

Erule. Comments - HB 1451 comments

From: Pat Bentley <[REDACTED]>
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us>
Date: 2/20/2012 12:28 PM
Subject: HB 1451 comments

Melissa Rinard—

Thank you for accepting comments on the rules to be set up to accompany HB 1451 from people who will be directly involved in those rules.

I am an exhibitor in AKC dog events, and a sometime breeder. I am very cautious about breeding any of my dogs, and do not breed any of mine more than twice in their lifetime...so I'm assuming I'm not necessarily the target of these rules as I expect the primary concern, as it should be, is an effort to curtail puppy mills or similar areas for other 'pet' species.

I ask that the following comments be taken into consideration by the appropriate Licensing committee:

1. In the definitions section **91.10**—The indication that an animal is an adult at 6 months of age. This is not correct. My expertise is with competitive dogs, so my comments relate only to dogs. Puppies are considered (by the American Kennel Club) to range in age from birth up to 12 months (AKC show classes are for 6 to 9 months, and 9 to 12 months). The next by age class is 12 to 18 months, and most exhibitors do not consider their dogs to be adult until they have reached the 18 month level. We often retain puppies while determining their appropriateness for show competition until they are well over 6 months. I would suggest that the **age for adult dogs be written to fit somewhere between 12 and 18 months.**
2. Section **91.80 relating to fees**—I find these fees inordinately high. That someone who keeps 11 intact dog females would pay \$475 for the original app and every renewal seems like an invitation to totally skirt the fees by not complying at all. **I think these fee structure should be revamped to lower the fees to make them more manageable to breeders who will be a large support group for the system.**
3. Section **91.104 – Primary Enclosure.** This seems to double the enclosure space requirements for facilities licensed after Sept. 1 of this year. Why is there a difference based on when the application is made. There should be no deviation in space allotments...one standard should be appropriate for all licenses not based on a calendar date.
4. Section **91.113 –** I totally support the non-sale of any puppy less than 8 weeks of age. I feel the wording of this section should be thus: "A licensed breeder shall not sell, trade or give away an animal before the animal is eight weeks of age."

I will appreciate the committee's consideration of these items.

Thank you,

Pat Bentley

Patricia Bentley, Usability Sciences Corporation - Project Manager, Online Experience Services

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Erule. Comments - HB 1451 proposed rules

From: West Texas <[REDACTED]>
To: <erule.comments@license.state.tx.us>
Date: 2/19/2012 9:30 PM
Subject: HB 1451 proposed rules

Why would the state of Texas lawmakers think they could do a better job of making rules for the breeders than USDA that has been doing it for years? They have their fees in line with what breeders make and they have their rules closer to what they should be. Breeders are going to take care of their dogs, it is how they make a living. Most pictures you see on TV are from hoarders and people that are not mentally stable and animal right extremists mislead citizens to make for money for themselves. Do you think they use all of that money to help animals? Do you possibly think they are using it to put breeders out of business?

Not all breeders care for their dogs in the same way. Some prefer wire, some prefer solid flooring, some prefer concrete, some prefer grass or gravel. Homeowners with children do the same. Some prefer carpet, some prefer tile, some prefer hardwood. Does that make one home better for their children than the other? A child can come from a mansion and be shown no love. Each breeder knows what works best for them and their breeds. Let's get back to the basics of USDA. Please stop running breeders out of Texas. We have already lost some of the best breeders in the United States to other states. What does this do for the economy of Texas that is struggling now?

From: TX COW DOG [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/19/2012 9:47 PM
Subject: hb 1451

I know many breeders, both in Texas and in other states. I do not know a single breeder that does not love their dogs. I do not know a single breeder that does not take care of their dogs. I do not know a single breeder that does things exactly as I do. Does that make them a better breeder or a worse breeder? Of course not! Should all breeders be forced to do things the same way? Should all politicians or business owners be forced to do things exactly the same way? Should others with licenses be charged by how many haircuts they give, by how many cars they sell, by how many air conditioners they install? Is it fair to charge by the amount of dogs or puppies one owns? Do they have to have more kennels, more employees, purchase more food and utilities, have more vet bills? Do they have more responsibilities, more sleepless nights, more puppies to place? If you would get your fees in order and your rules in line with USDA, maybe you could make this work, but not with the guidelines you are trying to follow now. Why not go back to the original law and USDA? Fees are way out of line.

From: Our Rascals <[REDACTED]>
To: <erule.comments@license.state.tx.us>
Date: 2/19/2012 9:53 PM
Subject: Licensed Breeders Rules

Please follow USDA guidelines and fees!!!!!!

Erule. Comments - Proposed Rules for Breeders

From: Cae McDowra <[REDACTED]>
To: <erule.comments@license.state.tx.us>
Date: 2/19/2012 10:15 PM
Subject: Proposed Rules for Breeders

Keep rules simple, license fees low and possibly you will be able to build some confidence with breeders. Otherwise, breeders are going to find something else to do or move to a breeder friendly state. We simply do not make enough profit to make these changes and pay such ridiculous fees! We do what we do because we love our animals and animal friendly people. It will be a huge step for any of us to give up our liberty and freedom and let the government have the right to come on our property at any time. We certainly are not going to pay the fees you are asking to let you do so. How could it possibly cost half a million to enforce this law?

Erule. Comments - dog breeding regulation

From: Justin Summers <[REDACTED]>
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us>
Date: 2/20/2012 7:29 PM
Subject: dog breeding regulation

Costs are the predominate concern here. All we ask is that you have considered all the messages sent to you regarding the extreme vet requirements that will cost too much, high current monthly expenses, and the expensive upgrades that will be required,

Why are dog breeders being required to pay for inspections when no other occupation inspected under TDLR pays for inspections?

We ask that we not be over regulated and that a "common sense" approach to all the rules and regs will prevail.

Thank you. Justin Summers

Erule. Comments - HB1451

From: "Paula" <[REDACTED]>
To: <erule.comments@license.state.tx.us>
Date: 2/20/2012 9:35 PM
Subject: HB1451

To those who hold the future of my dogs,

As a dog breeder of 17 years I am faced with making choices that I never dreamed I would have to make. I am grateful to have had the opportunity to be a stay at home mom and raise three great kids and numerous puppies for other families to enjoy and treasure. I served six years in the Marine Corps and completely understand the need for standards. In saying that I am not upset with the passing of H1451. In my seventeen years I have seen the need for these standards. I truly believe that the standards need to be written to re-enforce USDA standards and not change them. Seventeen years ago my perspective of how to raise a dog is a far cry from what I now understand to be the best for a dog. My point is USDA is aware of what it takes. You just can't allow people who have never raised a animal make standards for something they have no clue about. Looking back at my beginning I will admit that I really had no tried and proved method for raising dogs and would not want to raise my dogs in the ways I DID.

Please also understand that with the fees set the way they are, it will be impossible for me to stay in business. If I tried to stay in business with these type of fees the cost would have to be passed on to my pet parents. People are struggling to get by now and and I am afraid that a family pet would soon become a luxury. NO CHILD should have to grow up without knowing the unconditional love of a dog.

Thank you for taking the time to listen.
Paula Fairchild

From: [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/20/2012 10:21 PM
Subject: HB1451

To those making a decision on this bill.

My wife has been a breeder for 17 years. Throughout that time, I have watched and helped while she raised and yes sold, beautiful new members to many families. We have always prided ourselves in providing affordable QUALITY puppies to families that might otherwise not be able to afford playmates for their children. I know she has a love for them and their welfare. Being both former Marines, I can tell you that she and I both understand the need for standards. But we are both left to wonder why you would take the advice of people who of a completely different culture to help set the standards for our family business. They have helped to set the standards so that it is nearly impossible to raise dogs and provide family pets that would be even reasonably affordable.

I appreciate the chance to share our experience and viewpoints.
Jim Fairchild

From: Theda Noble <[REDACTED]>
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/20/2012 11:57 PM
Subject: hb1451

To whom It May Concern: I have been breeding dogs for about 12 years. I take pride in what I have been doing which is providing families with pets and companions for children as well as adults. I feel that with all the new rules and regulations and fees in this bill will make it almost impossible for me to stay in this business. I have a very small kennel and i just wont be able to stay in..It is very sad for myself and a number of others who are in business of trying to provide pets and companions for children. Thank you for listening to me Theda Calder

Erule. Comments - Fw: Texas Breeder Proposed Rules and Fees

From: Vikki Markaverich <[REDACTED]>
To: Texas Licensing <erule.comments@license.state.tx.us>
Date: 2/21/2012 8:04 AM
Subject: Fw: Texas Breeder Proposed Rules and Fees

Subject: Texas Breeder Proposed Rules and Fees

Again, please know that all the reputable dog breeders in this area feel the fees associated with the license are totally unacceptable and are cost prohibitive for any professional dog breeder.

Why should dog breeders have to pay for an inspection when no other occupation inspected under TDLR pays for inspections? Vet inspections, current monthly expenses and the amount of fees involved, together with upgrades that will be required will put most dog breeders out of business or force some of us to move out of state.

We are asking that TDLR take a "common sense" approach to these R & R's so the reputable breeders in Texas can remain in business.

