

MEMORANDUM

January 23, 2015

TO: County Council

FROM: Amanda Mihill, Legislative Attorney *A. Mihill*

SUBJECT: **Public Hearing:** Bill 50-14, Animal Control – Retail Pet Stores

Bill 50-14, Animal Control – Retail Pet Stores, sponsored by then Council Vice President Leventhal, Councilmembers Navarro, Branson, Riemer, Berliner, Elrich, then Council President Rice and Councilmember Katz, was introduced on October 28, 2014. A Public Safety Committee worksession is tentatively scheduled for February 5 at 3:30 p.m.

Bill 50-14 would prohibit certain retail pet stores from selling certain animals bred in certain breeding facilities. Specifically, Bill 50-14 would prohibit any pet store that operates in the County's jurisdiction to sell any dog or cat unless the animal was obtained from an animal care facility or a non-profit rescue organization.

On October 16, the Public Safety Committee received a briefing on puppy and kitten mills from the Humane Society and the Division of Animal Services. The Council staff packet for that briefing can be found at the following link: [http://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2014/141016/20141016\\_PS4.pdf](http://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2014/141016/20141016_PS4.pdf). A copy of the Powerpoint presentation provided at that meeting is attached on ©6.

This packet contains:	<u>Circle #</u>
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Bill No. 50-14  
Concerning: Animal Control – Retail Pet Stores  
Revised: 10/17/2014 Draft No. 2  
Introduced: October 28, 2014  
Expires: April 28, 2016  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Council Vice President Leventhal and Councilmembers, Navarro,  
Branson, Riemer, Berliner, Elrich, and Katz

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**AN ACT** to:

- (1) prohibit certain retail pet stores from selling certain animals bred in certain breeding facilities; and
- (2) generally amend County animal control law.

By adding

Montgomery County Code  
Chapter 5, Animal Control  
Article V  
Sections 5-405, 5-406, and 5-407

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Sec. 1. Article V (Sections 5-405, 5-406, and 5-407) is added as follows:**

2                           **Article V. Retail Sale of Dogs and Cats**

3           **5-405. Legislative Findings.**

4           The County Council finds and declares that:

5           (a)   A significant number of puppies and kittens sold at retail pet stores  
6                   throughout the United States come from large-scale, commercial  
7                   breeding facilities where the health and welfare of the animals are not  
8                   adequately provided for (“puppy mills” and “kitten mills,”  
9                   respectively). According to The Humane Society of the United States,  
10                  it is estimated that 10,000 puppy mills produce more than 2,400,000  
11                  puppies a year in the United States and that most dogs and cats sold in  
12                  retail pet stores come from puppy and kitten mills.

13           (b)   The documented abuses endemic to puppy and kitten mills include  
14                   over-breeding, inbreeding, minimal to non-existent veterinary care,  
15                   lack of adequate and nutritious food, water or shelter, lack of  
16                   socialization, lack of adequate space, and lack of adequate exercise.

17           (c)   The inhumane conditions in puppy and kitten mill facilities lead to  
18                   health and behavioral issues in the animals bred in those facilities.  
19                   However, many consumers are unaware of these issues when  
20                   purchasing animals from retail pet stores because of a lack of  
21                   education on the issue and misleading tactics of retail pet stores in  
22                   some cases. These health and behavioral issues, which may not  
23                   present themselves until after the purchase of the animal, can impose  
24                   exorbitant financial and emotional costs on consumers.

25           (d)   Current Federal, State and County regulations do not properly address  
26                   the sale of puppy and kitten mill dogs and cats in Montgomery County  
27                   retail pet stores.

- 28           (e)   Restricting the retail sale of puppies and kittens to only those that are  
29                   sourced from shelters or rescue organizations is likely to decrease the  
30                   demand for puppies and kittens bred in puppy and kitten mills, and is  
31                   likely to increase demand for animals from animal shelters and rescue  
32                   organizations.
- 33           (f)   Due in large part to pet overpopulation, a state task force recently  
34                   found that 45,000 dogs and cats are euthanized in Maryland animal  
35                   shelters annually, at an estimated cost of \$8 to 9 million each year.  
36                   Restricting the retail sale of puppies and kittens to only those that are  
37                   sourced from animal shelters and rescue organizations will likely  
38                   reduce pet overpopulation and thus the burden on such agencies and  
39                   financial costs on County taxpayers.
- 40           (g)   Across the country, thousands of independent retail pet stores as well  
41                   as large chains operate profitably with a business model focused on  
42                   the sale of pet services and supplies and not on the sale of dogs and  
43                   cats. Many of these shops collaborate with local animal shelters and  
44                   rescue organizations to offer space and support for showcasing  
45                   adoptable homeless pets on their premises.
- 46           (h)   This law will not affect a consumer's ability to obtain a dog or cat of  
47                   his or her choice directly from a breed-specific rescue organization or  
48                   a shelter, or from a hobby breeder where the consumer can see  
49                   directly the conditions in which the dogs or cats are bred, or can  
50                   confer directly with the hobby breeder concerning those conditions.
- 51           (i)   The County Council believes it is in the best interests of the County to  
52                   adopt reasonable regulations to reduce costs to the County and its  
53                   residents, protect the citizens of the County who may purchase cats or  
54                   dogs from a retail pet store or other business establishment, help

