejected a similar pet sale ban proposal.

What purpose does this proposed ban serve? It doesn't protect consumers, as customers already enjoy far more protection in the law for the animals they get from pet stores than from any other source. They would merely be deprived of looking to a pet store as one of several alternatives for acquiring a pet, and in the process lose statutory protections that they currently enjoy. It doesn't protect the animals themselves. As already noted, pet store puppies are as healthy as any others and typically receive more frequent veterinary care than puppies from other sources. Additionally, consumers who buy their animals from pet stores enjoy extra protections in the event the animal purchased is sick or diseased. As well-intentioned as this proposal may be, the approach the ordinance takes is unsupported by all available facts.

Further, a retail pet sales ban indiscriminately targets responsible pet stores, while exempting others who need not even comply with the standards under which pet stores already operate. Thus, in considering a citywide retail pet sale ban, the Council of the City of Saint Paul risks enacting a law that will not only fail to stop the bad actors who operate substandard breeding operations, but will actually exacerbate the very problem a retail sales prohibition seeks to address. Banning the sale of dogs and cats by pet stores that are subject to strict regulation and sourcing transparency will only drive prospective pet owners to unscrupulous sellers of pets who are not licensed and are unconcerned about compliance with animal care standards.

Animals delivered to pet stores in Saint Paul and throughout Minnesota are already highly regulated:

- In the state of their birth
- In the state of their distributor
- By the federal government
- By Minnesota when the animals enter the state
- And animal cruelty is a criminal offense everywhere

Some make the claim that prohibiting the sale of commercially bred dogs and cats in pet stores will lead to more adoptions of shelter animals. No independently developed data supports this claim. PIJAC knows that animal control facilities and non-profits are often excellent sources for pets for some prospective pet owners, though not for everyone. Many shelter animals are relinquished because of socialization or health issues. Adoption may not be an appropriate option for families looking for a certain breed of animal for health considerations. There are varied reasons why families choose the animals they do. They should have a choice and not be denied the pet that best fits their family's requirements.

While Section 2 of the proposed ordinance includes a provision stating nothing shall prevent pet shops from collaborating with animal shelters or rescues, there is no guarantee that those entities will work with any future pet stores that sell animals. Specific to Sec. 347.05 (f) under Section 2 as well as all items under Section 3 of the proposed ordinance, one important question for the City Council is whether those same "Certificate of Source" requirements of pet shops are also applied to rescues, shelters, and the animal control authority in the city? The more information provided to consumers, the more informed a decision they can make on the best pet for their family, which reduces animals that would be relinquished to animal shelters due to incompatibility or safety reasons. Health records and information on source of the animal is important for consumers to be aware of as they make important decisions to ensure they find the best pet for the health and safety of their family. For example, the dangerous past or health history of an animal

can provide important insight needed and needs to be communicated to those who find their next pet at a shelter or rescue.

Hyperbole and emotionalism are poor substitutes for rational evaluation of objective information in establishing public policy. PIJAC recognizes that a few substandard facilities supplying pet stores do exist, as do substandard breeders providing dogs directly to the public and, in fact, substandard shelters as well. And, our efforts to ensure humane standards of care are met in all of these facilities will continue. However, singling out pet stores for specious generalizations based on anecdotal evidence will **NOT** eliminate the existence of substandard conditions. While this may be a “feel good” approach it only diverts attention away from efforts to really accomplish effective solutions and we urge the City Council not to move forward with any proposed ordinance that targets pet stores in this way.

PIJAC is highly sympathetic to the concerns motivating this proposed ordinance, but an outright ban on retail pet sales is unjustified, harmful to the future of the local economy and ultimately will fail to better protect pets. We respectfully urge the City Council to reject the ban and not impose excessive restrictions on all pet owners by denying dog and cat sales at future, legitimate local businesses that are committed to the health, safety and well-being of the animals they provide to Saint Paul families.

If the purpose of this proposal is to encourage tighter restrictions on the sources of animals coming into Saint Paul and Minnesota as a whole, PIJAC would welcome the opportunity to work with the City Council to raise the bar to ensure proper animal sourcing that protects dogs and cats. For instance, common sense solutions would require:

- Animals come from only USDA licensees
- Breeders sourcing animals in any current or future Saint Paul pet stores shall not have an entry on their last USDA inspection report that directly impacts animal health -these inspection reports could travel with the animal and be made available to the customer

We would welcome the opportunity to work with Saint Paul to arrive at a meaningful solution to the public policy concerns related to the care of animals. By working together, we can make sure that Saint Paul’s citizens continue to have access to healthy animals to love as pets now and in the future.

Thank you for your consideration of our views.
Sincerely,

Joshua Jones
Deputy Director of Government Affairs
Pet Industry Joint Advisory Council (PIJAC)