Thank you

Vikki Markaverich

Erule. Comments - Fw: TEXAS BREEDER PROPOSED RULES AND FEES

From: Vikki Markaverich <[REDACTED]>
To: Texas Rules & Regulations <erule.comments@license.state.tx.us>
Date: 2/21/2012 8:07 AM
Subject: Fw: TEXAS BREEDER PROPOSED RULES AND FEES

Subject: TEXAS BREEDER PROPOSED RULES AND FEES

Gentlemen,

In addition to the other fees associated with these "Rules and Fees" the vet requirements are too extreme and will cost way too much.

Respectfully,

Vikki Markaverich

From: Michael Smith <[REDACTED]>
To: <erule.comments@license.state.tx.us>
Date: 2/21/2012 12:32 AM
Subject: comments for proposed dog breeders from a professional hairdresser-dog breeder

Dear TDRL and Mr. Frank Denton,

I really debated with myself about sending in a comment. While I deeply appreciated Mr. Frank Denton's unofficial meeting in Edom, Tx., I asked myself what is the point. If you are not receiving enough comments from professional dog breeders, I think it would be rude to state the obvious.....but here it goes.

1. Most are going under the 10 intact female limit
2. Many are getting out of the business
3. Some are moving to another state

Why?????

All the above stems from a systemic fear from Animal Rights Activist, who railroaded HB1451. The bill couldn't stand on its own, as every dog breeder across this great state fought against, so Skippy Trimble (THLN - HSUS's legislative lapdog) gave "donations" to Ms. Thompson and it was "politics" as usual. To add insult to injury, we professional dog breeders, witness while at the capital how TDRL was in the ARA-THLN's hip-pocket during the whole legislative process. Suffice to write, it was a spectacle. Do you understand my reluctancies and point of view?

I don't have a problem being licensed and/or regulated. Matter of fact , I believe it to be a good thing. We were regulated under USDA and Donovan Fox was our inspector. We sell our puppies locally and via the internet. We did so because we wanted the general public to have confidence while adopting a puppy from us and to demonstrate we have high standards in our animal husbandry. We only stopped being USDA because we do not sell our puppies to brokers or pet stores. ALL of our puppies leave with a final vet check and our vet still inspects us and uses something similar to the USDA checklist that we post on our website. We believe that we and our veterinarian knows what is best for our adult dogs and puppies. However, the state of Texas feels otherwise.

As much as I would like to be licensed and regulated through the TDRL for dog breeding (I can see the benefits as pointed out by Mr. Denton) , but I simply cannot. The fees are ridiculously high. The license fee is roughly \$1000. Up to 5 inspection at \$350 a pop. Each adult dog must have a yearly vet exam at \$50 a piece = \$3000. My yearly fee is estimated over \$5000 per year. Mr. Denton made it clear that it is not the intention of the TDRL to put small business owners out of business. I can only assure him that these fees will. No dog breeder can afford your program, and that is the intentions of Skippy Trimble and his ilk.

I have been a professional hairdresser in the state of Texas for 30 years, I have never paid for an inspection and to renew my license is feasible. Granted there are more hairdressers than dog breeders, but if hairdressers had to pay the cost of your dog breeder kool-aid, there wouldn't be any hairdressers in this state. I love being a professional hairdresser and professional dog breeder and I am not going to give up either of them. If you maintain the above mentioned fees, I will move to another state. My advice to the TDRL is to mimic the minimum fees and standards of USDA.

Sincerely,

J

Erule. Comments - cost prohibitive

From: nancy mellott <[REDACTED]>
To: <erule.comments@license.state.tx.us>
Date: 2/21/2012 6:21 AM
Subject: cost prohibitive

I do not have 11 intact bitches nor do I have 20 puppies in one year but I was thinking this am on your proposals and it ocured to me that if I had 11 intact bitches I would have to breed them all at least once a year and in my breed that would on an average if every bitch took would produce 27 puppies, but since in my breed they often do not take when bred and then you do not raise every single puppy either, so lets say it is a good year I get 25 pups and only loose 4 now I would have to sell these puppies to cover all my expences and yours, so these pups would need to go for about 2500 a peice in order to pay for the new building and the new requirements plus the added expence of unnescarry vet visits a year. Estimated cost to meet your regulations is going to exceed 10-15,000 just to get the building. I think that the public should only buy from the reputable show breeder, not a puppy mill to me all these laws have done have legalized puppy mills? I hear you will recommend that the public only buy from these breeders how sad!!!!

NANCY

From: m g [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/5/2012 11:02 PM
Subject: Texas Department of Licensing and Regulations

To the Texas Department of Licensing and Regulations,

I am writing today to urge you to strengthen the proposed dog and cat breeder regulations to improve the health and well-being of the animals.

Although the proposed regulations address many of the basic needs of dogs and cats at breeding facilities, several of the provisions need to be strengthened.

1. Under 91.102(e), please prohibit the use of wire flooring for all facilities. If wire flooring is to be allowed, then at a minimum require that at least half of the floor area consists of solid flooring. Grid-style flooring frequently leads to entrapment or injury as dogs' and puppies' paws and toes become wedged or entangled in openings intended for feces

2. Under 91.104, please prohibit the stacking of cages above one level. Stacked cages encourage overcrowding and make it more difficult for adequate lighting and air flow to reach all parts of the enclosures.

3. Under 91.112(b), please prohibit licensed breeders from performing additional surgical procedures such as ear cropping, tail docking, debarking, and dew claw removal. These are painful procedures that should only be conducted by a licensed veterinarian.

4. Under 91.101 (a) and 91.102(a), please remove the sentence allowing a licensed breeder to use their best efforts in not allowing the air temperature to fall below 45 degrees for more than 4 consecutive hours and not rise above 85 degrees for more than 4 consecutive hours. This language is weaker than the federal regulations and as such counter to state statute.

These changes are in the best interest of the animals and we urge you to modify the regulations to reflect these much need changes to improve the health and well-being of the animals.

Erule. Comments - Cat and Dog Breeder revisions.

From: "Wes & Jorn" <[REDACTED]>
To: <erule.comments@license.state.tx.us>
Date: 2/19/2012 7:27 PM
Subject: Cat and Dog Breeder revisions.

Melissa Rinard, Legal Assistant,
General Counsel's Office, Texas Department of Licensing and Regulation

I have a couple of concerns with the Cat and Dog Breeders new bill revisions.

Section 91.101 regarding temperatures.

Keeping temperatures below 85 degrees would in essence kill newborn puppies. They must be kept at 95 plus degrees or they will be chilled and die. When their bodily temperature drops they are unable to digest their mother's milk. When their temperature drops their mothers in fact will push them away and refuse to nurse them.

I once had a USDA inspector come while I was gone and tell my employees that a new litter that was doing great was too warm and they had to move them to cooler place. I lost several of the litter. Inspectors and the public and even some veterinarians don't know as much about breeding and raising puppies as those who do it.

Last Summer we had prolonged temperatures over 100 degrees. I couldn't even keep my house below 90 degrees during the day. My dogs thrived during that time and even bred as they were acclimated to the temperatures. While not all dogs can acclimate to the high temperature, it seems odd to me that they should be required to have better living conditions than our aged and children. The same for long haired breeds who in the winter prefer temperatures in the 30s.

Section 91.10 (8)

The wording is very confusing here. Let me give an example. If someone has 5 intact females and decides to have 3 litters in 2012. With a large breed those 3 litters could produce 30 to 45 puppies. Do they have to be licensed or are they forced to dispatch the remaining puppies over 19 or is it 20, it is unclear. (Legalese is a crime against the English language. The facts should be stated clearly and not with ambiguous phrases.)

One other thing, awarding people to turn in breeders with such large awards smacks of Gestapoism or tactics of the KBG. (91.60) Plus in this country we have the right to know who our accusers are. (91.59)

Jorn Jamieson
[REDACTED]

Erule. Comments - Comments on proposed dog breeder rules

From: Vicki Tidwell [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/20/2012 2:11 PM
Subject: Comments on proposed dog breeder rules

Hello,

I am a licensed USDA breeder. I have been a dog breeder for 26 yrs during this time I have not had any negative feedback on my puppies. I keep in touch with my puppy buyers as long as they want to. I continue to receive pictures and cards from people that have bought puppies from years ago.

I think the USDA standards of care are very adequate for the welfare of the dogs and cats. My dogs are healthy and happy. I have a very good relationship with my vet. USDA has a standard of veterinary care that they use with continued success. My vet visits my kennel at least once a year and goes over my protocol for the health and welfare of my dogs. He does NOT have to do a hands on exam to be able to tell if something is wrong with a dog. As my vet says he has had years of training in his field.

In order for this program to work and be cost effective without crippling the quality breeders, I think it would be in the best interest of the dogs and the breeders to implement USDA guidelines. This is a new program for everyone and I think it would more cost effective yet still get the job done for everyone if the rules and regulations and fees were comparable to USDA.

Thank You,
Vicki Tidwell

Erule. Comments - Texas Breeder Proposed Rules and Fees

From: Doris Jenkins <[REDACTED]>
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us>
Date: 2/20/2012 1:25 PM
Subject: Texas Breeder Proposed Rules and Fees
CC: Justin Summers <[REDACTED]>, KAREN CARRILLO
<[REDACTED]>, Vikki Markaverich <[REDACTED]>

Costs are the predominate concern here. All we ask is that you have considered all the messages sent to you regarding the extreme vet requirements that will cost too much, high current monthly expenses, and the expensive upgrades that will be required,

Why are dog breeders being required to pay for inspections when no other occupation inspected under TDLR pays for inspections?