55           prevent inhumane breeding conditions, promote community  
 56           awareness of animal welfare, and foster a more humane environment  
 57           in the County.

58 **5-406. Definitions.**

59           In this Article, the following words have the meanings indicated:

60           Animal care facility means an animal shelter maintained by, or under  
 61           contract with, any state, county, or municipality, and whose mission and  
 62           practice is, in whole or significant part, the rescue and placement of animals  
 63           in permanent homes.

64           Cat means any individual of the species of the domestic cat, felis catus.

65           Dog means any individual of the species of the domestic dog, canis lupus  
 66           familiaris, or any resultant hybrid.

67           Non-profit rescue organization means a non-profit organization that has tax  
 68           exempt status under Section 501(c)(3) of the Internal Revenue Code, and  
 69           whose mission and practice is, in whole or in significant part, the rescue and  
 70           placement of animals in permanent homes.

71           Offer for sale means to display, sell, deliver, offer for sale or adoption,  
 72           advertise for the sale of, barter, auction, give away, or otherwise dispose of a  
 73           dog or cat.

74           Retail pet store means a store that is required to comply with Title 19,  
 75           Subtitle 7 of the Business Regulation Article of the Maryland Code.

76 **5-407. Retail Sale of Dogs and Cats.**

77           A retail pet store must not offer for sale any dog or cat unless the retail pet  
 78           store obtained that dog or cat from:

- 79           (a) an animal care facility; or  
 80           (b) a non-profit rescue organization.

81

## LEGISLATIVE REQUEST REPORT

Bill 50-14

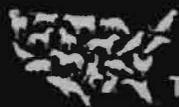
### *Animal Control – Retail Pet Stores*

<b>DESCRIPTION:</b>	Bill 5-14 would prohibit certain retail pet stores from selling certain animals bred in certain breeding facilities. Specifically, it would require any pet store that operates in the County's jurisdiction to sell any dog or cat unless the animal was obtained from an animal care facility or a non-profit rescue organization.
<b>PROBLEM:</b>	A significant number of puppies and kittens sold at retail pet stores throughout the United States come from large-scale, commercial breeding facilities where the health and welfare of the animals are not adequately provided for.
<b>GOALS AND OBJECTIVES:</b>	Restricting the retail sale of puppies and kittens to only those that are sourced from shelters or rescue organizations is likely to decrease the demand for puppies and kittens bred in puppy and kitten mills, and is likely to increase demand for animals from animal shelters and rescue organizations.
<b>COORDINATION:</b>	Department of Police
<b>FISCAL IMPACT:</b>	To be requested.
<b>ECONOMIC IMPACT:</b>	To be requested.
<b>EVALUATION:</b>	To be requested.
<b>EXPERIENCE ELSEWHERE:</b>	Several jurisdictions across the country have enacted similar laws.
<b>SOURCE OF INFORMATION:</b>	Amanda Mihill, Legislative Attorney, 240-777-7815
<b>APPLICATION WITHIN MUNICIPALITIES:</b>	To be researched.
<b>PENALTIES:</b>	A violation of this Chapter 5 is a Class B violation.

