

IR RC
333 Market St. 14th Floor
Harrisburg. PA. 17101

To Whom It May Concern:

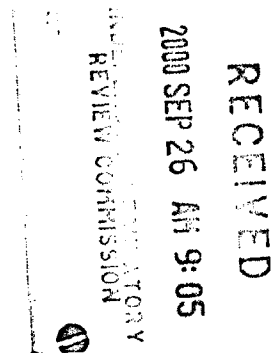
I am writing a letter in response to the resting board issue. I am using resting boards in my kennels. I have found them to be very unsanitary. Even with constant cleaning, I cannot keep the dogs or puppies from soiling themselves. This leads to an unsanitary condition in my kennel. I have more diseases and parasites in my puppies because of the resting boards. Sometimes I remove a resting board, risking a citation, because I cannot bear to see my dogs or puppies be kept in this unhealthy condition.

My dogs and puppies thrive on a vinyl coated, mesh flooring and prefer it over a solid surface. The U.S.D.A. has changed their regulations to allow removal of resting boards and to require vinyl or plastic coated mesh flooring. I and my dogs are very much in favor of PA state dog law making this change as well.

Sincerely,

Erma J Weaver

ERMA J. WEAVER
266 VERA CRUZ RD
REINHOLDS, PA. 17569
1-717-484-2251



P.S. I can't even sit in my runs and hold the dogs because they are all full of pea!! wet!!

Thank you

PENNSYLVANIA FEDERATION OF DOG CLUBS, Inc.

A Statewide Organization for the Benefit of
Dogs and Dog Owners

July 25, 2000

ORIGINAL: 2130

Mr. Rick Burd
Bureau of Dog Law Enforcement
Department of Agriculture
2301 N. Cameron St.
Harrisburg, Pa. 17110

RECEIVED
2000 AUG 21 PM 2:18
PENNSYLVANIA
REVIEW COMMISSION

Thank you for discussing the proposed rules and regulations for rest boards with me. As I mentioned, we were surprised at their publication this month in the Pennsylvania Bulletin as the final form had not yet been presented to the members of the Dog Law Advisory Board or to members of the Rest Board Committee. Therefore, we do have several concerns as they are written. The following comments are based on discussions and suggestions made at the last meeting of the Rest Board committee held on August 26, 1999 at the Holiday Inn East in Harrisburg.

1. The mandated use of "rest boards" was to be eliminated.
2. If kennels were using raised flooring in pens that was not constructed of a solid material, the following applied:

21.24 A dog may be sheltered in a primary enclosure on a rod floor where metal strands have a diameter greater than 1/8. All metal flooring shall be of a rod mesh or slatted construction and must be plastic coated, and constructed so the dogs's feet shall not be allowed to pass through any opening in the floor and may not otherwise cause injury to the dog. It shall be kept in good repair and shall not sag or bend. The spaces between rods must be either round, square or rectangular in configuration.

Support members under a raised kennel floor must be constructed of a material that is impervious to moisture and of a shape that will not impede the passage of feces or urine. Flat support surfaces under a raised floor are not permitted.

Definitions:

Wire - A metal strand that has a diameter equal to or less than 1/8 inch.

Rod - A metal strand that has a diameter greater than 1/8 inch.

Note: Wire is flexible and can be bent by hand.

According to the USDA- "Wire is any metal strand that has a diameter equal to or less than 1/8. 1/8 inch is the demarcation

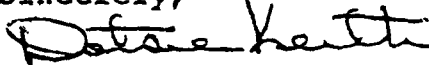
that the metal working industry uses between welded wire and welded rod."

The Rest Board committee was shown samples of this type of coated rod material and felt that requiring this would greatly improve living conditions for the dogs housed on this sturdy and easily cleaned flooring. The use of this type of flooring was the only reason that many of us had to agree to the removal of the current mandated "rest boards".

We did, however, express concern for small puppies and toy breeds of dogs being housed on this as it would be very difficult for them to continually balance themselves on this surface and could be easily injured. We did ask that it still be mandated that small puppies and toy breeds be provided with resting boards. These boards should be large enough for all of the dogs in the pen to lay on, made of a material that is easily cleaned and kept free of urine and feces.

Thank you for this opportunity to comment of these changes to the rules and regulations governing enforcement of Act 225, The Dog Law. We look forward to the public hearing by the Department of Agriculture on these proposals as Act 225 requires.

Sincerely,



Dotsie Keith, Legislative Chairman
Pennsylvania Federation of Dog Clubs
Member of the Rest Board Committee
Box 67, Furlong, Pa. 18925
215-794-7173

cc:

Senator Noah Wenger, Ch. Senate Agriculture and Rural Affairs
Committee

Representative Raymond Bunt, Ch. House Agriculture and Rural
Affairs Committee

Mr. Robert Nyce, Ch. I.R.R.C.

KENNEL OWNERS GUIDELINES (REWRITE)

GLOSSARY

In order to have a uniform understanding of the terms used in these guidelines the following are the definitions of the various words used.

1. **Cage** - a wire primary enclosure that will restrict a dog or several dogs a limited space. Cages can be stationary or portable.
2. **Coated wire** - is a strand of metal equal to or less than 1/8 inch in diameter coated with a material such as plastic or fiberglass. (note - epoxy coated or painted wire does not meet this category).
3. **Contaminate** - refers to that which on coming into contact with something will make it impure, unclean, or unfit for use.
4. **Expanded metal** - sheet metal that has been cut into parallel attached strips and stretched into a latticelike form (Webster's Dictionary)
5. **Floor** - is any support surface that can come in contact with the feet of the animal standing upright in a primary enclosure.
6. **Housing** - a building or shelter where dogs are kept.
Indoor housing - an enclosed building that will permit the control of lighting, temperature and ventilation.
Outdoor housing - a building or enclosure in which light, temperature and ventilation can not be controlled.
7. **kennel** - a facility or a business location where dogs are bred, boarded and/or maintained.
8. **Kennel Boxes** - are enclosed shelters that are placed in outdoor or indoor housing or a dog run to protect the dogs from inclement weather
9. **Perforated metal** - a sheet of metal with holes drilled in or punched, pierced or penetrated.
10. **Receptacle** - anything used to contain or hold something else; container, vessel.
11. **Resting boards** - is a solid resting surface or surfaces that, in aggregate are large enough to hold all the occupants of the primary enclosure at the same time comfortably.

