

HOUSE BILL 5493 (Enhanced Pet Store Lemon Law)

ENVIRONMENT COMMITTEE

February 9, 2009

Testimony of G. Kenneth Bernhard, former State Representative from the 136th district and an advocate for the Westport Coalition Against Puppy Mills.

I want to thank the Chairmen for putting HB 5493 on the agenda for a public hearing. I would also like to thank Representative Larry Cafaro for introducing this bill. His support for this bill is much appreciated by those of us who have followed the problem of pet store consumer abuses.

I hope you will have an opportunity to read my article that I have attached to these written comments about puppy mill factories and my conclusion that this business constitutes a national disgrace.

With regard to the bill before you, there is a pressing need to protect the consumer who unwittingly, and for the best of reasons, buys or "rescues" a puppy from a pet store and then finds him(her)self in an unrelenting cascade of escalating vet bills to remediate the puppy's medical situation. Unlike a defective appliance, the option of returning the puppy, which upon purchase becomes a member of the family, is not a realistic possibility.

The group I represent, the Westport Coalition Against Puppy Mills, has been studying this issue for the past 2 years. We know from our research at the Connecticut Department of Agriculture that the pet store puppies sold in our state, in almost all instances, come from mid-western puppy factories. Because of the horrific conditions at these factories, the poor husbandry practices in these breeding facilities and the lack of effective enforcement of existing laws, there is a very good chance that a puppy purchased in CT will have medical issues. The certification of vet is useless in discovering genetic and hereditary problems that take time to materialize. The medical problems are varied and almost always expensive to treat. The consumer is confronted with a Sophie's Choice option of seeing their new family member euthanized or paying enormous vet bills. The consumer needs help and the proposed legislation before you will provide, in some small measure, some needed protection. If pet store owners want to traffic in this business of selling dogs from puppy mills, they should bear some of the undisclosed consumer costs associated with it. The consumer should not have to shoulder these medical expenses alone and the present reimbursement sums are grossly inadequate. Further, this bill will make pet store owners more careful when picking their suppliers and hopefully suppress the market for the worst of them.

As part of your package of materials, you have the written testimony of Doctor Michele Lamothe and in there she gives just a few examples of what she has encountered in her

practice of treating dogs purchased from pet stores. Here is one of them, which describes a "real life" situation, and which is too often typical of what consumers are faced with when they purchase a dog from a pet store. It characterizes better than anything else I could say why HB 5493 should become law:

Meet PeeWee, a dachshund that also was purchased from the pet store with a cough. It persisted despite treating with several rounds of several different antibiotics that would normally treat a puppy respiratory infection. We had to sedate her to obtain samples from her lungs only to find out, she too had a very aggressive infection which would require several months of very strong antibiotics. These same antibiotics have the potential to cause joint damage in young growing puppies, but it was the only antibiotic choice we had. We later found out that the puppy had actually been treated with this same antibiotic prior to purchase, yet the owner was never notified that an antibiotic contraindicated in puppies had been given to her puppy. She was never notified of the possibility of joint damage from the medication administered by the pet store. After months of expensive treatment, we could still not get the infection completely under control. She was finally tested for an immune disorder known to be inherited in Dachshunds. She was found to be positive. This means she had a birth defect which gave her a defective immune system. It took almost a year of antibiotics to clear the infection because of this. Because of her infection and her birth defect, her spay procedure had to be postponed until adulthood when she was strong enough to withstand the surgery. The delay has increased her chances of developing breast cancer 200 times.

Members of the Environment Committee, The Humane Society of the United States, the American Society for the Protection of Animals, and countless other animal groups support this bill. It appropriately distributes the monetary risks inherent in the pet store industry between the retailers and the consumers and its passage will make Connecticut a leader in improving an industry that clearly is in need of more regulatory oversight. It should become law.

I thank you for your time and attention, and, hopefully, your support for this important consumer bill.