



January 14, 2020

Letter in opposition to Colorado House Bill 20-1084

Sent via email: Jimmy.Reed@state.co.us

Dear Rural Affairs and Agriculture Committee:

I am writing on behalf of the National Animal Interest Alliance (NAIA) and its associate, NAIA Trust, two broad-based national animal welfare organizations founded in 1991 and 2001 respectively. They were created to help the public and lawmakers understand and solve complex, emotional and often controversial issues regarding animals. We have a diverse bi-partisan membership that includes pet owners, hobby dog breeders, rescuers, businesses, ranchers and animal professionals, scientists and veterinarians. NAIA's expertise in animal welfare and husbandry is recognized nationwide and we have hundreds of members in the state of Colorado.

Throughout our 29-year history we have worked closely with the Colorado Federation of Dog Clubs, a network whose 109 nonprofit AKC clubs have an economic impact on Colorado estimated at between \$15,000,000 and \$20,000,000 each year. From its creation in the early 1990's, NAIA has been a strong supporter of Colorado's PACFA, which is the most effective and highly respected pet animal oversight program in the US.

**We are writing to express our strong opposition to HB 20-1084 and to ask you to carefully review the following background facts before making your decision about it.**

At best, the statements in the legislative declarations of HB 20-1084 are distortions and half-truths. At worst they represent a systematic misrepresentation of the source of animal-welfare problems in Colorado. If the proposals that flow from these declarations are implemented, they will harm Colorado's animals and pet buyers and undermine the current trajectory of animal welfare progress in the state.

Instead of improving animal welfare standards, the HB 20-1084 regulatory scheme asks lawmakers to restrict or eliminate the most highly regulated source of dogs in the state (commercial dog breeders and pet stores) and swap them for rescue dogs with unknown backgrounds and minimal oversight. These rescue dogs, the preferred source according to HB 20-1084, are carried into Colorado from distant states and even foreign countries by unlicensed transporters. Their inventory routinely includes an unacceptable number of dangerous and [sick dogs that arrive in Colorado with infectious diseases and parasites like heartworm. Some of these illnesses can be transmitted to people and other animals](#) and treating them becomes an unexpected and expensive burden for adoptive families.

Barbara Reichman, NAIA Shelter Project director, carefully collects, analyzes and graphs the rescue and shelter dog data provided by PACFA ([including the number of the rescue dogs](#)

[imported into Colorado from out of state each year – 34,634 imported in 2018 alone](#)). She reports seeing health certificates for underage rescue dogs (puppies less than 8 weeks of age, the legal age for transport) being shipped into Colorado, thousands of puppies each year, many as young as 2 weeks of age and some younger.

All groups including dog breeders and pet stores include some individuals that don't play by the rules and are viewed by their own industries as black sheep, but the CORA reports show far more animal care deficiencies and dangerous placement practices among rescues than among the categories you are being asked to restrict or eliminate.

Successful laws seek to end unacceptable conduct through regulation; they don't target legally operating businesses for elimination based on ideology, out-of-date stereotypes, or monopolistic goals. Sadly, this bill does exactly that.

If the goal of HB 20-1084 is to raise animal care standards, its exemption of rescues and shelters from the seller requirements misses the mark and demonstrates that its backers, however sincere they might be, are out of touch with the major animal welfare trends and realities of the day.

According to CORA reports as well as articles in [mainstream media](#), rescues and shelters are now the leading marketplace source of animal welfare problems and sick and [dangerous dogs](#). The inspection reports show widespread inadequacies; a lack of appropriate veterinary care; lack of a clean and adequate supply of food and water; lack of socialization, cramped and unsanitary living conditions; exposure to extreme temperatures and examples of dogs being offered to the public with known histories of aggression and ongoing illnesses, a practice that is cited in the PACFA inspection reports and that places Coloradans' health and safety at risk.

By contrast, most pet stores in the state comply with the current regulations, employ local workers, pay taxes, and add to the economy of their local communities.

