

Connecticut Task Force Testimony

My name is Brian Winslow, Director of Animal Welfare Education with Petland, I testified on October 13th in Fairfield. I am testifying today to dispel some of the misinformation that was testified to last time.

First off, Petland is not owned by The Hunte Corporation. It has been a privately held Ohio company since 1967. Our stores are locally owned by franchisees. I have worked closely with our company's founder directly for the past 19 years.

There were many misstatements made about AWA violations. I have included a chart of direct vs. indirect violations.

- By definition a Direct Violation directly affects the health and well-being of the dog and puppies.
- Testimony was given that a breeder could just not come to the door, not be inspected, and therefore never receive a violation. Not being available for a surprise inspection is an indirect violation. Even if the facility has cleaners and caretakers available, it is a violation if a designated individual accompany the inspector and get into computer and veterinarian records.
- Matted fur is a violation. Slight matting is indirect, extensive matting is a direct violation.
- Even long toenails are a violation. Depending on length, they can range from an indirect to a direct.

There was testimony from a California HSUS lobbyist about the May 2010 audit by the USDA Office of Inspector General. First off, I am glad that there is an audit system within the USDA, to ensure that Federal law is implemented effectively and tax dollars are used wisely. A couple of points need to be clarified; the title of the audit is "Inspections of Problematic Dealers", in no way did the audit suggest that all breeders were problems, instead it was a small minority. The take away, was that if the worst of the worst breeders were inspected by the least effective inspectors with poor documentation and little or no penalties, animals lived a poor existence. Remember, this does not represent the majority of breeders or inspections that take place. Since this audit I want to share the first hand improvements that I have seen:

- 1) There has been an enormous amount of time and energy put into re-training of APHIS inspectors. There have also been reassignments and retirements of inspectors.
- 2) There has been added scrutiny to inspection reports. Veterinary Medical officers and other supervisors review reports before they are posted to insure consistency and look for problem breeders. In fact, after the May 2010 audit, inspection reports were delayed being posted because of the reviews. They are now posting more quickly.

- 3) Supervisors and veterinarians are accompanying more inspections to insure consistency and accuracy.
- 4) A new position within AC was created called Compliance Specialist. It is much better to educate through best practices as opposed through educating through just the AWA and violations. I have seen their new seminars on space, exercise, and socialization that go beyond the AWA.
- 5) There has been increased detail of inspections to individual dogs. For example, in 2011 there was a huge focus on dog's teeth that has continued to this day. There was a massive uptick in both indirect and direct violations for dental care. Breeders have responded by making veterinarian dental cleanings a part of regular protocols. I am glad that inspectors are looking into individual dogs mouths.
- 6) The definition of a retailer changed because of the 2010 audit. The OIG audit found that more than 80% of the sampled breeders were not licensed because they sold over the internet or claimed "retail pet store" status.

At the last Task Force meeting, there was much discussion about the limitations of the AWA. I think there is universal agreement that federal guidelines are not as strong as they could be. Comments were made that Connecticut should step up because the Federal Government is slow to change laws. This is the reason that individual Mid-western states have passed their own breeder legislation. Most state legislation surpasses and/or compliments federal legislation. This system creates two sets of eyes on licensed and inspected breeders.

- My firsthand experience is that most breeders' facilities far exceed the AWA guidelines; unfortunately, it is the worst of the worst breeders that get media and animal rights attention. Most breeders provide much more space than the formula that is part of the AWA.
- In Missouri for example; wire flooring is illegal and the space minimum is twice that of the AWA, and will be three times by 2016.
- Indiana, where Petland representatives visit weekly to personally pick out puppies, virtually all breeders have space that is many times that of the AWA and keep their dogs on the ground and provide daily exercise programs.
- This year, Ohio passed legislation on commercial breeders. It is currently being phased in and licenses are being issued and inspections are starting.

Thank you for your time.