12. **Runs** - an indoor or outdoor primary enclosure that permits one or more dogs to have more than the minimum primary enclosure space for exercise.
13. **Sanitation** - The science and practice of effecting healthful and hygienic conditions; study and use of hygienic measures such as drainage, ventilation, pure water supply, etc. drainage and disposal of sewage
14. **Sanitize** - to make sanitary, as by sterilization. To free from anything considered undesirable , damaging, etc.
15. **Wire** - metal that has been drawn into a very long, thin thread or rod, usually circular in cross section, a length of this, used for various purposes, such as conducting electric current, stringing musical instruments, etc., wire netting or other wirework, anything made of wire or wirework, as a telephone cable, barbed wire fence, a snare. (Webster's Dictionary)
Note A: Wire is flexible and can be bent by hand.
Note B: According to the USDA - "Wire is any metal strand that has a diameter equal to or less than 1/8 inch. 1/8 inch is the demarcation that the metal working industry uses between welded wire and welded rod."

MAINTENANCE

Section 21.21. Dog Quarters.

(a) Indoor and outdoor housing facilities for dogs shall be maintained in a manner to protect the dogs from injury and to contain the dogs.

Kennels housing for dogs shall be maintained in a manner to protect the dogs from injury and to contain the dogs. *(The kennel facilities and surrounding area shall be kept in good repair and free of debris.)* Broken windows, sharp wire ends, broken wire, nails protruding into kennel area, or sharp edges on food or water receptacles would be some examples of violations of this section. The kennel structure should be designed *(and maintained)* to prevent the escape or injury of dogs (through holes in the walls or floors.) The sides *(of the primary enclosures)* should be of significant height to prevent the dogs climbing or jumping from the enclosure. Adding a top covering to the sides will strengthen security.

WATER RESISTANCE

Section 21.21

(b) The interior building surfaces of interior housing facilities shall be constructed and maintained so that they are water resistant and may be readily sanitized.

Good common sense must be used to select a material which will not allow water to penetrate and can easily be cleaned and sanitized. Choose a durable material which will not deteriorate *(or rust)* with the use of disinfectants. *(Unprotected woods or concrete are not water resistant.) (Outdoor kennel boxes should also be constructed of water resistant materials that can be cleaned and sanitized.)*

DRAINAGE

Section 21.21.

(c) A drain shall be provided to rapidly eliminate excess water from housing facilities. *(Proper sloping of the flooring and surrounding grounds must be considered to aid in the elimination of excess water.)*

A proper size drain shall be provided to eliminate excess water from the kennel area. Periodically check to determine if drains are *(free of debris and)* in good operating condition.

SHELTERS

Section 21.24

(a) Dogs shall be provided access to shelter which protects them against inclement weather and keeps them dry.

The kennel shall be constructed with the thought of the extreme climate elements in mind. Maximum protection should be supplied to protect the dog from the extreme winter cold and the intense summer heat. The shelter should be adequately constructed to keep the dogs dry.

(The ambient temperature in the sheltered part of the facility must not fall below 50 degrees F for dogs not acclimated to or can not tolerate lower temperatures without stress and discomfort. Dry bedding or other methods of conserving body heat must be provided when the ambient temperature falls below 45 degree F. Auxiliary ventilation such as fans, blowers or air conditioning must be provided when temperatures reach 85 degrees F. or higher.)

BEDDING

Section 21.24

(b) Shelter shall be provided for dogs kept outdoors. Sufficient clean bedding material or other means of protection from the weather shall be provided. *(Wet bedding should be replaced whenever it is found in the shelter.)*

Adequate *(dry)* bedding shall be provided when necessary to protect the dog(s) from the inclement weather. *(When the temperature falls below 45 degrees F. for more than 4 consecutive hours)*

CHAINS

Section 21.24

(c) If dog houses with chains are used as primary enclosures for dogs kept outdoors, the chains used shall be placed or attached so that they cannot become *(self)* entangled or with the chains of other dogs or another object. The chains shall be a type commonly used for the size dog involved and shall be attached to the dog by means of a well fitted collar. The chains shall be at least three times the length of the dog as measured from the tip of its nose to the base of its tail and shall allow the dog convenient access to the dog house.

Ample space between dog houses should be provided to allow chained dogs to move freely without becoming entangled with other dogs.

REST AREA

Section 21.24

(d) A dog being housed outdoors in a primary enclosure with wire floor runs shall be provided with a draft free place for resting off the wire floor. This may be a rest board. If rest boards are not used, a minimum of 25% of the run's floor space shall be solid so the dog may rest in a draft free place.

Construct the kennel to allow for a minimum of 25% of the run's floor space to allow a resting area for the dogs. *(Separate rest boards laying of the wire floor surface should be considered part of the allowable floor space and be of a size equal to 25% of this floor space. The rest boards shall be constructed of a material that is impervious to moisture and will provide a solid surface for the all dogs in the primary enclosure to recline on at one time.)*

TEMPERATURE

Section 21.25. Temperature control.

(a) The kennel temperature shall be maintained at a level to protect the health and comfort of the type of dog housed.

Common sense is an important factor when determining the control of temperatures for various breeds of dogs. The law does not call for specific temperatures to be maintained but good judgment by the kennel owner must be used. Dogs with heavier coats can endure colder temperatures but are less tolerant to the warmer temperatures. *(low temperatures of 45 degrees F. and high temperatures of 85 degrees F for periods of longer than 4 hours should indicate the need for supportive means of heating or cooling the dogs in kennels.)*

SHADE

Section 21.25.

(b) Shade shall be provided to protect the dogs from the direct rays of the sun. *(The type and amount of shade should be of a design that will protect the animal at all times during the day. This will apply to dogs housed in outdoor runs or those secured by chains and kennel boxes. If the kennel box is to be used as part of the shade, cross ventilation in the design of the box should be considered, because of the heat build up in the kennel box.)*

VENTILATION

Section 21.26 Ventilation in indoor housing facilities.

Indoor housing facilities for dogs shall be constructed to provide for the health and comfort of the animals. The facilities shall be provided with fresh air either by means of windows, doors, vents or air conditioning and shall be ventilated so as to minimize drafts, odors, and moisture condensation.