We ask that we not be over regulated and that a "common sense" approach to all the rules and regs will prevail.

Thank you.\.

Erule. Comments - HB 1451 Proposed rules comments

From: Stephanie Palmer <[REDACTED]>
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us>
Date: 2/20/2012 5:17 PM
Subject: HB 1451 Proposed rules comments

Please align your rules with USDA, the expansion is making it cost prohibitive for breeders.

Thank you

Stephanie Palmer
[REDACTED]

Erule. Comments - Puppy mill Bill

From: Isabel Medina <[REDACTED]>
To: <erule.comments@license.state.tx.us>
Date: 2/17/2012 12:25 PM
Subject: Puppy mill Bill

Dear Ms. Rinard:

I am writing today to urge you to strengthen the proposed dog and cat breeder regulations as published in the Texas Registry on January 20th.

1. I am asking that you prohibit the use of wire flooring for all facilities. Having animals spend their entire lives on a wire floor is cruel and inhumane.

2. Please prohibit the stacking of cages above one level with out a sturdy item between the two that would catch any accidental spills.

This is unhealthy and unsanitary and allows feces and urine to fall on the animals below.

3. Please prohibit non-veterinarians from performing surgical procedures such as ear cropping, tail docking, debarking, and dew claw removal. These are surgical procedures and should be performed by a licensed veterinarian.

4. Please remove all references to a licensed breeder to use their "best efforts" regarding temperature control. This phrase is vague, ambiguous and unenforceable. It also weakens the federal regulations which are the minimum standards and can only be strengthened, NOT weakened.

In addition, there should be no "grandfathering" of existing breeder mills. Dogs and cats currently living in these horrific conditions, rampant in Texas, should not be sentenced to a future of suffering and painful death at the hands of individuals who consider animals a "cash crop."

Thank you for allowing my comments and for your consideration.

Respectfully,

Isabel Medina
[REDACTED]

Erule. Comments - I urge you to do the right thing!

From: [REDACTED] <[REDACTED]>
To: <erule.comments@license.state.tx.us>
Date: 2/14/2012 9:20 AM
Subject: I urge you to do the right thing!

Dear Ms. Melissa Rinard:

Your Title reads, Legal Assistant, General Counsel's Office, Texas Department of Licensing and Regulation.....this job carries a large responsibility, not only for charging the correct monies of licensing, but mainly, in my opinion, to maintain and show responsibility to the Texan population, and the remainder of America, that we (You!) will not permit this "Immoral", unnecessary and inhumane treatment of any living creature under your regime. We, as humans, are only as good, as how we will be remembered, once we are gone! What will be your legacy?

I am writing today to urge you to strengthen the proposed dog and cat breeder regulations as published in the Texas Registry on January 20th.

1. Please prohibit the use of wire flooring for all facilities. Having animals spend their entire lives on a wire floor is cruel and inhumane.
2. Please prohibit the stacking of cages above one level. This is unhealthy and unsanitary and allows feces and urine to fall on the animals below.
3. Please prohibit non-veterinarians from performing surgical procedures such as ear cropping, tail docking, debarking, and dew claw removal. These are surgical procedures and should be performed by a licensed veterinarian. De-clawing, in Europe, is already outlawed for years!
4. Please remove all references to a licensed breeder to use their "best efforts" regarding temperature control. This phrase is vague, ambiguous and unenforceable. It also weakens the federal regulations which are the minimum standards and can only be strengthened, NOT weakened.

In addition, there should be no "grandfathering" of existing breeder mills. Dogs and cats currently living in these horrific conditions, rampant in Texas, should not be sentenced to a future of suffering and painful death at the hands of individuals who consider animals a "cash crop."

Thank you for allowing my comments and for your consideration.

Respectfully,

Katinka Frazier
[REDACTED]
[REDACTED]

Erule. Comments - Please strengthen proposed licensed breeder regulations

From: "Texas Humane Legislation Network (THLN)" [REDACTED]
To: "Ms. Melissa Rinard - Texas Department of Licensing and Regulation"
 <erule.comments@license.state.tx.us>
Date: 2/15/2012 10:33 PM
Subject: Please strengthen proposed licensed breeder regulations
CC: CINDY LEE [REDACTED]



Please strengthen proposed licensed breeder regulations

To the Texas Department of Licensing and Regulations,

Thank you for allowing me to comment on the proposed Rules governing licensed dog and cat breeders in Texas. My concerns are as follows:

100% wire flooring (91.102 and 91.104). Having an animal spend its entire life on a wire floor is unquestionably cruel confinement. The proposed Rules should be changed to prohibit 100% wire flooring and there should not be any grandfathering of existing facilities.

Cage Stacking (94.104). There should be no stacking of primary enclosures for dogs. This practice is unhealthy, unsanitary and can lead to a lack of proper inspection and care for the animals in the upper tier cages. As an alternative, you should limit only one primary enclosure on top of the other.

Cage Sizes (91.104). I agree with the increased cage sizes for dogs, but I disagree with allowing current licensed breeders to be exempt from those requirements. This is not in keeping with the intent of HB 1451 which had as its primary purpose to protect and provide animals in breeding facilities with humane housing and care. If you grandfather existing facilities, you should include an outside date for them to come into compliance.

Veterinary Procedures (91.112). Only veterinarians should perform surgical procedures like tail docking, ear cropping, declawing and debarking.

Respectfully submitted,

CINDY LEE
 [REDACTED]

SENT 02.15.12 at 9:31:38 PM

This response was facilitated by Texas Humane Legislation Network (www.thln.org).

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From: "Val Richards" [REDACTED]
To: <erule.comments@license.state.tx.us>
CC: "Stacy Smith" [REDACTED]
Date: 2/13/2012 2:19 PM
Subject: Licensed Breeder Bill - 2011

PLEASE, PLEASE, PLEASE!!! Strengthen the minimal standards of animal care in puppy mills. The first step has been taken, with much appreciation and thanks to Texas succeeding in passing The Licensed Breeder Bill in 2011. Unfortunately, the care and standards of the animals in some large breeding facilities have been noted to be very weak. The standards, by law, should be set higher and be monitored to keep them high.

I realize this is a livelihood for a lot of people and I'm sure some do care about the animals they are breeding and selling. If it isn't being done already, perhaps the way to keep the standards high in ALL facilities, would be to have "surprise" inspections.

Again.....PLEASE, PLEASE, PLEASE, be the advocates for those that can not speak for themselves. It is the RIGHT thing to do!!

Please confirm that this email was received.

Thank you!

Val Richards
[REDACTED]

From: Suzanne Morris [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/13/2012 2:46 PM
Subject: Proposed Dog and Cat Breeder Regulations

Ms. Melissa Rinard
Legal Assistant
General Counsel's Office
Texas Dept. of Licensing and Regulation

Dear Ms. Rinard,

I am writing to urge you to do everything in your power to strengthen the proposed dog and cat breeder regulations as published in the Texas Registry on January 20th. The inhumane conditions in puppy mills must be stopped.

Thank you so much for your consideration.

Respectfully yours,

Suzanne Morris
[REDACTED]

From: Jacob Schut [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/13/2012 2:29 PM
Subject: PUPPY MILL BILL

I hope that this bill will be amended to insure better and safer conditions for the puppies.

100% wire cages, unlimited stacking, do not accomplish this.

Additionally, existing puppy mill facilities should be required to update their accomadations. Puppies should not suffer because they have the misfortune to have been born in an old facility. Six to eight months should be enough time for a facility to upgrade to meet the standards.

Thank you for your attention to my concerns. You may contact me at [REDACTED]

Sincerely,

Karen Syzdek

From: "eddie seidel" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/13/2012 4:15 PM
Subject: Licensed Breeder Bill

I'll make this as brief as possible. It is understood that the Licensed Breeder Bill of 2011 is only a good beginning. Several of the standards are considered minimal and very weak providing little if any protection for the animals it is suppose to benefit. Please make it your duty to strengthen these standards to provide much needed and over due protection for these innocent defenseless animals. Please be the voice where they have none.

Thank you and as time allows I would appreciate a response.

Gloria Seidel
[REDACTED]

From: Nancy Barnhart [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/13/2012 4:55 PM
Subject: Fw: On behalf of my 9 year old Sheltie that was raised and used for breeding in a puppy mill

Nancy H. Barnhart
Catering & Conference Planning
Four Seasons Resort and Club
[REDACTED]
[REDACTED]

Four Seasons Resort and Club Dallas at Las Colinas: Taking Texas
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----- Forwarded by Nancy Barnhart/DCC/FSR on 02/13/2012 04:51 PM -----

From: Nancy Barnhart/DCC/FSR
To: erule.comment@license.state.tx.us
Date: 02/13/2012 04:42 PM
Subject: On behalf of my 9 year old Sheltie that was raised and used for breeding in a puppy mill

Ms. Rinard,

I am speaking on behalf of my beautiful Sheltie named Lucy. I have recently adopted Lucy from the North Texas Sheltie Rescue this past fall. I cannot even begin to imagine what these dogs have been through. Lucy was used as a breeding dog up until the age of 5. Her history of the last 4 years has been one of foster care and failed adoptions. I was lucky enough to find her at an Adoption Day that one of the local pet store chains sponsored with the Rescue Group. Lucy and I have been together since mid-Sept. 2011. Each day is a challenge for us as we discover something new about each other. The thing that hurts so much and is so heartbreaking is to think that for so long she was considered nothing more than \$\$\$ signs to the mill's owners. These dogs have no idea what it's like to walk on grass, to use the bathroom on grass or to even be able to lay quietly without the constant fear of what may come next in their lives. The fear of my holding her delicate little paws to brush them is, I believe a direct effect from the years she spent living in a wire cage. I try to hold her daily and gently pet her feet and reassure her that everything is okay. The slightest sudden sounds set her into a tail spin, I believe that is due to the constant noise and close quarters that she shared (she was not alone in the wire cage) with her cage-mate. Lucy had rec'd NO social interaction and therefore has no social skills when interacting with both people and other dogs. While in the care of the mill people she rec'd no dental care or grooming. I spend 2 to 3 hours a week brushing and talking to her softly as to gain her trust and develop that human interaction her that she so lacked in her early years. These puppy mills are a horrible existence of a life for the animals be they dogs or cats. These people should be arrested for what they inflict on these innocent animals. Standards need to be set for these places and reinforced on a monthly basis. These animals need a voice that will speak loud and clear for them, a voice that will fight for their "animals rights" as living breathing members of our families and society.