Brian Winslow

DIRECT NCIs – REGULATIONS	<u>DIRECT</u>	<u>NOT DIRECT</u>
Section 2.40 Attending Veterinarian and Adequate Veterinary Care	Cherry eye, eye opacity or enlarged eye globe with inflammation and abnormal discharge	Cherry eye, eye opacity or enlarged globe with no discharge or inflammation
	Overgrown toenails causing mal-positioned digits or embedded in pad causing open lesions or gait problems	Overgrown toenails causing no obvious harm
	Heavy tick/flea infestation (i.e., a high number external parasites are visible) with associated lethargy, pale mucous membranes, labored breathing	Light to moderate tick/ flea infestation without the clinical signs mentioned under "Direct"
	Fly bite ears with associated inflammation, discharge, scratching, hematoma	Fly bite ears without the additional clinical signs mentioned under "Direct"
	Stools that are loose, bloody associated with emaciated and or lethargic dog	Loose stools, normal demeanor, maybe a small amount of blood may be present
	Any untreated, prolapsed, open lesion/wound where the skin is pulled back to expose underlying, tissue, muscle, bone	Minor injuries such as small lacerations, small puncture wounds resulting from dog bites
	Severe ear infection with scratching and rubbing of ears, plus an associated moist ear canal discharge, inflammation or ear hematoma	Scratching at ears with no associated discharge or trauma
	Interdigital cysts with discharge, inflammation, and lameness	Interdigital cyst associated with licking or scratching
Section 2.129(a) & (b) Confiscation and Destruction of animals	A confiscation would be the result of a situation that involved animal suffering due to AWA violations and would therefore be considered a Direct NCI; this would typically be cited in the associated sections (vet care, feeding, shelter, etc), but if 2.129 is cited, it would be a direct	
Section 2.130 Minimum Age Requirements	Transportation of dog/cat that has not been weaned, without their dam or queen, and without appropriate	Transportation of weaned dog/cat less than 8 weeks of age without appropriate

	variances or exceptions (if required)	variance
Section 2.131 Handling of Animals	Death or severe injury to animal as a result of handling procedures; also behavioral stress due to handling violations is a Direct	Minor injuries such as scrapes, some minor discomfort may be seen
	Use of miscellaneous items that causes physical injury, harm or distress to the animals, such as the excessive use of an ankus, hot shot, or any tool used to train or work the animal	
	During public exhibition, direct contact of a dangerous animal (big cat, bear, wolves, elephant, great ape, etc) with the general public without sufficient or adequate barriers or attendants...elephant rides w/o an attendant, use of a juvenile or adult big cat in direct contact with the public	Inadequate barriers...barriers that are not a sufficient distance from the enclosure, incomplete barrier, barrier of insufficient height
	Use of tranquilizers to facilitate public handling of animals	
	Failure to provide appropriate measures to alleviate any climatic weather condition that is a threat to the health and welfare of the animal, such as failing to provide sufficient heating, or cooling to an animal barn, housing facility when conditions and the species of the animal require it for the health and welfare of the animal	
	Exhibition/performance of an animal that would be detrimental to its health or well-being...such as an immature /young animal that is handled excessively by the public, such as a petting zoo and it is unable to get away from people; baby tigers used for photo shoots with excessive public handling showing distress	Inadequate number of attendants during periods of public direct contact,

	Facility that obtains a dangerous animal without having a person knowledgeable and experienced about the species on staff	
DIRECT NCIs – STANDARDS	<u>DIRECT</u>	<u>NOT DIRECT</u>
Section 3.1(a) Housing Facilities General	Structure deterioration (ex. rusted support posts) where the structure is in danger of falling on dogs	Structure deterioration with no danger of falling on or injuring dogs
Section 3.1(a) Housing Facilities General	Facilities not maintained – animals escape	Facilities not maintained – animals cannot escape
Section 3.1(b) Housing Facilities General	Live electric wire exposed to and within easy reach of dogs (insulation removed or bare ends of cord)	Live electric cord NOT exposed to dogs (cord hanging in enclosure)
Section 3.2(a), 3.3(a), 3.5(a) Indoor Housing Facilities, Sheltered Housing Facilities, Mobile or Traveling Housing Facilities	Temperature outside of allowable ranges ... animals showing signs of distress	Temperature outside of allowable ranges ... animals not showing signs of distress
Section 3.2(a), 3.3(a), 3.5(a) Indoor Housing Facilities, Sheltered Housing Facilities, Mobile or Traveling Housing Facilities	Temperature outside of below allowable lower ranges ... dry bedding or other methods of conserving body heat not present	
Section 3.2(b), 3.3(b), and 3.5(b) Indoor Housing Facilities, Sheltered Housing Facilities, Mobile or Traveling Housing Facilities	Lack of ventilation to the point where there are noxious fumes (e.g., your eyes burn) at the level of the animal's eyes and nose – dogs are showing signs of discomfort and/or distress	Lack of adequate ventilation <u>without</u> noxious fumes – no signs of discomfort or distress
Sections 3.2(c), 3.3(c) and 3.5(c) Indoor Housing Facilities, Sheltered Housing Facilities, Mobile or Traveling Housing Facilities	Absence of lighting and absence of diurnal cycle (NO windows and no broad spectrum lighting with appropriate cycling of light and dark	Absence of lighting with diurnal cycle (HAS windows)
Sections 3.3(d) and 3.4(b) Sheltered Housing Facilities Outdoor Housing Facilities	Sheltered area not large enough for all dogs to sit, stand, lie in a normal manner, and to turn about freely and temperature UNDER 45 F or over 85 F	Sheltered area not large enough for all dogs to sit, stand, 'lie in a normal manner, and to turn about freely and temperature OVER 45 F but under 85 F
Sections 3.4(a) Outdoor Housing Facilities	Dogs and cats maintained in areas in which they are not acclimated to	

