

TESTIMONY

RE: SB499, SB783, HB5493, HB5801

Submitted by: Steven Zerilli, President  
United Pet Supply, Inc.

February 9, 2009

Before the Environment Committee  
Legislative Office Building  
Hartford, CT.

My name is Steven Zerilli and I am the founder of United Pet Supply, Inc. My company has been in business for thirty two years and operates twenty six pet centers in major regional shopping centers in five states, including two in Connecticut. I wish to thank you for the opportunity to appear before you today to provide my testimony regarding proposed legislation that is the subject of today's Committee hearing.

Connecticut has long maintained regulations governing the operation of retail pet dealers in this state and in particular, providing for reimbursement to consumers for health care costs related to treatment for illness of a dog or cat determined to have been ill at the time of sale. In concept, I support the intent set forth in SB 499.

Data available from the Department of Agriculture for 2007 confirms that Connecticut's current regulatory mechanism functions in an effective manner. For 2007, the Department recorded just 28 complaints related to the estimated 10,000 dogs sold by Connecticut dealers for the year, or approximately .3%. That said, professional pet

dealers in Connecticut will continue to support reasonable regulations intended to assure the sale of healthy companion animals and provide after sale assurances to our customers as well. I would submit however, that experience has shown this can best be achieved through a collaborative, pro-active process. Success will result from regulation based on education, cooperation and a “best practices” approach to operating standards.

I also support, in concept, SB 783. There is no question that municipal shelter programs throughout the state render an important service to the community, providing for the welfare of stray or abandoned animals, including adoption programs essential to their success. In recent years, however, new forms of adoption programs have emerged which, in substance, constitute the retailing of dogs and cats to the public in a totally unregulated environment. They operate outside of any licensing structure, deprive the state of business and sales tax revenues, and compete unfairly with the licensed and regulated dealers in this state. In some cases, animals are imported into Connecticut with no documentation as to their source or health and carry an untraceable potential risk for illness or disease.

Unregulated retail adoption programs directly threaten legitimate small businesses, local jobs and potentially place Connecticut consumers at risk. They should be brought under the regulatory umbrella.

I am opposed to HB5493. Though I support it’s Statement of Purpose, I am particularly concerned about the “200% of purchase price” veterinary cost liability it seeks to impose on Connecticut dealers. My company has operated several stores in New Jersey, the only state to adopt such a provision, both before and after it became effective. My observation

is that New Jersey lost small businesses, tax revenue and jobs as a result. And I can state definitively that a measurable impact of this approach has been to increase costs to pet dealers and retail prices to consumers. There is no doubt in my mind that the same result will occur in Connecticut should this bill be adopted. Given the terrible state of our economy and of the retail industry in particular, I ask that you consider the unintended consequence likely to result from such a regulatory change and refrain from imposing an unsustainable burden on Connecticut small businesses and consumers, who are struggling to survive.

Further, I wish to express my opposition to HB 5801 in its current form. Again, while I can support its Statement of Purpose, both the terminology it proposes and the broad wording of the definition it contains, create subjective criteria, where the adoption of specific and objective standards for breeding and care would best serve its intent. In this regard, current USDA breeder standards, licensing and oversight mechanisms provide the states with necessary assurances in this area. Existing law, adequately enforced, addresses this concern.

Through the Pet Industry Joint Advisory Council, our industry has, for almost forty years, cooperated with legislative bodies and regulatory agencies across the country in the crafting, adoption and implementation of regulations designed to advance proper care, consumer protection, and best practices within our industry. We appear before you today ready to offer our cooperation in your important work to update Connecticut regulations and ask for the opportunity to continue to participate in this process.