Speak out to help animals and e-mail the text below to:
erule.comments@license.state.tx.us

Melissa Rinard, Legal Assistant
General Counsel's Office
Texas Department of Licensing and Regulation
Email: erule.comments@license.state.tx.us
RE: Comments and Recommendations to the Proposed Rules Governing Licensed Breeders in Texas

Dear Ms. Rinard:

I strongly supported the passage of HB 1451 and believe that its passage will significantly help the animals in large scale breeding facilities. However, the Texas Department of Licensing and Regulation's (TDLR) proposed rules and standards has me very concerned that the goals of HB 1451 will not be realized unless the weak and possibly unenforceable provisions contained in the proposed Rules are strengthened.

The major problem areas are as follows: allowing the use of 100% wire flooring (§91.102 and §91.104); allowing stacking of primary enclosures of dogs (§91.104); grandfathering existing breeder's cage sizes for dogs (§91.104); requiring only a "best efforts" standard for temperature requirements in §91.101 and §91.102; and allowing lay persons to perform veterinary procedures like tail docking, ear cropping debarking and claw removal (§91.112).

100% wire flooring (§91.102 and §91.104): The single most health and injury issue seen in dogs and cats from substandard breeding facilities is their having to spend their entire life on wire flooring, 24/7. Having an animal spend its entire life on a wire floor is by definition "cruel confinement." The proposed rules absolutely must be changed to prohibit 100% wire flooring. Also, there should not be any grandfathering of existing facilities. 100% wire flooring is far too cruel and inhumane to be allowed to continue in any licensed breeder facility.

Cage Stacking: There should be no stacking of primary enclosures for dogs as allowed in §91.104. This practice is unhealthy, unsanitary and can lead to a lack of proper inspection and care for the animals in the higher tier cages. As a last alternative, you should limit only one primary enclosure on top of the other. This is certainly not ideal, but it is much better than going above one cage on top of the other.

Cage Sizes: I agree with the increased cage sizes for dogs in §91.104, but disagree with allowing current licensed breeders to be exempt from those requirements. This is not in keeping with the intent of HB 1451, which had as its primary purpose to protect and provide animals in breeding facilities with humane housing and care. All breeding facilities should be treated equally, and existing facilities should be required to meet the higher standards currently proposed for future licensed facilities. When animals are kept in tight quarters, they have a tendency to become stressed and antisocial. These animals are very difficult and often impossible to adopt out. If you, for whatever reason, grandfather existing facilities, you should include an outside date for them to come into compliance.

Veterinary Procedures: Only veterinarians should perform surgical procedures like tail docking, ear cropping, declawing and debarking. Both veterinarians on the Advisory Committee strongly recommend this and the entire Advisory Committee agreed. These should be included in §91.112.

Temperature: Lastly, the I question why the term "using best efforts" was inserted in §91.101 and §91.102 and I also would like to see you remove "for four consecutive hours" in regulating temperature requirements. The proposed rules were taken from the USDA Regulations, and there is no reference in the USDA Regulations to "using best efforts." It's not there for a purpose; it would not be possible to enforce this requirement if the term "using best efforts" is included. No one will be able to determine what "best efforts" are and whether the breeder was using best efforts. It would require a trial and that would be a disincentive for any inspector to write up that violation. Also, the four hour rule will lead to unenforceability of these two sections. No inspector can wait at a facility for four hours to determine whether or not it is or is not in compliance with the rules.

Thank you for allowing me to submit my comments and recommendations. I would appreciate receiving your thoughts and intentions with respect thereto.

Sincerely,

Your Name

Nancy H. Barnhart
Catering & Conference Planning
Four Seasons Resort and Club



Four Seasons Resort and Club Dallas at Las Colinas: Taking Texas
Hospitality to New Heights.
[Click here to see more.](#)

From: kolokea Taylor [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...
Date: 2/13/2012 5:01 PM
Subject: Melissa Rinard's attn

Ms. Rinard;

As a lifelong advocate for the animals we in America call "pets," I am demanding that the breeder regulations as published in the Texas Registry be strengthened, to say the VERY least. Actually, puppy mills should be OUTLAWED in Texas because they are nothing more than cash crops for the disgusting people who continue to run them. Below are my demands:

No wire flooring to ruin the paws of these poor animals.

No cages STACKED atop another to save space.

No dismemberment (ears, dew claws, etc) of these puppies and kittens by ANYONE exept licensed vets. (Duh!)

Remove all words that suggest these monsters are allowed to "make every effort" to provide warmth/cooling for the controlling of temperatures for the animals.

No grandfathering of these murderous pits for innocent animals.

There should be stiff fines and jail sentences for anyone who abuses animals and children and these mills ARE nothing less than ABUSE for the human's gain.

Animals were put on this earth for us to enjoy and protect NOT to turn a profit while allowing the animals to live in horrible, disgusting conditions. Perhaps the owners could be made to live as they make the animals live!

Do your job, Ms Rinard, and fight for those who cannot speak for themselves!!!!

With deep concerns,
Dottie Taylor

Abundantly Blessed,
[REDACTED]

From: "Steve & Judy Epperson" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/13/2012 10:04 PM
Subject: Hb 1451 comments

Melissa Rinard, Legal Assistant

General Counsel's Office

Texas Department of Licensing and Regulation

P.O. Box 12157

Austin, Tx 78711

Re: HB 1451 Regulations/ Definition on 91.19 (19) type of wire acceptable for cages ,mainly floors.

As it reads: Wire or Wire Mesh-Any metal, alloy or other material which allows a free air flow through the material when used as, or constructed to be used , as flooring or walls or ceilings for any structure required by this chapter. The strands of metal alloy or other material must be completely encased with a plastic coating and designed so the animal's paws are unable to extend through or become caught in the floor.

The words highlighted (or walls or ceilings) in this definition must be stricken. It is supposed to be referring only to the floors, but if left with this verbiage it has a totally different meaning. There is nothing in the way of fences, cages or other enclosures that would be acceptable because the walls and ceiling of most of them are not plastic coated, only the floors are.

Please take this into consideration when writing the rules and change this passage. No breeder or any other establishment that houses animals would be in compliance with the words "or walls or ceilings" in this definition.

It must read:

Wire or Wire Mesh-Any metal, alloy or other material which allows a free air flow through the material when used as, or constructed to be used , as flooring for any structure required by this chapter. The strands of metal alloy or other material must be completely encased with a plastic coating and designed so the animal's paws are unable to extend through or become caught in the floor.

Sincerely

Judy Epperson
[REDACTED]

From: Kelly [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/14/2012 1:02 AM
Subject: Puppy Mills

While I believe it is inexcusable to house animals in inhumane conditions, adherence to freedom and liberty demands that the government cease from oppressive regulations. Therefore, rather than stringent regulations and/or laws, I would like to see guidelines issued for puppy breeders. When the guidelines are all met, the breeders can be issued a certificate and/or seal to display, post on their web pages, etc. We must not divest our citizens of their freedoms. When the guidelines are heavily publicized, and it becomes known that a certificate/seal is tantamount to a guarantee of humane conditions, the compliant breeders will see an increase in their business. You could also maintain a list of breeders that do NOT meet the guidelines, and publicize it as well.

Blessings on you,
Kelly

--

"Freedom is never more than one generation away from extinction. We didn't pass it on to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free.

--Ronald Reagan

From: Michael McAndrews [REDACTED] >
To: <erule.comments@license.state.tx.us>
Date: 2/14/2012 5:23 AM
Subject: Inhumane treatment of Dogs and Cats

Dear Ms Rinard,

Please allow stronger enforcement of the protection of animals from breeders and non breeders from the stacking of cages and surgical procedures and strengthen the climate and temperatuer control to an enforceable language in the regulation.

Thankyou Very much,
Michael McAndrews

[REDACTED]

From: Terry Parker [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/14/2012 6:44 AM
Subject: Dog breeding bill

Don't tell me how to run my hunting dogs. Stay out of my kennels. I will be keeping track of who wants to run my life and voting accordingly

Sent from my iPhone

From: Kristen Boyd [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/14/2012 8:26 AM
Subject: Puppy Mills license rules

Hello, I would like to respectfully ask that you consider raising the standards higher for puppy mill operations. Although it is possible for animals to live in several of these situations it is by far not ideal or comfortable. By changing a few things would help these animals live a better quality life. Since they don't get much love from their owners. I have a rescued dog from a puppy mill and she is still timid of all people, due to neglect from her previous owners. Therefore I have seen first hand how these puppy mills can affect an animal. Thank you so much for your time and I hope to hear back from you with your responses.