Fresh air is an important component to the good health of dogs. Fresh air must be circulated through the kennel in the winter as well as the summer. Many kennel owners tend to close the fresh air supply in the winter to eliminate cold drafts. This is not acceptable in the regulations. (*The air introduced in the winter must be tempered so as to not create cold drafts in the indoor facility.*) (*Kennel boxes used for outdoor housing should be provided with door closures, such as canvas door drops to prevent cold winds in the winter, but designed to not interfere with summer air circulation in the box.*)

LIGHTING

Section 21.27. Lighting in indoor housing facilities.

Indoor housing facilities in kennels shall have ample lighting by natural or artificial means.

Good judgment by the kennel operator is needed in this action. If it is uncomfortably dark for a human in the kennel, it is too dark for the dogs. (*Lighting should be provided so that all the occupants of every primary enclosure can be seen to adequately judge their health and physical well being.*)

FOOD

Section 21.28

(a) Dogs kept in kennels shall be fed at least once each day unless otherwise directed by a veterinarian. The food shall be free from contamination or disease, and shall be of sufficient quantity and nutritive value to maintain the health of the dogs. (*Do not add new food to a receptacle that is wet or contains moist food.*)

Dogs should be fed with fresh dog food. When storing dog food in bags, the food should be kept dry, (*cool*), and in an area where rodents (*or vermin*) cannot enter. (*The manufacturing date of dog food should be carefully observed and food that is outdated, according to the manufacturer, should not be fed.*)

WATER

Section 21.28

(b) If potable water is not (*readily*) accessible to (*all*) the dogs in the kennel, potable fluids should be offered to the dogs at least twice daily for a period of not less than 1 hour, unless otherwise directed by a veterinarian.

Clean water must be made available to the dog.

FOOD & WATER RECEPTACLES

Section 21.28

(c) Food and water receptacles shall be accessible to dogs kept in the kennel and shall be located to avoid contamination by excreta. The receptacles shall be durable and shall be kept clean. Self-feeders and waterers may be used but shall be sanitized regularly to prevent molding, deterioration or caking of feed.

Time needs to taken (*daily*) to remove the existing food or water from the receptacles, (cleaning is necessary), (*sanitizing the receptacle*), then the replacement of fresh food or water into the receptacle.

BEDDING CLEANLINESS

Section 21.28

(d) If bedding is used in primary enclosures, it shall be kept clean.

Remove old bedding before new is added and be sure to check enclosures for moisture.

EXCRETA

Section 21.29. Sanitation.

(a) (*All*) Excreta shall be removed from primary enclosure on a daily basis.

The key to this section is "daily basis."

(*Where dogs are in suspended primary enclosures with wire or slatted floors, the excreta should be removed from under these enclosures on a regular basis to prevent odor build up or the attraction of vermin.*)

SANITATION

Section 21.29

(b) Primary enclosures for dogs shall be sanitized (*regularly*) to prevent an accumulation of debris or excreta or a disease hazard. No dog shall be placed in a primary enclosure previously occupied unless the enclosure has been sanitized.

Various types of disinfectants are available to control the spread of disease. Perhaps your veterinarian could suggest the one best fit your needs.

HOUSEKEEPING/PESTS

Section 21.29

(c) The building and grounds of kennels shall be maintained, kept clean and in good repair in order to protect the animal from injury and to facilitate practices required by this chapter. Kennels shall have an effective program that controls ingress by insects, ectoparasites and avian and mammalian pests. Evidence of insects, ectoparasites and avian and mammalian pests or conditions that would allow or encourage infestation in a kennel are indicative of an (*in*)effective program and unsanitary environmental (sanitation) in the kennel.

Constant good housekeeping practices will aid in having an effective program protecting your dogs from (*the*) ingress (*of*) insects, ectoparasites, (the) (*or*) avian and mammalian pests(or infestation conditions). Screens in windows can drastically reduce the number of unwanted insects or pests that can enter through such openings. The proper use of insecticides can enhance your program, however proper usage (as spelled out by the manufacturer) must be followed by the applicator to avoid (harm) (*conditions*) that could (result in) (*effect*)the health of the dogs.

RECORD KEPT

Section 21.24

(a) Complete records shall be kept on dogs within a kennel or being transported in a primary conveyance as prescribed by section 207 of the act (3 P.S. Section 459-207) , and the records shall be kept at the kennel location or, when applicable, shall accompany dogs being transported.

Section 207 of Act 225

(c) Records to be maintained —Every keeper of a kennel shall (~~keep~~) (*maintain*) a record of each dog kept in the kennel at any time. (*These records shall be retained at the kennel for a period of*) (~~for~~) two years. Such record shall show:

- (1) The breed, color, markings, sex and age of each dog.
- (2) The date on which each dog entered the kennel.
- (3) Where it came from.
- (4) To whom it belongs.
- (5) For what purpose each dog is kept in the kennel.
- (6) The date on which each dog leaves the kennel.
- (7) How and to whom it is disposed.

Such record shall be legible and shall be open to inspection by any employee of the department, State dog warden or police office or agent of any legally constituted law enforcement agency as defined by this act.

All records should be updated on a daily basis with completed information as required in section 207 or act 225.

RECORDS ON STATE FORMS

Section 21.41

(b) Kennels shall maintain records as required by section 207(c) of the act (3 P.S. Sections 459-207 (c)). Except for licensed boarding kennels and kennels licensed under Federal statutes, all records shall be maintained on forms issued by the Department.

The Bureau of Dog Law supplies the necessary forms to record the kennel activities pertaining to dogs entering, residing in, and leaving the kennel location.

BILLS OF SALE

Section 21.42

Bills of sale required in section 210 of the act (3 P>S> Sections 459-210) shall accompany dogs at the kennel location and when the dogs are being transported. It is the intent of this section that the bill of sale can be immediately produced when requested by an employee of the Department or police officer as defined by the act. Bills of sale shall contain the following information:

- (1) Previous owner of the dog.
- (2) Address of previous owner of the dog.
- (3) Date of sale or transferal.
- (4) Name and address of the purchaser of the dog.
- (5) Description of the dog (sex, age, breed, and identifying marks).

All kennel except boarding kennels are required to have bills of sale. Dogs which have been whelped at the kennel are not required to have bills of sale.

RABIES VACCINATION

455.8 Every person living in this Commonwealth, owning or keeping a dog over three (3) months of age, shall cause that dog to be vaccinated against rabies. Non-profit kennels have ten days in which to vaccinate dogs after their arrival. All other kennels must have the dogs vaccinated when they reach the age of three (3) months. The number preceding this category, 455.8, is the section where this statute is located in Purdon's Pennsylvania Statutes Annotated and is listed as (statute) 3 P.S. (section) 455.8 (subsection) a, and is the accepted manner in which to enter the violation on the citation or criminal complaint form. This law is also referred to as Act 1986-181 and the Rabies Prevention and Control in Domestic Animals and Wildlife Act.