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[humanesociety.org](http://humanesociety.org)

## Puppy Mills and Pet Store Sales



Montgomery County Council Committee on Public Safety

October 16, 2014

Melanie Kahn, Senior Director, Puppy Mills Campaign

The Humane Society of the United States



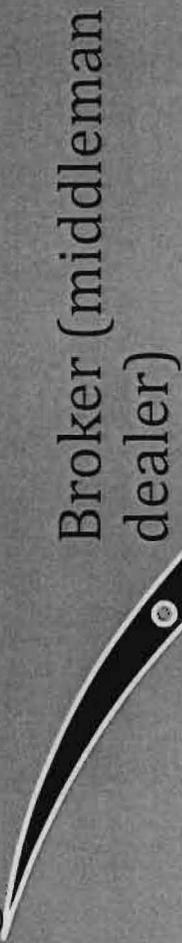
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Commercial  
Dog Breeder



Broker (middleman  
dealer)

Pet store

Buyer





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# Pet Stores Sell Puppy Mill Dogs

## NY Pet Stores Supplied by Puppy Mills: Humane Society

NBC New York investigation finds animals from many pet stores come from places with USDA violations

By Katy Tur and Tom Burke

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A large number of pet stores in New York routinely purchase animals from puppy mills where dogs are kept in cruel confinement for commercial purposes, an NBC New York investigation has found.

Thursday, Nov 10, 2011 • Updated at 7:18 PM EDT

## To Market, To Market, To Buy a Sick Dog

An HSUS investigation reveals the underbelly of Texas puppy sales

AP Animal magazine October/February 2011



70° Chicago, IL  
MISUNNY 100%

SECTIONS TRAFFIC VIDEO Chicago & Suburban Cook Co. Northern Suburbs Western Suburbs Southern Suburbs

## HUMANE SOCIETY: CHICAGO PET STORES LINKED TO PUPPY MILLS

December 11, 2012 11:24:50 AM PST

December 11, 2012 (CHICAGO) -- A dozen Chicago area pet stores are selling puppies bred at puppy mills, according to the Humane Society of the United States.

Investigators visited 12 Chicago area pet stores during a three-day period in October and found they are linked to inhumane commercial breeders, or puppy mills, according to the Humane Society. Employees at the stores told the undercover investigators that the animals were not from puppy mills, but documents showed otherwise, according to the Humane Society.

No violations have been filed against the stores in connection with the HSUS investigation.

United States

it of the current laws and increased consumer reil." Nikl Ianni, HSUS, said.

eticue center or shelter, or find a reputable breeder.

during a six-month period from puppy mills. Iowa at the animals also come from Missouri, Oklahoma,



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ANIMAL PLANET - Press Release - DISTURBING QUESTIONS ABOUT LARGEST U.S. PET

### DISTURBING QUESTIONS ABOUT LARGEST U.S. PET RETAILER ARE RAISED AS ANIMAL PLANET INVESTIGATES: PETLAND

Undercover Operation Reveals Polluted Breeding Conditions May 6, 2010

Contact: Taki Kumpstria  
Contact: Stianbu Winters

### DISTURBING QUESTIONS ABOUT LARGEST U.S. PET RETAILER ARE RAISED AS ANIMAL PLANET INVESTIGATES: PETLAND

Undercover Operation Reveals Polluted Breeding Conditions

Don't Suffer, Suffer - Millions of Americans own dogs and know the joy of having a pet lion for the first time. Children are kind with eye tears at the promise of a visit to the pet store. This heart lifting emotion is replaced only by the utter shock of bringing a puppy home. For how many know about the torment some of these puppies endure prior to arriving at the pet store and before being lucky enough to find a loving home? Surprisingly, many people are completely unaware of the congested and polluted kennels that are "get and go" for commercial puppy breeding.

Unfortunately, many pet owners visit pet stores when they should be more wary. On Monday, May 17, at 10 PM (ET/PT), Animal Planet's new special ANIMAL PLANET INVESTIGATES: PETLAND shows the damage for you. This special report on a Humane Society of the United States (HSUS) undercover investigation into Petland's alleged sale of puppies from "puppy mills" - where the retailer denies - and a shocking lawsuit brought by Petland customers. Meet "Mike," an undercover investigator for the Humane Society of the United States (HSUS), who's investigating Petland, the largest retailer of puppies in the U.S. and its alleged connection to mass, commercial breeders hundreds of breeding facilities dogs. Mike begins his deep dive by sniffing out breeders who have sold puppies to their local Petlands. It's dangerous, on-the-ground investigation as Mike enters across unending interviews and roadblocks.

While hundreds of consumers have contacted the HSUS to complain about health problems in the puppies they purchased from Petland, the retailer denies these dogs were purchased from puppy mills. This special video footage of evidence is saying that all of these puppies are purchased by a USDA-licensed breeder, yet Mike shows a connection between the retailer and breeders operating under questionable conditions.

Mike discovers a laundry list of possible violations and inhumane practices at numerous breeders including more than 140 dogs housed in subterranean kennels, water bowls contaminated with mold and growing green water, pungent aromas of wet dog and one breeder's questionable trust in his healthy dogs because of their level-headed look.