Kristen Boyd

[REDACTED]

From: Nancy [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/14/2012 8:48 AM
Subject: providing vet visits yearly

Since all dogs in Texas must receive a rabies shot this should be sufficient to cover the yearly vet visit but the wording on this makes me think that vets will hop on this as a way to make money, after all this was the lure that got them to back this law in the first place! My own vet was mad when he found out that our required health tests by our national breed clubs have to be done by specialists for the most part not by regular vets and since vets are so high Dog shows usually try to hold clinics to provide these tests at a more affordable rate. I am deeply afraid that in the end dogs will be raised in a kennel setting instead of by responsible breeders.

Nancy Mellott
Mishamai Japanese Chins
Breeder of the No 1 All Breed Japanese Chin Bitch 2011 and No 6 All Breed Japanese Chin, GrCh Touche Heady's Black Orchid
owned and shown by Denise Heady!
www.mishamaichins.webs.com
PROUD TO BE AN AKC BREEDER OF MERIT

Live simply. Love generously. Care deeply. Speak kindly. Leave the rest
to God.

From: D Bates [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...
Date: 2/14/2012 10:40 AM
Subject: HB1451

As a breeder/trainer/handler of Labrador Retrievers bred for field use, I am concerned with the restrictions on numbers of puppies sold per year to, but support the guidelines for ethical treatment and sheltering of these animals.
Thank you;
Diana Bates

From: Paula McSwain [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/14/2012 10:53 AM
Subject: regarding HB 1451

I would like to comment on the regulations currently being drafted on the animal welfare and licensing regulations.

One item I would like to discuss is dew claw removal. I have been removing dew claws for over 30 years on my dogs and have never had a problem. It is a simple procedure and takes less than a minute to perform. When my puppies are only a few days old I prefer not to take them to the veterinarians where they can encounter all sorts of sick dogs exposing them to God knows what. It is less stressful to the mother and babies and much safer to their health for me to do this myself in my home. Please reconsider this. I believe 95 % of the people who are for this regulation have probably never witnessed this being done and have no idea how simple and quickly this procedure is done.

Additionally, the requirement to have healthy happy animals to the vet for examination is just ridiculous. Again, why would I want to take a healthy animal in to the vets office to expose them to sick dogs unless absolutely necessary. While my primary focus is showing rather than breeding I think most breeders realize that sick animals are not going to reproduce successfully if not kept in decent health. Animals not kept in healthy environments will not pass inspections in the first place. You will be placing an enormous financial burden on the majority of responsible breeders for the poor care of a few individuals in requiring yearly physicals. Needless to say, unhealthy dogs will not perform well in the conformation ring if they are not in prime condition.

While many of the people who are sending in these fill in-the-blank letters for all these regulations to be imposed are doing so with the best of intentions I think that many of them have no true grasp of what is involved with they are asking for. We all want the mistreatment of breeding animals to be stopped. Most of us have dogs because we deeply love them. I just ask that you use common sense and not your heart when adapting the legislation.

Paula McSwain
Confetti Chihuahua's
[REDACTED]

From: Reid Rhodes [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/14/2012 10:53 AM
Subject: LICENSED BREEDER

Please stay with USDA rules. They have served well for years.

Thank you

From: Delores Dickerson [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/14/2012 12:10 PM
Subject: Out Law Dog Breeders

Feb 14, 2012

Melissa Rinard
P.O. Box 12157
Austin, TX 78711

To Rinard,

I am writing today to urge you to strengthen the proposed dog and cat breeder regulations to improve the health and well-being of the animals.

Dear Gentle Person:

We concerned citizens of TX are working to make TX a "no kill" state. Please out law dog breeder (for sales) until no dogs are euthanized at our TX animal shelters. I am requesting a moratorium on breeding (for sales) until no euthanizing is the standard at our shelters.

Sincerely,

Ms. Delores Dickerson
[REDACTED]

From: Larry Munchrath [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/15/2012 4:17 PM
Subject: hb 1451

I continue to be concerned for so many aspects of this bill for which no due diligence was done before its passage. I want to inform you that many people do not want to risk exposing their names, emails, and stand on this law due to the fear of the anti animal breeders groups and the control and influence that they have on our state officials. So, their only option is to speak through other people who are not afraid to do this.

No one I know are willing to become licensed if any stricter points above the USDA AWA standards are written into the law. Also, many kitten breeders have their cats in the house, and they have carpet. How does this affect them being that all surfaces have to be impervious to water?

I know of no one who will remove the carpet in their house just to meet the standards.

This law has become so expensive that it will force most breeders to get out, move, or go underground.

It has not been made to encourage, nor to help the breeders, but to eliminate them.

Adding the required vet visit per animal was the last straw for many I have talked to.

It is not necessary and over regulated, and desired by those who will profit most, ie. the veterinarians on the committee as well as those who seem to think that only the breeders will be required to do this, and not the shelters.

What is good for one, should be good for all those who house the animals and not just breeders.

Texas will loose millions in tax revenue to other states, but the TDLR does not seem concerned, as Charles has stated, thats not his concern.

This state could use more jobs and income, but in making this law, research was apparently never done on the financial impact it will cause, good or bad.

I also want to inform you that many people do not want to risk exposing their names, emails, and stand on this law due to the fear of the anti animal breeders groups and the control and influence that they have on our state officials.

So, their only option is to speak through other people who are not afraid to do this.

Thank you for reading this.

Larry Munchrath

From: Randi Bergen [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/15/2012 4:41 PM
Subject: Stop animal cruelty

After reading some of the rules and regulations, it's quite disgusting that people are allowed to treat animals like this, and to call themselves human beings is beyond me.

Animals should not be confined to wire cages their entire life. The flooring should not be all mesh, or wire. It should be solid flooring.

Cage sizes should be atleast double what they are now. And cage stacking....? Really?

There are so many things that are wrongwith the current rules and regulation. No breeders should be grandfathered. All breeders, current and future, should all be held to the same standards.

Let's stop animal cruelty. Enough is enough. These poor animals have no voice, and no choice. It's up to use. Please do the right thing.

Randi Bergen

Please send a response.

Thank you for your time

From: angela ballis [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/15/2012 4:59 PM
Subject: Stop the "cash crop"

Mrs. Rinard,

I am contacting you because I would like the puppy mills to be held to the highest level of accountability. Honestly, how can anyone allow these deplorable conditions to go on. Wire crates, stacking, medical procedures performed by anyone other than a Veterinarian. Something has to be done and it begins by forcing these people out of business and strictly monitoring those that want to play by the rules

Sincerely,

Angie Ballis and Family

From: Vicki Mendolia [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/15/2012 6:03 PM
Subject: Proposed rules for licensed breeders

1. Sec.802.059 Bounty hunters? Really? \$1000 to people turning in breeders? Is there any other licensed business that is in? How can any of us in the United States of America feel safe not knowing that the next person who walks on to our property is not going to harass us and use terrorist threats on breeders. Drug dealers, rapists, murders are better than breeders of cats or dogs.? You will have people turning on others because of the bounty on breeders. All other people that have to have a license can hurt other people with their profession. Hair dressers.. bleach in someones eyes etc. electricians....electrical wires burning a home with people in it etc. Dog breeders can only hurt their dog and that is super stupid if they are raising puppies for them. I believe that the pictures we see on TV are set up because NO breeder would ever put their dogs in that kind of condition because the couldn't raise quality puppies. You need to keep an eye on the hoarders, rescue groups and the ones that have a female tied in the back yard that gets bred and then the puppies are sold in parking lots with out any health papers or guarantees.

91.112 Surgical procedures are when dogs are put under anesthesia to have a surgery done. Dew claws and tail docking when done properly are done the day they are born. You take a puppy into the vet they are then susceptible to all diseases. I would never take a puppy into any vet clinic that doesn't have the proper vaccinations, it is a breeding ground for everything.

Why would anyone take a healthy dog in to a vet when it is healthy? You are wanting all breeding animals in to the vet once a year, even children don't have that rule or senior citizens. When you start putting livestock ahead of the children and our seniors something is terribly wrong! You have animal rights people (you need to study their agenda) dictating how animals should have the same rights as people, come on think about this. There is a lawyer representing some geese so they can sue the farmer for not being treated as a human, this is a real case. Dogs are livestock and yes some of mine live in the house with me:).

To sum this up why do we have to have all these new rules when USDA is already in place and we have laws on the books for animal cruelty. Enforce these rules and we would not have to even be talking about these ridiculous laws.