All dogs three (3) months of age and older must be vaccinated against rabies in accordance with Act 181 (The Rabies Law).

PENNSYLVANIA FEDERATION OF
DOG CLUBS, Inc. RECEIVED

A Statewide Organization for the Benefit of
Dogs and Dog Owners

2000 AUG -2 AM 10:05

July 25, 2000

Original: 2130

REVIEW COMMISSION

Mr. Rick Burd
Bureau of Dog Law Enforcement
Department of Agriculture
2301 N. Cameron St.
Harrisburg, Pa. 17110

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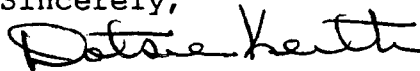
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Member of the Rest Board Committee
Box 67, Furlong, Pa. 18925
215-794-7173

cc:

Senator Noah Wenger, Ch. Senate Agriculture and Rural Affairs
Committee

Representative Raymond Bunt, Ch. House Agriculture and Rural
Affairs Committee

Mr. Robert Nyce, Ch. I.R.R.C.

Original: 2130

As a long-term member of the Dog Law Advisory Board and also as a member of the committee appointed to evaluate the resting boards in kennels, I am very familiar with this subject. While operating my pet store in the Park City Mall in Lancaster for almost 29 years and selling more than 8,000 dogs, I have learned much about the needs of dogs in a kennel atmosphere.

Attached is a letter from Dr. Patricia Thomson, D.V.M., a veterinarian well known throughout Pennsylvania. This letter represents fact, rather than speculation, as to what happens to a dog in a kennel. In the same way one might believe that nailing horseshoes to the hoofs of horses hurts horses, we should not assume that a dog's paws are injured when it walks on a grate in a kennel.

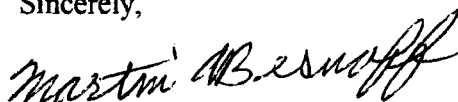
The more I think about this regulation, the more I realize how much harm it has done and can continue to do, until the resting boards are removed from kennels. As indicated in Dr. Thomson's letter, there has not been one single case of injured paws in over 25 years and over 7,000 dogs. If the contemplated problem does not exist, what does the regulation requiring resting boards accomplish? From my experience I have learned that it is putting dogs in danger and the resting boards should be removed as soon as possible.

Please read the attached page, which shows the difference with and without mats (resting boards) in the kennels. The resting boards cause many real problems. It is wrong to require that a resting board be placed in a kennel to solve a problem that does not exist.

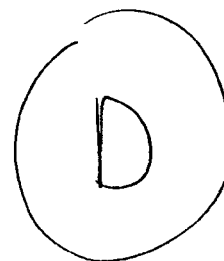
With all the resources of the United States Department of Agriculture able to study this issue, and after hearings, the US Department of Agriculture decided that resting boards should not be placed in kennels.

Please, for the sake of the dogs, repeal this regulation in Pennsylvania as it was repealed in the federal regulations. Dogs in Pennsylvania should not be jeopardized more than dogs throughout the rest of the United States.

Sincerely,



Martin A. Besnoff
1834 North Eden Road
Lancaster, PA 17601
717-397-5587



MANHEIM PIKE VETERINARY HOSPITAL, INC.

1669 MANHEIM PIKE LANCASTER, PA 17601-3068 (717) 569-6424



DONALD M. HERR, D.V.M.
PATRICIA L. THOMSON, D.V.M.
MARC H. ROVNER, V.M.D.



December 13, 1997

To Whom It May Concern:

In over 25 years of providing veterinary care to Docktor's Pet Center in Park City, Lancaster I have never encountered illness or injury to any of the dogs in their care as a result of the use of the metal wire cage bottoms at their pet shop facility. This facility is used only for short term care and not for long term kenneling or breeding.

Since they have been using solid resting mats for the animals the cleanliness and sanitation of the animals and the facility have been compromised. Fecal material can no longer drop through the open wire causing the animals to be urine stained and fecal soiled even with constant care and maintainance. More important this enhances the chance of spreading intestinal parasitic disease and severe life threatening contagious disease such as the Parvo virus.

Patricia L. Thomson, D.V.M.

Patricia L. Thomson, D.V.M.

The following statements are based on the experience of more than 8,000 dogs in a kennel over a period of twenty-eight years (1970 - 1998).

WITHOUT MATS

NO PROBLEMS

WITH MATS IN KENNELS

The amount of urine and feces above the grate and accessible to the dog is increased. This causes or increases the frequency of the following problems.

1. The dog walks in and lies on its urine and feces causing the dog to become dirty requiring the dog to be bathed more often than it should be. As a result the dog gets a dry skin condition, begins to itch, causing the dog to scratch excessively which can lead to other skin conditions.
2. The dog's paws and body become "burned" because of the chemical makeup of the urine the dog is walking on and lying in.
3. The dog has more access to eat its feces. This definitely increases the problem of intestinal parasites and **life threatening** intestinal diseases including parvo virus. It becomes impossible to rid the dog of worms and other intestinal parasites if the dog is continuously being reinfected.
4. When we bring a dog out to show to a customer they are "turned off" by the looks and smell of the dog that has just walked in and lay on its own waste. There is less chance that the dog will be sold, which means that the dog will have to be in the kennel longer.
5. Because the mats get dirty often the animal care person is tied up for a longer amount of time keeping the mats clean. This means that the animal care person does not have enough time left to take care of the other animals in our facility as well as they should be.
6. The customers are telling me that it doesn't make sense to have mats in the kennels, because they see for themselves the problems that occur because of the mats.
7. In the unlikely event (Not even one single incident in 28 years and over 8,000 dogs) that a dog would injure its paw, it could be mended or medicated and the dog would be cured. If a dog contracts parvo virus due to more fecal contamination, the result is more likely to be death.
8. The dogs are eating the mats and the pieces are going through the digestive tract of the dog causing bloody diarrhea.