Our ANIMAL PLANET INVESTIGATES special, we are committed to providing viewers with a raw and unfiltered look at crucial animal issues," says Melissa Kaplan, president and general manager of Animal Planet. "It's our responsibility, however humbling as it may be to raise questions about the practice of mass dog breeding and to question whether hard work is put before the welfare of animals."



## A Horrible Hundred Problem Puppy Mills in the United States

In recent years The Humane Society of the United States (HSUS) has assisted in rescuing almost 10,000 dogs from more than 50 different puppy mills across the country. While The HSUS stands ready to assist law enforcement with closing down illegal puppy mills whenever feasible, there remain an estimated 10,000 puppy mills across the United States, and many of them are legal. Although most of the dogs at these mass-breeding facilities have no real quality of life, living continually in small wire cages with little or no personal attention, exercise or veterinary care, there are very few laws to protect them as long as they are being provided with food, water, and shelter.



Many dogs at Royal Acres Kennel in Magnolia, NC, were found with severe health issues. This dachshund suffered from paralysis as well as secondary infections from dragging his lower body along the concrete. With the assistance of The HSUS, authorities removed 58 neglected dogs from Royal Acres in February 2013, including this one, Ricky Dobby, who is now in a good home. But authorities declined to close down the puppy mill completely, and it continues to sell puppies online. /The HSUS 2013

But hundreds of puppy mills can't—or won't—meet even the most basic minimum standards required by law. Some facilities have been cited repeatedly by federal or state departments of agriculture for injured and sick dogs who had not been treated by a vet, keeping dogs in filthy conditions, subjecting animals to the freezing cold or stifling heat without adequate protection, performing invasive surgeries on their own animals without a veterinary license, and even in some cases shooting their unwanted dogs.

This report is a list of some of the nation's dog breeding kennels that are of high concern to The HSUS due to repeated problems with animal health or animal care. It is not a list of all puppy mills, nor a list of all problematic facilities. The list does not include other problematic puppy mill dealers, such as brokers and pet stores, unless the operators are also breeding dogs.



## 101 Puppy Mills A Sampling of Problem Puppy Mills in the United States

Almost four years after Missouri voters approved a stronger puppy mill law in 2010, the state still dominates a list of 101 problem puppy mills across the country. 22 of the 101 dealers on our 2014 list of problem puppy mills are from Missouri. Coming in second, Kansas has 13 problem dealers on the list, followed by Nebraska (12), Arkansas (6) and Iowa (6).



USDA inspectors photographed a Yorkie with an eye disorder at a facility owned by Andy Troyer in Fredericksburg, Ohio, in 2011 after the operator repeatedly failed to get adequate treatment for the dog. Additional problems were found at the same facility in 2014. /USDA 2011.

Most of the facilities in this report have been cited by federal or state inspectors for grave or repeated animal care violations, including:

- A breeder in Missouri who admitted to leaving a gravely injured and nearly unresponsive Pomeranian named "Wooble" lingering for three days without taking him to a vet (Johanna Steele);
- Four breeders who listed gunshot as a method of euthanasia on their official veterinary plans (Barker in AR; Mamma's Minis in CO; Tietz and Williams in NE);
- A breeder in Illinois who had five beagles euthanized rather than providing them with warmer shelter as directed by his inspector (Melton Christensen);
- A breeder in Missouri who was found with a dead, four-week-old shih tzu puppy frozen solid in the outdoor portion of an enclosure when overnight temperatures had recently been as low as -9 degrees (Johnny Dale);
- Breeders who left their dogs exposed to heat indexes as high as 109 degrees or bitter cold temperatures as low as one degree Fahrenheit (Hines in SD; Pesek in NE);



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# Edward Cannon Novinger, MO *Sells to pet store in Rockville*