From: Zina Thomas <[REDACTED]>
To: <erule.comments@license.state.tx.us>
Date: 2/8/2012 11:20 AM
Subject: STOP PUPPY MILLS

PUPPY MILLS SHOULD BE STOPPED AT ALL COST..... THEY OFFER BAD LIVING CONDITIONS FOR THE DOGS... HOW WOULD YOU LIKE TO NEVER FEEL GRASS ON YOUR FEET.... HOW WOULD YOU LIKE WALKING AROUND IN YOUR OWN PEE AND POOP!!! HOW WOULD YOU LIKE TO BE FORCED TO HAVE BABIES OVER AND OVER!!! I THINK THE SADDEST THING IS THAT SOME OF THEM *NEVER *GET OUT OF THE PINS... THEY CANT RUN AROUND ON GRASS ... SOME OF THEM HAVE NEVER EVEN BEEN ON GRASS AND THEY WILL POSSIBLY DIE IN THE CAGES!!!!!! WHICH THEY SHARE WITH NUMEROUS OTHER DOGS..... ITS JUST WRONG ON EVERY LEVEL....

From: Erica Haddad [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/8/2012 11:38 AM
Subject: Licensed Breeder Bill

February 8, 2012

Melissa Rinard, Legal Assistant
Texas Department of Licensing and Regulation
erule.comments@license.state.tx.us
Ms. Rinard:

General Counsel's
Email:

I'm writing this letter on behalf of the Humane Society of El Paso which I serve as the President of the Board of Directors. We understand that you are accepting comments to the proposed Rules issued regarding HB1451, commonly known as the Puppy Mill Bill. We appreciate the opportunity to comment and would offer the following comments and suggested changes to those Rules.

First and foremost, we urge you to not allow 100% wire flooring. One can provide 50% solid flooring easily and at little expense by providing a resting board, rubber mat, or bedding. This does NOT require restructure of the enclosure for breeders.

The Rules also allow stacking of primary enclosures for dogs. If stacking is allowed, it should be limited to only one cage on top of another. Any stacking higher than that would affect lighting and air flow to reach these enclosures.

Also there are two standards for cage sizes. We recommend that they be given three years to come into compliance with the larger cage size requirements – to wit: until September 1, 2015. Also, we recommend that any new cages built at these facilities must come into compliance with the larger cage size requirements at the time they are installed.

In the portion of the Rules dealing with veterinary care, you should consider prohibiting a breeder from performing de-barking, de-clawing, ear cropping and tail docking procedures. These procedures should be done only by a skilled veterinarian that has access to prescription drug, anesthesia, and antibiotics needed for these procedures.

Lastly, many of the terms that are used in the Rules are not defined. We understand that you took these Rules from the Federal Regulations enacted by the USDA. If so, you should use the definitions they use in their Regulations to provide further clarity.

Please give our comments and suggestions your full attention. Thank you.

Sincerely,

Erica

Haddad

From: John Breidenbaugh <[REDACTED]>
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/8/2012 11:42 AM
Subject: Puppy Mills And Enforcing HB 1451

I strongly support the SPCA of Texas in their urging of tough regulation of puppy and kitten mills in this state. I have read so many news stories and have seen too many photos of the awful abuse these defenseless animals suffer at the hands of the puppy mill operators. I doubt that any professional breeder can object to the recommendations of the SPCA in this matter. The unscrupulous, cruel individuals that have made this legislation necessary care only about their bottom line and these little animals are just "product" to be processed and sold as cheaply as possible. We as a society are better than that and I urge you to take a tough line with these people. Requiring that they be humane is not an anti-business stance and these regulations will not harm legitimate breeders.

From: Lynn Ben-ami <[REDACTED]>
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/8/2012 9:54 AM
Subject: Animal Breeding Regulations

Please see attached. I totally concur with the contents of the enclosed letter. I also wonder if this rule should not include psychological evaluation of the owners of such facilities.

Lynn Ben-Ami

From: nancy westerdale <[REDACTED]>
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/8/2012 10:25 AM
Subject: Attn: Melissa Rinard re: HB1451

Hello,

I am a dog breeder in Texas. We need your help.

I started a breeding business 5 years ago to help supplement my income after losing my husband.

It does not add alot of income as breeding dogs is expensive. With a quality dog food, shots, dewormings, and other misc costs we sometimes are lucky to break even or worse. With many of these rules I am unable to expand my business in the future.

I understand control of the breeding business due to the many puppy mills but we as reputable breeders in order to stay in business must have reasonable rules. Please consider the costs of:

Hands on vet checks. This cost could put many of us out of business. This could be upwards to \$100 per dog. When a dog is sick we take him to the vet just as I myself go to the doctor when I am ill. I do not go yearly. Keeping our dogs up to date on shots, dewormings and feeding a good dog food and fresh water, getting plenty of exercise maintains our healthy dogs. When on a rare occasion they do need vet assistance we do not hesitate to get them to the vet.

Please consider the USDA rules regarding our Texas breeders. These rules many of us can deal with.

I appreciate your time and sincerely hope you consider this very important and costly rule to the HB1451 Law.

Thank you for your time.

Nancy Westerdale

From: ken okada [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/8/2012 10:25 AM
Subject: TDLR Proposed Rules to HB 1451

February, 8, 2012
Melissa Rinard, Legal Assistant
General Counsel's Office
Texas Department of Licensing and Regulation

Dear Ms. Rinard:

My name is Ken Okada; I am currently serving as the Vice President of the Board of Directors of the Humane Society of El Paso. Our community has been active in the past two years in attempting to minimize the damage to our animals here from the effects of puppy mills outside of our area. It is tragic to think that dogs are still kept under such dire circumstances in various breeding facilities, and their puppies are transported vast distances—often sick or dying—to cities and towns across the country, including ours. We understand that you are accepting comments to the proposed Rules issued regarding HB1451, commonly known as the Puppy Mill Bill. I appreciate the opportunity to comment and would offer the following comments and suggested changes to those Rules.

First and foremost, I ask you to not allow 100% wire flooring. At a minimum, a solid flooring or resting board should be provided in each primary enclosure to allow each animal in that enclosure to stand, sit or lay in a comfortable position and turn around freely on a solid surface. Living on wire constantly is extremely cruel and inhumane. These dogs and cats will experience long term suffering from foot and leg injuries including chronic sores, infections and cysts between their toes and often having their foot or legs caught in the wire openings. Also, wire flooring creates drafts in extremely cold weather, making it difficult for an animal to maintain its body heat.

There was some mention that allowing 100% wire flooring was based on the cost to convert wire flooring to solid flooring. 50% solid floor can easily be attained at little expense by providing a resting board or rubber mat. In any event, the pain and suffering these animals experience their entire lives outweighs any cost that might be incurred by a breeder to come in compliance with humane standards.

The Rules also allow stacking of primary enclosures for dogs. This is not a good idea for several reasons. First, it encourages gross overcrowding and makes it difficult for caretakers or inspectors to see the dogs in the upper tier enclosures and check on their wellbeing. It also makes it difficult to remove dogs for the required one hour of daily exercise. There should be no stacking of cages in a reputable breeder's facility.

Also, for some reason, there are two standards for cage sizes. One for current breeding facilities and another for future. It seems that whatever is best for the animals, which are the standards for future breeders, should apply to all. We should not discriminate against animals living in current breeding facilities to those who will live in future breeding facilities. The animals have no idea when the facility was built or when the breeder registered. All they know is that they don't have enough room to have a decent existence. Apparently, this differential in cage sizes came about as a concession to existing breeders because of cost. If you persist in that approach, at least there should be a fixed future date for existing breeders to come into compliance. Surely, they can modify their cages over a two or three year period and come into compliance. Otherwise, they will operate forever under substandard conditions and that should be unacceptable.

In the portion of the Rules dealing with veterinary care, please consider prohibiting a breeder from performing de-barking, de-clawing, ear cropping and tail docking procedures. These procedures should be done only by a skilled veterinarian that has access to prescription drug, anesthesia, and antibiotics needed for these procedures.

Lastly, many of the terms that are used in the Rules are not defined. I understand that you took these Rules from the Federal Regulations enacted by the USDA. If so, the definitions they use in their Regulations should be used to provide further clarity.

Thank you so much for your time and kind attention to this very important matter.

Sincerely,

Ken Okada, M.D.
Vice President, Board of Directors
Humane Society of El Paso

From: Amy Isoe [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/8/2012 10:27 AM
Subject: Puppy mills

Please stop puppy mills. There are so many dogs being killed daily in shelters that need homes.
Thanks,
Amy Isoe

From: KAY fincher <[REDACTED]>
To: <erule.comments@license.state.tx.us>
Date: 2/8/2012 10:40 AM
Subject: New law

If you are going to FINALLY take some action against the HORRIBLE Practice of puppy mills then please strengthen the laws. Frankly I think ANY breeding on purpose while literally hundreds of thousands on animals are being euthanized should be outlawed. Puppy mills are like animal SLAVERY. NO QUALITY OF LIFE

ONE PURPOSE, TO MAKE MONEY FOR A GREEDY OWNER TO LAZY TO WORK.

THEN IT TAKES TAXES AND DONATIONS TO MAKE THE OVERPOPULATION OF ANIMALS
OTHER PEOPLES PROBLEM.

At least make the laws as strong as possible so those of us who rescue
Are not working double and triple time for Free so the greedy and
Heartless can sit on their asses and let their dogs work for them!

Kay and Tim Florer

From: [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/15/2012 6:28 PM
Subject: Rules for Canine Breeders

There are some parts of the proposed rules that are flawed.

One in particular is **REST BETWEEN BREEDING CYCLES**.

The professors at Texas A&M School of Veterinarian Medicine teaches that a breeders should skip the first heat cycle **THEN BREED EVERY CYCLE** until after the age of 5. Then breeder should retire her and have her spayed.