A veterinarian at the University of Georgia originally realized that it was necessary to have the grate on the bottom of the kennel to protect the dogs as much as possible from their own waste. From then on kennels came with grates because it served an important purpose. If you put a mat on part of the grate you are defeating that purpose. When the dog lays down in the kennel it does not always choose the mat over a place on the grate where there is no mat. The same is true for where the dog stands, walks, urinates or defecates. If the dog was uncomfortable standing or laying on the grate then it could choose to stand or lay on the mat, but it does not always show a particular preference for the mat.

Dear PPBA members:

Original: 2130

The time for action on the resting board issue has finally arrived. We need everyone to sign and send the attached letter immediately!! We do not have any time to waste!! We need to show the people who will be deciding to remove resting boards that this is important to us. If you want to write additional, personal comments at the bottom of the letter please do.

Please send your letter to the following address:

I R R C

333 Market St 14th Floor
Harrisburg, PA 17101

Thank You. P.P.B.A. Board

boards. Sometimes I remove a resting board. I cannot bear to see my dogs or puppies be kept in this unhealthy condition.

My dogs and puppies thrive on a vinyl coated, mesh flooring and prefer it over a solid surface. The U.S.D.A. has changed their regulations to allow removal of resting boards and to require vinyl or plastic coated mesh flooring. I and my dogs are very much in favor of PA state dog law making this change as well.

Sincerely,

Jacob Zimmerman
R.R. #3 Box 109
Mifflinburg PA 17844

2130

RMS

JHT

T

REGULATORY
REVIEW COMMISSION

2000 OCT 16 AM 8:56

RECEIVED

Exhibit B

RECEIVED

Original: 2130

2000 NOV 14 PM 1:14

Comments on Proposed Revisions to PA Kennel Regulations October 12, 2000
Submitted by: Anne Erwin, President Federated Humane Societies of PA
Bucks County SPCA
P.O. Box 277
Lahaska, PA 18931

I have gone through the regulations section by section and included comments on some sections that have not been revised in this draft, but which I think should be revised at this time.

S21.4: Penalties. If the change is made in ss (2) , then the language in ss (1) needs to be changed as follows: " A summary offense for the first [and second] conviction[s] under this chapter..."

S21.24: Shelters.

[d] This section should be clear and consistent with Federal regulations on the subject. Terminology should be consistent with terminology in Federal regulations so that the term metal strand should be used instead of wire. It also needs to be understandable and enforceable in the field, so that inclusion of a diameter for the metal strand could be a problem. The important thing is that the mesh & construction should be of a size and type so that it does not cause injury to dogs or puppies of any size or allow their feet to pass through the openings.

S21.51: Lifetime dog license issuance. I support the inclusion of microchipping as a form of lifetime licensing.

S21.52 : Recordkeeping for lifetime dog licenses. Some dogs live longer than 15 years and a lifetime license should be good for the entire life of a dog. I suggest keeping the records for 20 years.

S21.61: Dog Caused Damages. Conditions and limitations for payment. I question the deletion of ss (c) pertaining to owner's responsibility to properly confine livestock. It seems as if livestock owners should bear some responsibility to keep their livestock secured.

Chapter 25 Reimbursement for Humane Disposition of Dogs.

S25.1: General. The Department is now paying \$10 per dog and this should be reflected in the regulations rather than maintaining the old figure of \$5 per dog.

S25.4: License of Dogs before Release. Is this section meant to apply only to shelters which accept reimbursement from the Department or is it meant to apply to all shelters and to all dogs adopted or reclaimed from shelters? The language should be clarified. To the extent that shelters know about this regulation they think it is only for shelters that apply for reimbursement. I am not aware of this subsection ever being enforced. There are still shelters that do not sell dog licenses or require that dogs be licensed prior to adoption.

PENNSYLVANIA FEDERATION OF DOG CLUBS, Inc.

A Statewide Organization for the Benefit of
Dogs and Dog Owners

October 7, 2000

Original: 2130

Secretary of Agriculture, Samuel Hayes
The Department of Agriculture
2301 N. Cameron St.
Harrisburg, Pa. 17110
Att: Mr. Richard Hess, Director, Bureau of Dog Law Enforcement

LEGISLATIVE
REGULATORY
REVIEW COMMISSION

2000 NOV 14 PM 1:13

RECEIVED

Dear Mr. Hess,

I regret that I am unable to attend the hearing on the proposed Rules and Regulations governing the "Rest Boards". I would, however, like to submit comments to be entered into the official records.

I represented the Pennsylvania Federation of Dog Clubs at the ad hoc committee meetings held by the Bureau to discuss possible revision to these rules and regs. I attended several meetings where we thought that an agreement had been worked out as a compromise to the current requirement for "resting boards". However, the final language was submitted to the Pennsylvania Bulletin and the Independent Regulatory Review Commission before anyone on our committee or any members of the Dog Law Advisory Board were given the opportunity to read it. Therefore, the language does not represent what we thought we had agreed to and we are quite concerned that this has occurred without concensus from those groups involved in the discussions.

The rest boards were originally required due to the fact that some dogs were confined in pens or cages with wire bottoms and the dogs had no comfortable place to rest when they were outside their dog boxes or buildings or, in the case of cages inside buildings, no place at all. At the very least, dogs should be housed in such a way that they have a place to rest without this type of flooring. In the summer dog boxes can become like ovens and the poor animal is forced to remain on this wire. Even the hog growers, according to Dr. Clare Engle, have now provided better flooring for their animals because they recognise the need for "comfort". The dogs in Pennsylvania deserve no less.

If rest boards are to be removed, then the flooring must be substantial, be coated with a proper substance to provide a cushion and the spacing should be such that the size of the dog and puppies housed in the pen be considered. The use of the word "wire" is not acceptable, as we

A

thought the word was to be "rod", a lot heavier material and that it was to be coated. Several types of this flooring was shown to the committee and we agreed to that. However, again, the configuration of the flooring was a concern since all shapes and sizes could not be used for all dogs which range from a pound or two for small breeds and puppies up to Great Dane size. This needs to be included in the rules and regulations in order to protect all dogs and to give the Dog Wardens a way in which to enforce them.

We should at this time also consider the needs of dogs kept in dog boxes and write rules as to how to best protect them from the elements in all seasons and every kind of weather, especially if now we are going to remove the outside rest boards.

We ask that the Department of Agriculture delay any further action on the current proposals and reconvene the "rest board" committee in order to give all interested parties the opportunity to address their concerns before these rules become final.

Thank you for your consideration.

Sincerely,



Dotsie Keith, Legislative Chairman
Pennsylvania Federation of Dog Clubs, Inc.