	the temperatures prevalent in the area, and/or breeds of dogs and cats maintained in areas in which they cannot tolerate the prevalent temperatures without stress	
Section 3.4(b) Outdoor Housing Facilities	Shelter with insufficient bedding and Temp under 35, or between 35 and 50 F with dogs showing signs of discomfort (shivering)	Shelter with no bedding and temp between 35 F and 50 F; no signs of discomfort
Section 3.4(b) Outdoor Housing Facilities	Insufficient wind/rain break and temp under 50F; water in shelter with wet dogs	Insufficient wind/rain break and temp over 50F
Section 3.6(a)(1) Primary Enclosure	Enclosure not designed to enable dogs to remain dry (wet dogs), wet dogs, temp UNDER 45 F	Enclosure not designed to enable dogs to remain dry, dry dogs
Section 3.6(a)(1) Primary Enclosure	Food situation where one dog doesn't let other dog(s) eat and there are signs of distress and/or emaciation	Food situation where one dog doesn't let other eat and there are no signs of distress and/or emaciation
Section 3.6(c)(1) Primary Enclosure	Enclosure doesn't meet minimum floor space requirements and dog has behavioral and/or medical issues (lick granuloma)	Enclosure doesn't meet minimum floor space requirements – no behavioral or medical issues
Section 3.7 Compatible Grouping	Incompatible dogs housed together with injuries and/or signs of distress	Incompatible dogs housed together with no injuries and no signs of distress
Section 3.8 Exercise	Insufficient floor space and no opportunity for exercise (no written plan, no evidence of exercise area)	Insufficient floor space
Section 3.9 (a) Feeding	Food contaminated with: Feces, urine, mold, mildew, pest waste	Food contaminated with: Dirt, bedding
Section 3.9 (a) Feeding	Emaciated dogs with no feed or inappropriate feed	No feed or inappropriate feed; dogs in good flesh
Section 3.10 Watering	No water or frozen water – dogs offered fresh water and drink voraciously and/or in a manner that demonstrates they are extremely thirsty	No water or frozen water – dogs offered fresh water and DON'T drink as if extremely thirsty
Section 3.10 Watering	Water contaminated with: Feces, urine, pest waste, muddy water	Water bowl dirty but water clear, i.e., algae on sides of

		bowl but water is clear
Section 3.11(a) Cleaning	Accumulation of excreta and food waste ... animals have excreta and/or food waste on their fur, and/or cannot find adequate areas in their enclosure where they can stand or walk without being in waste	There is a small to moderate accumulation of excreta and food waste but the animals have access to a dry and uncontaminated areas.
Section 3.11(a) Cleaning	Excessive feces and food waste are attracting an accumulation of pests (flies/mosquitoes)	
3.11(b)(3) Sanitation	Using cold water without a disinfectant or detergent. And animals are getting ill or dying from a contagious disease.	
3.11(c) Housekeeping	Weeds/brush are growing up and around dog pens. Vermin are seen in the dog pens, eating/defecating and/or getting into the food supply. Holes large enough to allow dogs to escape or other animals to enter, covered by the brush	Tall weeds/brush are present along the sides of the pens, but pens are maintained structurally sound and clean.
Section 3.11(d) Pest control	The presence of pests with signs of infestation such as contaminated feed, contaminated water, intense odor, fly strike, and little or no pest control in place	The presence of some pests, with no obvious signs of infestation
Section 3.12 Employees	The lack of an adequate number employees - - numerous repeat and/or direct noncompliances identified on the inspection	
Section 3.13(a)(b)(c) Consignments to Carriers and IH	A carrier/IH accepts an animal more than 4 hrs before the scheduled flight departure, and there was no documentation as to when the animal was last fed or watered. And the animal either voraciously goes for food / water when offered, or it becomes ill and needs vet attention, or dies.	Animal is accepted more than 4 hrs before the flight departure, but paperwork is complete and food and water has been offered to the animal.
Section 3.13(d) Consignments to Carriers and IH	Carrier/IH accepts dog for transport in an inadequate primary enclosure;	Carrier/IH accepts dog for transport in an inadequate