**"E CANNON KENNELS" : CANNON,  
EDWARD**

USDA License # 43A4206

Breeds Yorkshire Terrier puppies in Novinger,  
MO



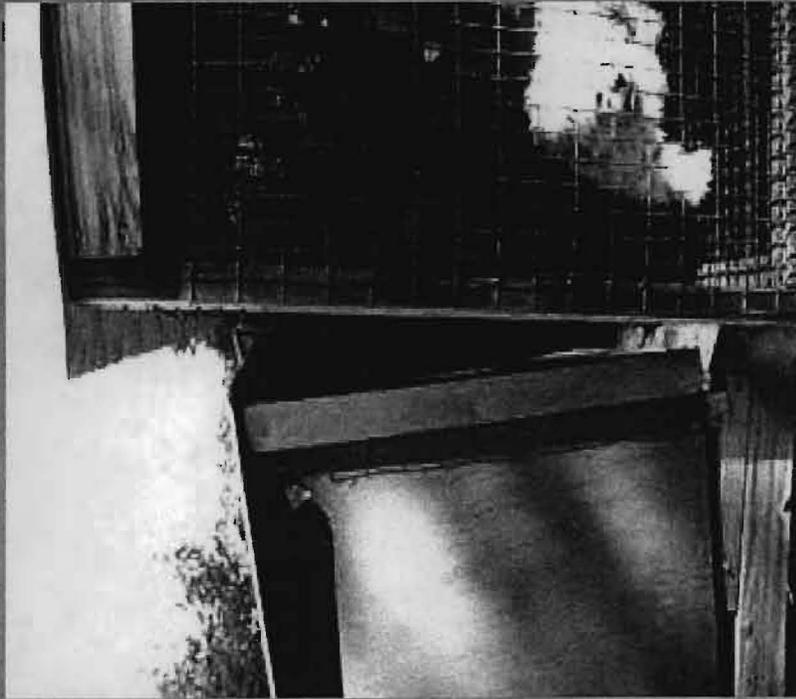


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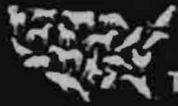
humane.org

# Tina Carr Hannibal, MO *Sells to pet store in Rockville*



**"SIMPLY PUPPIES": CARR, TINA**

USDA License # 43A2700  
Breeds puppies in Hannibal, MO



**Stacey Farley**  
**Lancaster, MO**  
***Sells to pet store***  
***in Rockville***

- “feet and legs have become soiled with feces and/or urine”
- “strong and prominent ammonia [urine] odor”
- “fecal and urine accumulation in the enclosure.”
- “extreme insect and rodent problem”



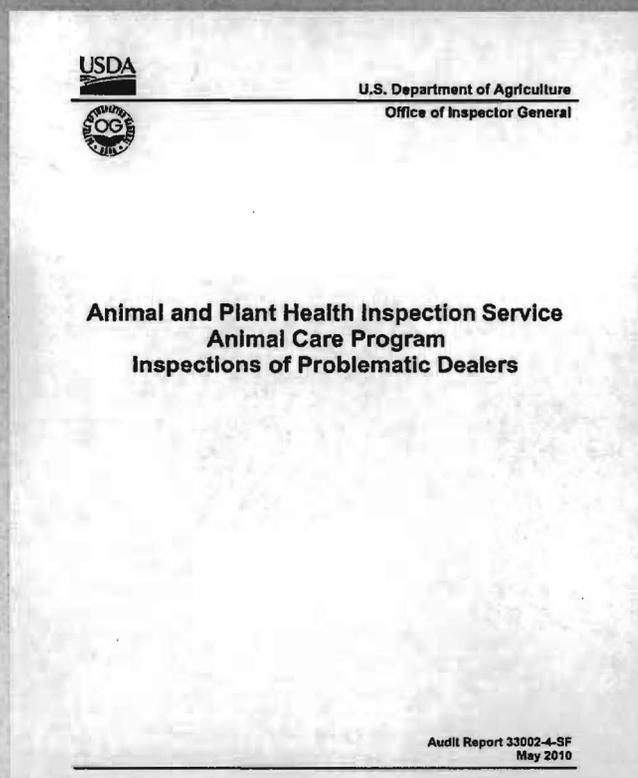
# USDA standards fail to protect dogs

## **Permissible under Animal Welfare Act:**

- ✓ Hundreds of dogs in a facility
- ✓ Stacked cages in overcrowded facilities
- ✓ Cages with only 6" of space from dog's nose
- ✓ Painful wire floors
- ✓ Breeding on every heat cycle until "spent"



# USDA enforcement



“Major deficiencies” identified:

- AC’s Enforcement Process was Ineffective Against Problematic Dealers
- AC Inspectors Did Not Cite or Document Violations Properly to Support Enforcement Actions
- APHIS’ New Penalty Worksheet Calculated Minimal Penalties
- APHIS Misused Guidelines to Lower Penalties for AWA Violators



# State enforcement

## The Puppy Industry in Missouri

*A Study of the Buyers, Sellers, Breeders  
and Enforcement of the Laws*

Executive Summary



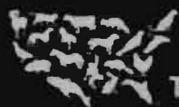
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- “The lack of aggressiveness in penalizing breeders for violations of the law would seem to contribute to a laissez-faire attitude toward regulations on the part of breeders.”
- “Breeders and others in Missouri, with seeming impunity, will continue to send sick puppies to be purchased by unwary customers.”



