



**PET INDUSTRY JOINT  
ADVISORY COUNCIL**  
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SB228

Good afternoon Senator Kennedy, Representative Albis and Esteemed Members of the Environment Committee

I'm Laura "Peach" Reid, President and Owner of Fish Mart, a wholesale tropical fish and pet distributor in West Haven, servicing retailers throughout the northeast with aquarium fish and pets for 42 years. I'm also on the Board of Directors of the Pet Industry Joint Advisory Council (PIJAC), the national pet trade organization representing all segments of the pet industry. Our primary mission is to promote responsible pet ownership, animal welfare and environmental stewardship as part of a coordinated effort to ensure the availability of pets and defend the right of consumer choice. I have served as PIJAC's CT State Coordinator for some 30+ years as a volunteer, working primarily on dog and cat issues, but over the years, on all animal matters, not only in CT but nationally.

As representatives of those who serve and support pets and pet owners, we know that the human-animal bond is a special one. The loss of a pet – especially due to the actions of another – is a traumatic experience that cannot be resolved by simple monetary compensation. Senate Bill 228 seeks to do just that by introducing a new class of damages for loss of companionship, and I am here today to express our serious concerns with this proposal. While the impetus behind this bill is admirable and its scope is currently limited to intentional killing and injury, its consequences would be far-reaching and uniformly negative.

These proposed damages for loss of companionship would be highly subjective, as the bill suggests that evidence of "the use of such animal for companionship purposes" and "the disposition or temperament of such companion animal" should be used to determine such an award. Neither of these is accompanied by any set of objective criteria or formula, leaving them to be determined on a case-by-case basis with the potential for inconsistent application. This being the case, it would only be a matter of time before certain courts and even individual judges became known for being especially friendly or unfriendly to Loss of Companionship claims, leading to the possibility of venue-shopping and other abuses of the system.

And where there is a new form of economic award, there follows a new legal specialization. These proposed damages wouldn't do anything to improve animal well-being or to protect pet owners – by their very nature, they could only come into effect after the fact – but they would certainly represent an attractive new opportunity for litigators to seek greatly increased awards and fees. With each new award of Loss of Companionship damages, the incentive to pursue such claims would increase.

This, in turn, will have an effect on the cost of many kinds of pet goods and services, as providers seek to protect themselves from claims. Insurance rates for veterinarians and other service providers will necessarily increase, leading to the same kind of “defensive medicine” that contributes to inflated health care costs for humans.

As costs increase, those who can least bear added expenses will find themselves facing a difficult choice as they consider whether or not to keep up routine veterinary care, grooming and other services. These providers represent the front line of protection for animal health; as use of their preventive services declines, so too will animal well-being.

This issue has been addressed across the country as individual lawsuits have attempted to seek damages like the ones proposed here; the results have been consistent. More than thirty states across the country have rejected these kinds of claims in the past. Most recently, a Georgia appellate court overturned a lower court’s award and reaffirmed the need to determine a pet’s value on objective terms. In 2013, the Texas Supreme Court specifically rejected the “value to the owner” argument for non-economic damages.

I say all of this with the utmost sympathy for those who are victims of these kinds of heinous acts. As I said previously, the human-animal bond is special and we in the pet industry are proud to partner with pet owners to make it more so. The human-animal bond conveys numerous and significant health benefits and it should be celebrated and protected.

But creating a new class of emotion-based liability awards is not the way to do that. It would be far better to enforce or even expand existing laws and penalties addressing animal cruelty. I therefore humbly request that you not vote SB 228 out of committee.

Thank you for your time and attention.

Peach Reid  
President, FishMart  
Pet Industry Joint Advisory Council