Original: 2130

MANHEIM PIKE VETERINARY HOSPITAL, INC.

1669 Manheim Pike, Lancaster, PA. 17601

Telephone: 717-569-6424 Facsimile: 717-569-7745

Website: www.myvetonline.com/manheimpikevets



Jeffrey S. Steed, D.V.M.
 Marc H. Rovner, V.M.D.
 Patricia L. Thomson, D.V.M.
 Donald M. Herr, D.V.M.

October 11, 2000

Independent Regulatory Review Commission Re: Dog Law Regulations

Please include this letter in the record for the meeting on the regulations concerning microchipping for lifetime licensure and eliminating resting boards.

The only change made at the last meeting of the Dog Law Advisory Board was to substitute the words "metal strand" for word "wire" in the resting board regulations. After this change the Pennsylvania Veterinary Medical Association, (PVMA) supports both regulations without further changes.

Microchipping will allow a greater percentage of lost (stray) dogs to be successfully returned to their owner. This has been proven in many other states that have already adopted this kind of legislature. It will aid in enforcement against repeat offenders whose dogs continually run away. It is safer and less painful than tattooing which currently allows the owner to obtain a lifetime license. The wording and process is simple and will be cost and time efficient for Bureau of Dog Law and county treasurers. This regulation has been in the works for several years and is long overdue. If this regulation may be delayed because it is in the same proposal as the resting board regulation, then we strongly advocate separating the regulations.

Resting boards promote unsanitary conditions which promote the spread of infectious disease. The coated metal strand material available for cages, which would be allowed by this regulation, is appropriate and acceptable for the health of dogs. These regulations are more stringent than the veterinarians at the USDA recommend.

There was concern about compliance with these regulations. It is impossible to write regulations strict enough that someone could not ignore them if they wanted to willingly break the law. If these regulations, as written, were obeyed and enforced by the Dog Law Officer the health and condition of the puppies would be better than if resting boards were allowed. The dogs and puppies would not be subjected to inhumane or uncomfortable conditions if these regulations and the others were obeyed.

For these reasons the PVMA supports both of these regulations and advocates their prompt approval with the minor change of word "wire" to "metal strand."

Sincerely,

Jeffrey S. Steed

Dog Law Board Member representing PVMA



Lucy Martin
1645 Weaverland Rd.
East Earl, PA 17519-9425

RECEIVED

2000 SEP 27 AM 8:42

INDEPENDENT REGULATORY
REVIEW COMMISSION

To Whom It may Concern:

I am writing a letter in response to the resting board issue. I am using resting boards in my kennels. I have found them very unsanitary. Even with constant cleaning, I cannot keep the dogs or puppies from soiling themselves. This leads to an unsanitary condition in my kennel. I have more diseases and parasites in my puppies because of the resting boards. Sometimes I remove a resting board, risking a citation, because I cannot bear to see my dogs or puppies in this unhealthy condition.

My dogs and puppies thrive on a vinyl coated mesh flooring and prefer it over a solid surface. The U.S.D.A. has changed their regulations to allow removal of resting boards and to require vinyl or plastic coated mesh flooring. I and my dogs are very much in favor of PA state dog law making this change as well.

Sincerely,
Lucy W. Martin

To Whom It May Concern:

I am writing a letter in response to the resting board issue. I am using resting boards in my kennels. I have found them to be very unsanitary. Even with constant cleaning, I cannot keep the dogs or puppies from soiling themselves. This leads to an unsanitary condition in my kennel. I have more diseases and parasites in my puppies because of the resting boards. Sometimes I remove a resting board, risking a citation, because I cannot bear to see my dogs or puppies be kept in this unhealthy condition.

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Sincerely, Nelson N Shirk

I find resting boards a big nuisance. Most dogs put their mess right on resting boards, more work for me. Dogs are apt to get filthy. Hard to keep clean!

Sincerely Nelson N Shirk

RECEIVED

2000 SEP 27 AM 8:44

REGULATORY
REVIEW COMMISSION

P.O. Box 111
Goodville PA 17528

To Whom It May Concern:

I am writing a letter in response to the resting board issue. I am using resting boards in my kennels. I have found them to be very unsanitary. Even with constant cleaning, I cannot keep the dogs or puppies from soiling themselves. This leads to an unsanitary condition in my kennel. I have more diseases and parasites in my puppies because of the resting boards. Sometimes I remove a resting board, risking a citation, because I cannot bear to see my dogs or puppies be kept in this unhealthy condition.

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Sincerely,

Gideon S Beiler

*To keep my dogs in sanitary condition ~~with resting boards~~
with resting boards is a constant job.*

*sometimes it seems it would be necessary to stand up
twice a night and clean them because sometime they are
pretty dirty till morning. even some of my smallest
puppies are content on vinyl coated wire*

*So for the sake and wellbeing of
my dogs, please! allow us to take them out*



RECEIVED
2000 SEP 26 AM 9:06
REVIEW COMMISSION

To Whom It May Concern:

I am writing a letter in response to the resting board issue. I am using resting boards in my kennels. I have found them to be very unsanitary. Even with constant cleaning, I cannot keep the dogs or puppies from soiling themselves. This leads to an unsanitary condition in my kennel. I have more diseases and parasites in my puppies because of the resting boards. Sometimes I remove a resting board, risking a citation, because I cannot bear to see my dogs or puppies be kept in this unhealthy condition.

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Sincerely,

I find it the same with the rest board a lot of the time they have dirt on them

I am PPBA member

Eli K Beiler

143 Vogamville R.D

New Holland PA

17557

RECEIVED
2000 SEP 26 AM 9:04
PROSECUTOR
REVIEW COMMISSION

09/22/60

To Whom It May Concern:

I am writing a letter in response to the resting board issue. I am using resting boards in my kennels. I have found them to be very unsanitary. Even with constant cleaning, I cannot keep the dogs or puppies from soiling themselves. This leads to an unsanitary condition in my kennel. I have more diseases and parasites in my puppies because of the resting boards. Sometimes I remove a resting board, risking a citation, because I cannot bear to see my dogs or puppies be kept in this unhealthy condition.