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# Responsible Breeders Don't Sell to Pet Stores



*"I will be discriminating in the sales of my puppies, and concerned with the types of homes in which they are placed. My dogs/puppies will not be sold to dog wholesalers or retailers."*

**United Kennel Club Code of Ethics**



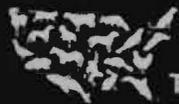
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# HSUS Supports Responsible Dog Breeders





## HSUS Supports Humane Pet Shops

- Cynthia Socha, owner of H3 Pets in Stratford CT: *“As the owner of a successful pet store that does not sell commercially bred animals, I can vouch for the fact that not selling such animals does not guarantee a demise in business...This [humane] model has helped us become successful as it generates a tremendous amount of goodwill in the community.”*
- Rene Karapedian, owner of Pet Rush in Los Angeles, CA: *“I switched over to what I call the “humane model”—animal adoption instead of animal sales...Most of these shelters that I go pick up dogs from, they are putting down anywhere from 50 to 70 dogs a day. So this is one way to stop that from happening.”*
- Amy Circionie owner of Feed Bag Pet Store in Cutchogue, NY: *“I have found that there is no way for me to sell puppies from my retail establishment that does not contribute to the suffering of both the parent dogs and the puppies bred from them. Reputable breeders with high standards of care do not sell their puppies to ANY pet stores for resale.”*



# Pet Overpopulation

## Bernalillo County, NM Animal Shelter Survey Data collected by Animal Protection of New Mexico

	Animal Intake 2007	Euthanasia 2007	Euthanasia Percentage 2007	Animal Intake 2011	Euthanasia 2011	Euthanasia Percentage 2011
Albuquerque Animal Welfare Department	30,000	14,000	47%	23,506	8,317	35%
Animal Humane New Mexico, Albuquerque	5,244	1,050	20%	5,328	551	10%
Combined	35,244	15,050	43%	28,834	8,868	31%



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# Conclusion

WE  PUPPIES

THAT'S WHY WE DON'T SELL THEM!



Many people think that it's just a puppy  
or a puppy of a puppy, and they  
don't think about the fact that  
every puppy has a mother and  
father, and they are just as  
important as the puppy.

We have argued the humane society  
of the United States has a great history  
and a great future. We don't want  
to see the humane society of the  
United States become a thing of  
the past. We want to see it  
become a thing of the future.

PLEASE SUPPORT  
YOUR LOCAL CHAPTER

# THE MEDICAL CASE AGAINST PUPPY MILLS

Environmental impact on dog health and common ailments of puppies  
originating from puppy mills

Peter H. Eeg BSc, DVM, CVLF, FASLMS  
Poolesville Veterinary Clinic  
Poolesville, Maryland 20837

# ENVIRONMENTAL IMPACT

- Continuous Confinement
  - Lack of Human Contact
  - Lack of Environmental Stimuli
- Deplorable Housing Conditions and Care
  - Poor Husbandry
  - Constant Exposure to Feces, Urine and Infections
- Minimal to No Veterinary Care
  - Non-Veterinary Trained individuals “Practicing Veterinary Medicine” without a License
    - C- Sections
    - Random Anti-parasitic use
  - Mass Antibiotic Use
  - Surgery



# COMMON AILMENTS

- Indiscriminant in-breeding
  - Breed Every Cycle
  - Father to Daughter Breeding
  - Brother to Sister Breeding
  - Etc...
- Congenital Defects
  - Heart Abnormalities
  - Ocular Abnormalities
  - Hernia
  - Liver Abnormalities



- Neurologic Disorders
- Orthopedic Disorders
- Retained Testicles
- Chronic Immune Disease