There are several? other veterinarian schools that are teaching the same thing. It is their opinion that it is harder on a female to skip cycles.

Those that advocate skipping cycles have **NO SCIENTIFIC PROOF THAT IT IS OF ANY BENEFIT**.

Another one: **Yearly Exams**

I have consulted with Dr. Michael Baird DVM, DR. David Murphy DVM, Dr. Cindy Hold DVM. And Dr. Higgins DVM. Each one of them feel that it is a waste of my time and money to bring a perfectly healthy dog in each year for a physical. They say they see the breeders dogs when they make yearly inspections to the kennels they deal with. They feel that breeders know that they can not produce healthy puppies if they have dogs that have medical problems. The feel that the breeders are the best judge of when a dog should be brought in for treatment. They also said that with all of their farm and ranch calls and regular office calls they would find it burdensome to have to do that many exams on healthy dogs.

Please listen to the voices of those that are knowledgeable

Please adopt the minimum USDA standards.

Respectfully yours,

Patricia Galyon

From: Doris Jenkins <[REDACTED]>
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
CC: KAREN CARRILLO <[REDACTED]>, Justin Summers <[REDACTED]>
Date: 2/15/2012 7:03 PM
Subject: TEXAS BREEDER PROPOSED RULES AND FEES

1. THE LICENSE FEES ASSOCIATED WITH THE LICENSE ARE NOT REALISTIC AND ARE UNACCEPTABLE TO PROFESSIONAL DOG BREEDERS.
2. FEES INVOLVED, VET INSPECTIONS, UPGRADES AND MONTHLY EXPENSES WOULD MAKE IT IMPOSSIBLE FOR MOST DOG BREEDERS TO STAY IN BUSINESS.
3. WHY IS IT DOG BREEDERS HAVE TO PAY AN INSPECTION FEE WHEN NO OTHER OCCUPATION INSPECTED UNDER TDLR HAS TO PAY FOR AN INSPECTION?

CURRENT TEXAS BREEDERS WOULD PREFER TO STAY IN TEXAS IF THE RULES AND FEES ALLOW THIS.

From: Susan Hightower [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/15/2012 7:57 PM
Subject: Comments on Proposed Administrative Rules for Licensed Breeders

To the TDLR:

As an adjunct professor of Animal Law at UT Law School, I was very surprised to learn that the Commission on Licensing and Regulation believes that it cannot modify the standards established in Occupations Code Sections 802.201(b)(2)-(13). This interpretation contradicts the plain language of the statute in Section 802.201(c), and is also contrary to the way similar provisions in other states have been interpreted.

Among the particular standards failing to meet minimum animal welfare needs are 100% wire flooring, cage stacking, and allowing non-veterinarians to perform surgical procedures (e.g., tail docking, ear cropping, declawing, debarking).

I hope that the Commission will reconsider its position, comply with the clear language of the statute, and adopt standards sufficient to satisfy minimum animal welfare needs.

Very truly yours,

Susan Hightower
[REDACTED]

From: "Steve & Judy Epperson" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/15/2012 8:13 PM
Subject: hb 1451 comments

Melissa Rinard, Legal Assistant
General Counsel's Office
Texas Department of Licensing and Regulation
P.O. Box 12157
Austin, TX 78711

Dear Ms. Rinard,

I am sending some of the estimates for vet checks that I have gotten from some local Vets for a comparison. As you can see by difference in prices of a USDA regulation vet check versus the one proposed by some of the advisory panel the cost would be highly elevated which will increase the cost of doing business. Just another element of added cost to the breeder when the USDA inspection has been quite sufficient and has greatly served the interest of the welfare of the animals for many years. There are many different levels of cost charged by different vets statewide. This is a small sample, but will mirror the extra cost in the whole state unless the regulations are kept strictly to the USDA regulation and no more.

Judy,

We would charge a \$45.00 trip charge and \$38.00 per dog exam. This would be within 25 miles. Trip charge would increase after that. A USDA inspection would be \$60.00 for the inspection and the trip charge would be the same.

Thanks,

Christy Kauble
[REDACTED]

Jersey Village Pet clinic in Houston Tx. estimate was as follows:

In house check of all the dogs would run \$51.00 per animal.

A trip charge would be \$500.00 within 25 miles and \$100.00 additional for each 25 miles more.

Up to 25 dogs would be checked for \$21.00 per animal and over 25 would be checked for \$15.00 per animal.

Jersey Village Pet Clinic

Dr. Shawhan

[REDACTED]

Sincerely

Judy Epperson

Brownsboro, Tx. 75756

From: [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/15/2012 8:29 PM
Subject: Dog Breeders

Hello,

I would like to suggest that you adopt the USDA standards for the dog breeder's regulations. It has worked for many years now and a lot of happy, healthy puppies have been raised under their standards of care.

Thank you,
Chelsea Roberts

From: frankie jallivand [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/15/2012 8:57 PM
Subject: please read. this is important

hi. i just rescued a corgi from a breeder. she was 3 yrs old. she had stayed in a cage for 3 yrs, she had puppies from time she was 6 months old. her belly is still hanging. she was covered with fleas and she was tested for heart worms and she was postv. i take care of her now. she was convisgated from a breeder. she had a record of puppies over and over. please help the dogs not to go through this again. i also rescued another dog baby pit bull and she wants to just stay in cage thats what she was used to.
so please help them

From: Mary Flick [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/15/2012 9:06 PM
Subject: PLEASE STOP PUPPY MILLS!
Attachments: TDLR Letter.docx

Our next door neighbor has an illegal puppy mill in our residential neighborhood with the poorest quality German Shepherds I have ever seen. His stud dogs are crippled, and his dogs are thin and kept in small cages in a filthy garage. The stench from rotting dog feces and the constant barking has been a nightmare for years. This man does not care for these dogs and I have been unable to get cooperation from local authorities because we live in an unincorporated area and have to file a civil lawsuit against him. Please see the attached letter, and do what needs to be done to prevent these horrible things to continue. Your help would be greatly appreciated. Mary and Collin Flick

From: "Jerry Passmore" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/15/2012 10:42 PM
Subject: Dog & Cat License

Ms. Melissa Rinard

Texas Department of Licensing and Regulation

Thank you for allowing me to comment on the proposed rules governing licensed dog and cat breeders in Texas.

My concerns are as follows:

I don't believe at this time anything else needs to be done with this new legislation, after several years we may want to re-look at it and make whatever appropriate changes may be needed.

Cordially,

Jerry Passmore
[REDACTED]

From: Jessica [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...
Date: 2/16/2012 1:55 AM

Please stop the puppy mills.. I got my puppy from a traders village market and as soon as i got him he had kennel cough cause they had him in a dirty kennel and who knows what his parents had... I didnt know back then what was a puppy mill till now and i would never buy a puppy from store,or market,internet.. Thank god that my puppy survived or else it would of been a tragedy.. Please approve this so like that dogs stop suffering from having a lot of litters or being in a cage suffering with all the bad things around them.... Thanks god bless you....sincerely Jessica Rivera...

From: [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/16/2012 11:28 AM
Subject: puppy mills

TDLR:

Respectfully requesting stronger regulations for puppy mills! The bill passed in 2011 is a step in the right direction but it is not enough. Existing facilities should have to comply with new cage rules in a reasonable amount of time (not over 3 years). Dogs are supposed to be man's best friend but they are not treated that way in puppy mills. How would you like to be locked up all your life in a wire cage, with no solid floor and having urine and feces from the dog above on you and probably no one would even clean you up! I believe puppy mills shouldn't exist (but they do) so at least they should not have to have a cruel life.

Thank you,
Paula Hill

[REDACTED]

From: "A.M. Garcia" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/8/2012 12:37 PM
Subject: Texas Breeding Mills Proposed Rules and Standards

Dear Ms. Rinard,

In regards to the Proposed Rules and Standards for HB1451, please make every effort to ensure the following is included:

Wire Flooring: Provide a solid surface floor to all animals.

Cage Sizes: Provide animals in breeding facilities with humane housing.

Cage Stacking: Cages should not be stacked.

Surgical Procedures: Ensure that only a veterinarian performs surgeries on animals.

--

Best regards,
Adelina Marie Garcia

From: Steve Mossman <[REDACTED]>
To: "general.counsel@license.state.tx.us" <general.counsel@license.state.t...>
Date: 2/8/2012 1:14 PM
Subject: Application of Title 16, Chapter 94.72(g)

Greetings,

Thank you for your consideration and direction on this matter in advance.

94.72(g) reads, "A registrant in their official capacity must not endorse the services or products of any person or firm."

As a registrant it is my intent to avoid any conflict with any part of the Code and Regulations that govern the Property Tax profession.

The above cited part of our ethics code seems to limit a registrant from endorsing the product or services of any person or firm.

Does this preclude a registrant from endorsing a candidate who is in a contested race for a political office?

I am retiring and two other registrants are running for the office, I want to endorse one and have extreme reservations about the other.

Sincerely,
Steve Mossman, RTA

[REDACTED]

From: "Lyn Snyder" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/8/2012 2:14 PM
Subject: Inhumane animal treatment

Sirs;

I have just learned of the inhuman treatments of large animals that are held in puppy mills. Please correct the following treatments of these animals.

1. Improper flooring. Cages should not have wire floors
2. Stacking of cages. How awful to be low dog on totem pole.
3. Improper size of cages. Too small a cage creates a very big problem
4. Improper vet care. These animals deserve better medical care than what is currently being provided by their caregivers.