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Sincerely,

J. Samuel King
King Farm Breeders
Kennel
License # 2655

As long as the wire
is coated with plastic
coated mesh flooring I'm
in favor to dispose the
resting boards 100%



J. Samuel King
3527 W. Newport Rd.
Ronks, PA 17572

RECEIVED
2000 SEP 26 AM 9:02
STATE BOARD OF VETERINARY MEDICINE
REVIEW COMMISSION

To Whom It May Concern:

I am writing a letter in response to the resting board issue. I am using resting boards in my kennels. I have found them to be very unsanitary. Even with constant cleaning, I cannot keep the dogs or puppies from soiling themselves. This leads to an unsanitary condition in my kennel. I have more diseases and parasites in my puppies because of the resting boards. Sometimes I remove a resting board, risking a citation, because I cannot bear to see my dogs or puppies be kept in this unhealthy condition.

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Sincerely,

Anna M. Zimmerman
1555 WEASTROAD RD
EAST EARL PA

17519

717-445-5796

We are IN FAVOR ~~the~~ with the
way the regulations are written now

Thank You

RECEIVED
2000 SEP 26 AM 9:02
LEGISLATIVE REVIEW COMMISSION



P.O. Box 12085
Harrisburg, PA 17108-2085

P.L.A.N.

Ph 717 233-5770
Fax 717 233-0611
E-Mail plannet@epix.net

Pennsylvania Legislative Animal Network

August 18, 2000
ORIGINAL: 2130

Richard Burd
Department of Agriculture
Bureau of Dog Law Enforcement
2301 North Cameron Street
Harrisburg, PA 17110-9408

RECEIVED
2000 AUG 21 PM 2:18
INFORMATION FOR
REVIEW COMMISSION

Dear Mr. Burd,

Thank you for the opportunity to comment on the proposed rules and regulations for rest boards, published in the *Pennsylvania Bulletin* on July 22, 2000. As I indicated to you recently, I expected the Rest Board Committee and the Dog Law Advisory Board would have had a chance to review the final form of this important document before it was published. The members of the Rest Board Committee agreed to certain things at the meeting on August 26, 1999, but the statement in the *Pennsylvania Bulletin* that a representative from Pennsylvania Legislative Animal Network agreed to the final language is inaccurate. With that in mind, *P.L.A.N.* makes the following suggestions:

- Change the word "wire" throughout Section 21.24 (d) to "metal strand." This will coincide with the Animal Welfare Act, Section 3.6 (a) (2) (xii). The committee discussed the difference between wire and rod. Metal strand refers to both.
- Rest boards should be required for small puppies and toy breeds.
- Set a minimum diameter (gauge) for the coated metal strand flooring.

Thanks again for the chance to comment.

Respectfully submitted,

Johnna L. Seeton

Johnna L. Seeton, Chairperson

cc: Senator Noah Wenger
Representative Raymond Bunt
Mr. Robert Nyce

Original: 2130

P.O. Box 12085
Harrisburg, PA 17108-2085



Ph 717 233-6770
Fax 717 233-0611
E-Mail plannet@epix.net

Pennsylvania Legislative Animal Network
August 18, 2000

Richard Burd
Department of Agriculture
Bureau of Dog Law Enforcement
2301 North Cameron Street
Harrisburg, PA 17110-9408

RECEIVED
2000 AUG 18 AM 11:27
LEGISLATIVE
COMMISSION
REVIEW

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- Set a minimum diameter (gauge) for the coated metal strand flooring.

Thanks again for the chance to comment.

Respectfully submitted,

Johma L. Seeton, Chairperson

cc: Senator Noah Wenger
Representative Raymond Bunt
Mr. Robert Nyce ✓

Original: 2130

To Whom It May Concern:

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Sincerely,

David K. Hutchison

RECEIVED
2000 SEP 26 AM 9:11
REVIEW COMMISSION

IRRC #2130 Dept. of Agriculture: Dog Shelters

Form A		
From	Address	Correspondence Date
David K. Hutchinson	No address	9/26/00
David M. Zimmerman	25 Hickory Lane, Ephrata, PA 17522	9/26/00
David B. Kanagy	485 Barville Mountain Rd., Reedsville, PA 17084	9/26/00
Melvin S. & Mobel Nolt	238 Musser Rd., East Earl, PA 17519	9/26/00
David A. Zook & Melinda B. Zook	313 Cabin Drive, Ephrata, PA 17522	9/26/00
John Ivan Stoltzfus	774 Evans Rd., Narvon, PA 17555	9/26/00
Nathan L. Martin	549 Hahnstown Rd., Ephrata, Pa 17522	9/26/00
David W. Zimmerman	1512 Weaverland Rd., East Earl, PA 17519	9/26/00
Leon Martin	Denver Rd., Akron, PA	9/26/00
Reuben Z. & Vera Z. Martin	526 Quarry Road, New Holland, PA 17557	9/26/00
John B. Miller	2822-A Stumptown Road, Bird-In-Hand, PA 17505	9/26/00
Paul D. Zeiset	129 Walter St., East Earl, PA 17519-9413	9/26/00
Paula Hutchinson	329 Red Well Rd., New Holland, PA 17557	9/26/00
Kenneth H. Martin	1645 Weaverland Rd., East Earl, PA 17519-9425	9/27/00
David Stoltzfus	5381 Amish Rd., Gap, PA 17527	9/25/00
Floyd Z. Weaver	No address	9/27/00
Moses S. Lapp	RD #2 Box 277, Myerstown, PA, 17067	9/27/00
John Isaac Zimmerman	310 S. Fairmount Rd., Ephrata, PA 17522-8542	9/27/00
Noah E. Hostetler & Mary J. Hostetler	RR #1 Box 272, Tyrone, PA 16686	9/27/00
Paul & Esther Mae Eberly	432 Shanahan Lane, Loysville, PA 17047-9767	9/27/00
Raymond H. Martin & Mary Kathryn Martin	954 Center Church Rd., East Earl, PA 17519-9310	9/27/00
Steven S. Stoltzfus	129 Lime Rock Rd., Lititz, PA 17543	9/28/00
Christian S. & Esther Mae Weaver	340 E. Farmersville Rd., Ephrata, PA 17522	9/28/00
Samuel E. King (2)	223 Refton Rd., New Providence, PA 17560	9/28/00
Mr. John Zimmerman	1087 Silver Hill Rd., Narvon, PA 17555-9364	9/28/00
Paul H. Zimmerman	1744 Mill Rd., East Earl, PA 17519	9/28/00
Ervin S. Zimmerman	400 West Metzler Road, Ephrata, PA 17522	9/28/00
Emanuel B. Beiler	255 S. Groffdale Rd., Leola, PA 17540	9/28/00
John S. Beiler	83 S. Belmont Rd., Paradise, PA 17562	9/28/00