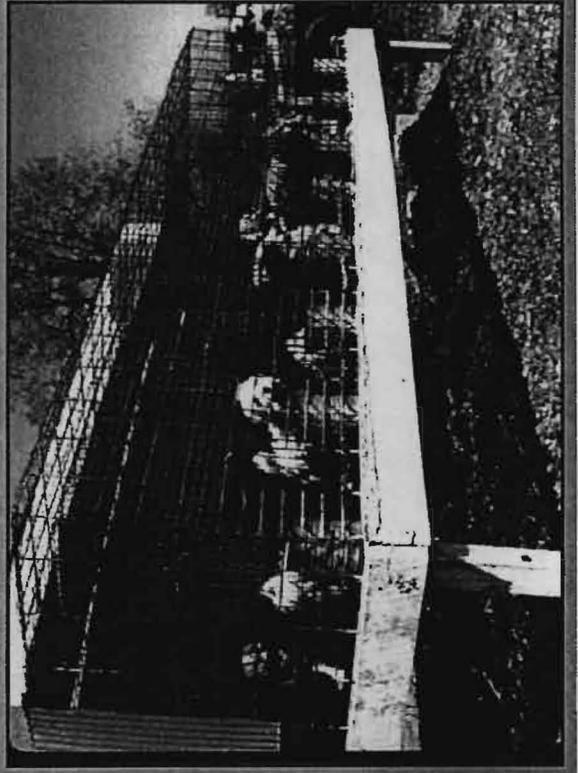
# COMMON AILMENTS

- Reduced or Hyper-immune system responses
  - Increases allergy issues
  - Increases infection rates
  - Immune disorders of the Joints, Skin and G.I. Tract
- Continuous Exposure To Air, Water and Soil Borne Pathogens
  - No chance for normal healthy growth rate in the critical first 6 weeks of life.
- Poor Weight Gain and Failure To Thrive
  - Due to combination of Environment and Diet

# COMMON AILMENTS

**Puppies arrive from Puppy Mills with a host of Disease and Injury States.**

- Cage/Wire injuries to Feet, Legs, Face and Body
- Bacterial Diseases
  - Kennel Cough
  - Brucellosis
  - Staph sp. Infections (MERS)
  - Pneumonia
- Parasitic Infections
  - Giardia
  - Hook Worms
  - Tape Worms
  - Round Worms
  - Whip Worms
  - Lung Worms
- Viral Infection
  - Parvo Virus
  - Distemper Virus
  - Parainfluenza type I and II



# CALL TO ACTION

“ The Greatness of a Nation and  
its Moral Progress, Can be  
Judged by the Way its Animals  
are Treated.”

-M. Gandhi

Lisa Portnoy, DVM, DACLAM





## Impact of Resale on Puppy Health

- Consumer demand for tiny puppies results in premature separation from their mothers (5-6 weeks vs. recommended weaning at 8-12 weeks). Puppies need to be with their mother and littermates for normal socialization.
- The puppies are then sold to brokers for resale to pet stores all over the country.
- The puppies may be crammed into small cages for long distance travel and may not receive adequate food, water or ventilation.
- They may be exposed to disease from a sick puppy during transport. Some may die.



# Puppy Immune System

- Puppies receive protective maternal antibodies from their mother's milk within 24 hours after birth.
- These antibodies wane anywhere between 6-16 week of age.
- As maternal Abs wane, puppies need to be vaccinated multiple times to actively stimulate their own system against disease.
- If they do not receive a full series of vaccinations, they may succumb to disease.





## Impact of Resale on Puppy Health

- Early separation, exposure to potentially hazardous shipping conditions and the stress of transport weaken their immune systems making them more susceptible to disease.
- Puppies may be given antibiotics to cover signs of infection and once in a new home may manifest health problems.



# How Puppy Buyers are Affected

- If the puppy becomes sick, the buyer will have to incur potentially high veterinary costs to treat the illness.
- Puppy buyers are rarely compensated by consumer protection “lemon laws.”
- Surviving pups may have lifelong medical or behavioral issues.
- Other pets or people in the household may become sick if the disease is contagious.
- This all has a heavy emotional toll on the puppy owners.



Celebrating Animals | Confronting Cruelty

**hsVma**  
HUMANE SOCIETY  
VETERINARY MEDICAL  
ASSOCIATION



**THE HUMANE SOCIETY**  
OF THE UNITED STATES



ROCKVILLE, MARYLAND

**MEMORANDUM**

December 2, 2014

TO: George Leventhal, President, County Council

FROM: Jennifer A. Hughes, Director, Office of Management and Budget  
Joseph F. Beach, Director, Department of Finance

SUBJECT: FEIS for Council Bill 50-14, Animal Control – Retail Pet Stores

Please find attached the fiscal and economic impact statements for the above-referenced legislation.

JAH:fz

cc: Bonnie Kirkland, Assistant Chief Administrative Officer  
Lisa Austin, Offices of the County Executive  
Joy Nurmi, Special Assistant to the County Executive  
Patrick Lacefield, Director, Public Information Office  
Joseph F. Beach, Director, Department of Finance  
David Platt, Department of Finance  
Chief Thomas Manger, Montgomery County Police Department  
Paul Hibler, Montgomery County Police Department  
Bruce Meier, Office of Management and Budget  
Felicia Zhang, Office of Management and Budget

**Fiscal Impact Statement**  
**Council Bill 50-14 - Animal Control – Retail Pet Stores**

1. Legislation Summary

Bill 50-14 would prohibit the sale of dogs and cats in retail pet stores unless they were obtained from an animal care facility or a non-profit rescue organization.