Today's pet stores must only source their dogs from USDA licensed and inspected breeders unless they buy from small breeders who are exempt from USDA regulation because they have 4 or fewer breeding females. Furthermore:

- Stores must vaccinate and have all their pets checked by a veterinarian before sale;
- They must disclose the source of their dogs before a sale is finalized; and
- They must offer a reasonable replacement or compensate the purchaser if a dog has a pre-existing condition.

Forbidding these regulated Colorado pet stores from selling dogs and cats will assure that the only retail outlet where Coloradans can acquire a family dog is from a minimally regulated **retail rescue** or **retail shelter**, a nonprofit corporation that imports dogs to meet demand and places them via fee-based adoptions, but without adhering to most of the regulations that the commercial marketplace has to meet. In other words, passing HB 20-184 will degrade the pet marketplace in Colorado.

[Some lawmakers may not be aware that dog overpopulation as it existed throughout much of the last century no longer exists in most of the United States](#). Numerous studies show that it takes between 8 and 9 million dogs just to replace the ones that die each year. All valid and reliable data available show that United States dog breeders of all types do not produce enough dogs currently to meet the demand pet dogs. As a result, national and international dog relocation and importation programs have developed. [The CDC estimates that over one million dogs were imported into the US last year \(See page 727\)](#). Restricting the legitimate regulated sales channels for dogs by

commercial breeders will only exacerbate the shortage of pets for the public market, encouraging the importation of pets with an inadequate health and temperament history.

Proponents of pet store bans claim that breed enthusiasts – private in-home breeders who typically work with one or two breeds, belong to kennel clubs, promote responsible dog ownership and put on dog shows that bring millions in tourism dollars to their states each year – will rise up to meet demand for the types of dogs the rescue community does not have: namely, puppies and specific breeds. That is not true. It is pure fantasy. Breed enthusiasts who belong to Colorado's kennel clubs cannot possibly meet consumer demand without becoming commercial breeders themselves.

Many local supporters of bills like HB 20-1084 are compassionate, well-meaning people who support the idea of closing pet stores because they remember an earlier period when the entire commercial pet industry had big problems. They view pet stores as they were, not as they are, something the special interests behind this bill have used to their advantage. This bill can only be justified by out-of-date perceptions and stereotypes about the pet industry.

The truth is, the special interests supporting HB 20-1084 know that this bill would result in putting small independent pet stores out of business, leaving rescue and shelter dogs as the only public/retail source of dogs available in the community. They know that the retail environment cannot deal effectively with large adult dogs and the contagious diseases and parasites found in many rescued pets.

In other words, the goal of some HB 20-1084 supporters is and always has been to monopolize the public/retail pet marketplace sector with fee-based, tax-exempt adoption/sales. Rescues and shelter dogs offering such adoptions already dominate the pet marketplace, but after years of regulating and restricting everyone else, this bill will give them the monopoly they seek.

**Colorado rescues and shelters need greater regulation.** Tragically, [some Colorado rescues and shelters are operating in indefensible ways that threaten not only the health and welfare of our pets but also place public health and safety at risk.](#) Whether it's ideology, irrational sentimentality, or just plain old-fashioned greed, it is their irresponsible practices that scream out for regulation, not the targets of this legislation.

The passage of this bill would set back animal welfare advances 50 years to a period that predates the 1972 federal Animal Welfare Act and reverses improvements made over the past several decades. Passing this bill will create a monopoly for unregulated and untaxed rescues and shelters – assuring that most Coloradans will only be able to find a family dog through poorly regulated and operated groups. It will also create a black market for consumers seeking puppies and specific breeds.

Ultimately, this bill will hurt animals, harm Colorado's pet owners and everyone else who cares about animal health and welfare of pets and the preservation of breeds.

We have additional issues in several areas of the bill where we believe that the language is either unclear in its meaning or contradictory in its terms.

Please contact me if I can offer any additional information. Sincerely,



Patti Strand, NAIA president