Federated Humane Societies of Pennsylvania

FOR THE MORE EFFECTIVE PROMOTION OF A HUMANE PROGRAM IN THE STATE

Organized September 19, 1906



RECEIVED

2000 AUG 21 PM 2:18

INDEPENDENT REGULATORY
REVIEW COMMISSION

REPLY TO:

Anne Irwin, President
c/o Bucks County SPCA
P.O. Box 277
Lahaska, PA 18931

August 18, 2000

ORIGINAL: 2130

John H. Jewett
Independent Regulatory Review Commission
333 Market St.
3rd Floor
Harrisburg, PA 17101

Dear Mr. Jewett:

Thank you for the opportunity to comment on the proposed rule changes concerning restboards and floor surfaces that are part of the PA Department of Agriculture kennel regulations. I base my comments on the recommendations made by the Restboard Committee to the Dog Law Advisory Board.

I would suggest the following changes:

Change the word "wire" to either "metal strand" or "rod" wherever it appears and specify a minimum diameter for the "metal strand".

Continue to require solid surface restboards for small puppies and toy breeds .

The other language in the proposed regulation seems to reflect the concerns of the committee, particularly the requirement that the wire or rod be coated and that the floors be strong enough so they do not sag.

Thank you again for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Anne Irwin".

Anne Irwin
President

cc: PA Department of Agriculture

Original: 2130

Federated Humane Societies of Pennsylvania

FOR THE MORE EFFECTIVE PROMOTION OF A HUMANE PROGRAM IN THE STATE

Organized September 19, 1906



RECEIVED
2000 AUG 18 PM 12:45
INDEPENDENT REGULATORY
REVIEW COMMISSION

REPLY TO:

Anne Irwin, President
c/o Bucks County SPCA
P.O. Box 277
Lahaska, PA 18931

August 18, 2000

John H. Jewett
Independent Regulatory Review Commission
333 Market St.
3rd Floor
Harrisburg, PA 17101

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Thank you again for the opportunity to comment.

Sincerely,

Anne Irwin
President

cc: PA Department of Agriculture

P. O. BOX 277
LAHASKA PA 18931
215-794-2750 (FAX) 215-794-7425 (OFFICE)

**BUCKS COUNTY
S.P.C.A.**

Fax

To: JOHN JEWETT From: ANNE IRWIN
BUCKS COUNTY SPCA

Fax: Pages:

Phone: Date: 8-18-00

Re: CC:

- Urgent For Review Please Comment Please Reply Please Recycle

• Comments:



200 North Third Street • Suite 1500 • Harrisburg, PA 17101 • (717) 232-5322 • FAX (717) 232-1544

July 31, 2000

Original: 2130

To: Rick Burd
Pa. Dept. of Agriculture,
Bureau of Dog Law Enforcement

From: Ken Brandt 

Re: Proposed amendment to Shelter Regulations-Repealing Rest Board ID # 2-132

On behalf of the Professional Pet Association I respond to the above mentioned.

Our firm represents this association "on the hill" and have attended meetings of the Dog Law Advisory Board and followed this issue on the association's behalf.

When this regulation was first proposed and adopted in 1996 the comments were that this was "putting in place" current federal standards at that time as they relate to the health and safety of dogs.

Shortly after the enforcement of this regulation, the Federal regulations were changed to "omit" the rest board. (copy attached) This was done for the same reason this current amendment is being proposed.

The Dog Law Advisory Board directed Dr. Richard Kanoff, member of this board, representing veterinarians, to gather information and propose a new regulation.

Comments were brought to the Advisory Board of the "problems" the rest board creates from the health and well being of the dogs to cleanliness of the enclosures.

Much discussion was had on the "type" and "size" of the flooring. The final proposal, agreed by **ALL** members of the Dog Law Advisory Board to the language that each floor in a primary enclosure must be vinyl coated wire and be "constructed of sufficient diameter" to provide a rigid floor sufficient that does not sag or bend to support the weight of the dog or dogs housed.

Agreeing to "sufficient size" of flooring rather than stating a certain thickness of the coated wire allows Dog Law Inspectors a better way to enforce this new regulation to insure that all dogs will be housed in a clean and ridged enclosure.

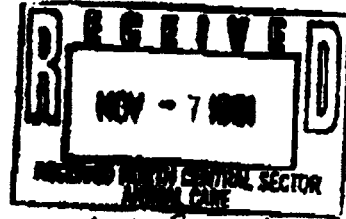
The Professional Pet Association supports this change and urges its adoption.

Copies to: Robert Nyce, Executive Director IRRC 
Amos Zimmerman, Professional Pet Association
Dr. Richard Kanoff



United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service



Subject: The use of Bare Metal Wire as compared to Coated Wire
Material used as Flooring in Primary Enclosures.

cc: All Employees

Date: 31 OCT 1991

To: REAC Management Team

This is to clarify the policy on the need to provide solid resting surfaces when the primary enclosure floors are constructed of bare metal wire.

Wire for this purpose is defined as "open patterned, bare metal wire." This includes commonly used fencing material. When using this type of wire flooring in an animal enclosure, a solid resting platform or surface must be available to the animal contained within the enclosure. In addition, the floor must allow the animal to walk, stand, lie, and sit in a normal comfortable position.

The definition of wire does not include the commonly used wire material that is coated with vinyl or plastic. Section 3.6 requires floors to be constructed in such a manner as to protect the animal's feet from injury. Most coated wire meets this requirement when the enclosure is properly constructed, and the floor is strong and durable enough to prevent bending and sagging. The vinyl coating must be kept in good repair, no tears or rough edges. Floor surfaces that have become damaged enough to cause potential injury must be repaired or replaced. Coated wire floors that are strong and durable enough to prevent sagging and bending will not need an additional solid resting surface.

Any type flooring that allows an animal's feet to slip through the openings, does not protect the animal from injury nor does it allow the animal to sit, stand, walk or lie in a normal comfortable position. Flooring that allows an animal's feet to pass through the floor is prohibited from use by licensed or registered entities under section 3.6(2)(x) of the standards.

Should you have any questions, please contact the Animal Care Staff.

Joan M. Arnoldi
Joan M. Arnoldi
Deputy Administrator
Regulatory Enforcement
and Animal Care



APHIS—Protecting American Agriculture