2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.

No impact on revenues or expenditures. Pet shops are currently inspected and licensed annually, including some random inspections. None of the nine pet shops in the County currently sell dogs or cats.

3. Revenue and expenditure estimates covering at least the next 6 fiscal years.

No impact on revenues or expenditures.

4. An actuarial analysis through the entire amortization period for legislation that would affect retiree pension or group insurance costs.

Not Applicable

5. Later actions that may affect future revenue and expenditures if the legislation authorizes future spending.

Not Applicable.

6. An estimate of the staff time needed to implement the legislation.

A few minutes per store during current inspections if any stores begin selling dogs and/or cats.

7. An explanation of how the addition of new staff responsibilities would affect other duties.

None.

8. An estimate of costs when an additional appropriation is needed.

Not Applicable

9. A description of any variable that could affect revenue and cost estimates.

Not Applicable

10. Ranges of revenue or expenditures that are uncertain or difficult to project.

Not Applicable

11. If legislation is likely to have no fiscal impact, why that is the case.

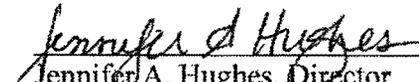
The legislation will have almost no impact on current operations beyond the addition of a few minutes to the current inspections if any stores begin selling dogs and/or cats.

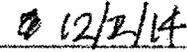
12. Other fiscal impacts or comments.

None

13. The following contributed to and concurred with this analysis.

Paul Hibler, Deputy Director, Montgomery County Police Department Animal Services  
Division  
Bruce Meier, OMB

  
\_\_\_\_\_  
Jennifer A. Hughes, Director  
Office of Management and Budget

  
\_\_\_\_\_  
Date

**Economic Impact Statement**  
**Bill 50-14, Animal Control – Retail Pet Stores**

**Background:**

Bill 50-14 would prohibit any pet store that operates in the County's jurisdiction to sell any dog or cat unless that animal was obtained from an animal care facility or a non-profit rescue organization.

The legislation states that "according to The Humane Society of the United States, it is estimated that 10,000 puppy mills produce more than 2,400,000 puppies per year and that most dogs and cats sold in retail pet stores come from puppy and kitten mills." Bill 50-14 also states that "a state task force recently found that 45,000 dogs and cats are euthanized in Maryland animal shelters annually at an estimated cost of \$8 to \$9 million each year." The legislation also states that the law "will not affect a consumer's ability to obtain a dog or cat of his or her choice directly from a breed-specific rescue organization or a shelter, or from a hobby breeder."

According to The Humane Society report dated October 14, 2013, nine out of 12 pet stores in Maryland that sell puppies were not complying with the Maryland law (Md. Code, Bus. Reg. §§ 19-701 to 707) to protect dogs and consumers.

**1. The sources of information, assumptions, and methodologies used.**

Source of information on the number of "puppy mills" operating in the County and the number of pet stores is from the Animal Services Division, Montgomery County Police Department (MCPD).

**2. A description of any variable that could affect the economic impact estimates.**

The variables that could affect the economic impact estimates are the number of puppy mills operating in the County, the number of pet stores in the County that obtain animals from such facilities, and the cost differential over the life of the pet between when one is purchased from a puppy mill and when purchased from an animal rescue organization. Since MCPD reports that there are no puppy mills operating under Montgomery County Government's jurisdiction and no pet stores that sell puppies from a puppy mill, this legislation has no economic impact.

**3. The Bill's positive or negative effect, if any on employment, spending, saving, investment, incomes, and property values in the County.**

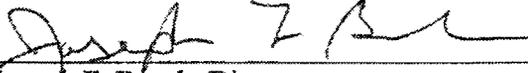
Bill 50-14 has no economic impact.

**4. If a Bill is likely to have no economic impact, why is that the case?**

See paragraph #3.

**Economic Impact Statement**  
**Bill 50-14, Animal Control – Retail Pet Stores**

5. **The following contributed to or concurred with this analysis:** David Platt and Rob Hagedoorn, Finance; and Paul Hibler, Police Department.

  
\_\_\_\_\_  
Joseph F. Beach, Director  
Department of Finance

11/28/14  
Date

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