Please ensure proper medical treatment is always provided to these animals.

Thank you for your attention to this matter. Please send me a reply.

Carolyn Snyder

[REDACTED]

From: Jennifer Dunn <[REDACTED]>
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/8/2012 2:41 PM
Subject: Puppy Mills in Texas

Dear Ms. Rinard:

I strongly supported the passage of HB 1451 and believe that its passage will significantly help the animals in large scale breeding facilities. However, the Texas Department of Licensing and Regulation's (TDLR) proposed rules and standards has me very concerned that the goals of HB 1451 will not be realized unless the weak and possibly unenforceable provisions contained in the proposed Rules are strengthened.

The major problem areas are as follows: allowing the use of 100% wire flooring (§91.102 and §91.104); allowing stacking of primary enclosures of dogs (§91.104); grandfathering existing breeder's cage sizes for dogs (§91.104); requiring only a "best efforts" standard for temperature requirements in §91.101 and §91.102; and allowing lay persons to perform veterinary procedures like tail docking, ear cropping debarking and claw removal (§91.112).

100% wire flooring (§91.102 and §91.104): The single most health and injury issue seen in dogs and cats from substandard breeding facilities is their having to spend their entire life on wire flooring, 24/7. Having an animal spend its entire life on a wire floor is by definition "cruel confinement." The proposed rules absolutely must be changed to prohibit 100% wire flooring. Also, there should not be any grandfathering of existing facilities. 100% wire flooring is far too cruel and inhumane to be allowed to continue in any licensed breeder facility.

Cage Stacking: There should be no stacking of primary enclosures for dogs as allowed in §91.104. This practice is unhealthy, unsanitary and can lead to a lack of proper inspection and care for the animals in the higher tier cages. As a last alternative, you should limit only one primary enclosure on top of the other. This is certainly not ideal, but it is much better than going above one cage on top of the other.

Cage Sizes: I agree with the increased cage sizes for dogs in §91.104, but disagree with allowing current licensed breeders to be exempt from those requirements. This is not in keeping with the intent of HB 1451, which had as its primary purpose to protect and provide animals in breeding facilities with humane housing and care. All breeding facilities should be treated equally, and existing facilities should be required to meet the higher standards currently proposed for future licensed facilities. When animals are kept in tight quarters, they have a tendency to become stressed and antisocial. These animals are very difficult and often impossible to adopt out. If you, for whatever reason, grandfather existing facilities, you should include an outside date for them to come into compliance.

Veterinary Procedures: Only veterinarians should perform surgical procedures like tail docking, ear cropping, declawing and debarking. Both veterinarians on the Advisory Committee strongly recommend this and the entire Advisory Committee agreed. These should be included in §91.112.

Temperature: Lastly, the I question why the term "using best efforts" was inserted in §91.101 and §91.102 and I also would like to see you remove "for four consecutive hours" in regulating temperature requirements. The proposed rules were taken from the USDA Regulations, and there is no reference in the USDA Regulations to "using best efforts." It's not there for a purpose; it would not be possible to enforce this requirement if the term "using best efforts" is included. No one will be able to determine what "best efforts" are and whether the breeder was using best efforts. It would require a trial and that would be a disincentive for any inspector to write up that violation. Also, the four hour rule will lead to unenforceability of these two sections. No inspector can wait at a facility for four hours to determine whether or not it is or is not in compliance with the rules.

Thank you for allowing me to submit my comments and recommendations. I would appreciate receiving your thoughts and intentions with respect thereto.

Sincerely,
Jennifer Dunn
[REDACTED]

From: "Kay Cook" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/7/2012 7:23 PM
Subject: Oppose new regulations of 1451

If the rules offered by the animal rights activists on this Bill pass, we will be living in a NAZI state. Where are our freedoms? Where is the Constitution? Does anyone care? I used to think Texans cherished their freedoms but this new set of regulations make it a "criminal offense" to own or breed dogs. Are these people paying you off?

You say people can own and breed but you will make it too costly to do so. I promise that I will work against anyone who voted for this bill.

Kay Cook

For every \$19 you give to the Humane Society of the United States (HSUS), a big sponsor of this kindsof draconian bills, only 9 CENTS goes to care for animals. The other \$18.91 goes for lobbying, executive salaries and pensions! Maybe to the legislators who passed 1451!!!!

From: [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/7/2012 9:03 PM
Subject: Comment

Hello,

I am a dog breeder in Texas and I would like to comment on the cost of the inspections and licence fee. I will not be able to afford either of these fees. In order for me to stay in business, I would have to increase the price of my puppies. Also, why do we need to have a hands on inspection from our vet if our dog is happy and healthy? Why can't we just go by the USDA standards? They have worked for many years and several breeders that I know are USDA and they are happy with them.

Thanks,
Chelsea Roberts

From: JUDY HOGUE [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/8/2012 12:09 AM
Subject: puppy

You are right about puppy mills but when you get puppy that have been so badly treated you do nothing to get them homes, homes for these puppies are a must at a young age are they will be shy of people. Your fees are so high that a person buys pure breed and there you go again. They receive the puppy right then and they are at a price standard people can pay. I have a good friend and she is a animal person and she don't like they way you treat people. She helps Humane social instead of you.

My friend has done everything from raised skunks and then take them back out to the country and let them go, they were babies and mother was dead. No surgery was done the little stinkers. She has picked up dogs on the road side, had them fixed so they will not have puppies and found good homes for them. She charged no fee or any money. She loves animals.

I have been looking for a room mate for my puppy (6 years old puppy) but I cannot find one, your to high for pup's So long thanks for reading at least. Judy Hogue

From: [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/8/2012 12:31 AM
Subject: Puppy Mills

To Whom It May Concern.

I am deeply concerned puppy mills continue to exist. As a part of the general public I fail to understand why they still exist. I have owned 3 dogs from the dallas city pound and 1 from a no kill shelter in mckinney. I tried countless times to rescue a breed specific dog and was constantly rejected. After far too many hours of filling out applications applying for a rescue... I bought an AKC dog from a breeder.

I paid \$2000.00 for her. She is gorgeous and just a pet. I have only the greatest respect for the breeder and that she sold one dog to me.

It is doubtful I will ever try to apply and rescue a dog again.

I wish one of the rescue groups had been kinder allowing me to adopt.

My current relationship with my dog and breeder has rekindled what I love about a owning a great dog. Hopefully I will always own a great dog.

Stamping out puppy mills has as much to do with educating the public, as passing legislation in a court.

Far too much attention has been done/ brought to the rescue effort and saving unsound dogs. I wish the AKC responsible breeders would chime in.. their voice against puppy mills.

From: Jill Coker [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/8/2012 3:15 AM
Subject: Breeders Licensing

The licensing fees are to high for the average breeder to survive. I would need to move to Arkansas or get out of the business.

From: Jill Coker [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/8/2012 3:18 AM
Subject: License for breeders

Hello,
Just go with the USDA rules and regulations. These are fair, good for the animals, and most breeders will and can agree. The state will get the tax money, the fee money, and not put hard working tax paying people out of business.

From: "Ketchen, JoAnne - ETA" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/8/2012 5:22 AM
Subject: STOP PUPPY MILLS

PLEASE STOP THESE PUPPY MILLS - THIS IS ABUSE.

Thank you

Joanne Ketchen
[REDACTED]

From: SHERRI ALY [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/8/2012 6:22 AM
Subject: PUPPY MILLS

WHY CAN'T WE TREAT OUR ANIMALS LIKE THEY TREAT US??? PUPPY MILL OWNERS SHOULD BE TREATED THE SAME WAY THEY TREAT THEIR PUPPIES, IN A WIRE CAGE, STACKED ON TOP OF EACH OTHER AND WHEN THEY ARE SICK JUST GRAB SOMEONE OFF THE STREET TO TREAT THEM!!!!!!!!!!!!!!!!!!!!!!

From: "Ketchen, JoAnne - ETA" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/8/2012 6:38 AM

Dear Ms. Rinard:

I strongly supported the passage of HB 1451 and believe that its passage will significantly help the animals in large scale breeding facilities. However, the Texas Department of Licensing and Regulations. TDLR proposed rules and standards has me very concerned that the goals of HB 1451 will not be realized unless the weak and possibly unenforceable provisions contained in the proposed Rules are strengthened.

The major problem areas are as follows: allowing the use of 100% wire flooring; allowing stacking of primary enclosures of dogs; exsiting breeder's cage sizes for dogs; requiring only a best-efforts standard for temperature requirements and allowing lay persons to perform vet procedures like tail docking; ear cropping debarking and claw removal.

Cage stacking should not be allowed

Cage sizes

Vet Procedures

Temperature

Thank you for allowing me to submit my comments and recommendations. I would appreciate receiving your thoughts and intentions with respect thereto.

Sincerely,

Joanne Ketchen
[REDACTED]

From: susan zoehrer [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/8/2012 6:51 AM

Dear Sirs; In seeing many puppy mills and the horiable conditions they are kept in for both the mother and the poor puppys, which my old dog came from a puppy mill and although I took her to the vets for everything she was sickly and died at a young age. makes me more want to give these other dogs a fighting chance at life to ask you to make rules and regulations stricter!
Thank-You. [REDACTED]

From: Kay Lunceford [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/8/2012 7:47 AM
Subject: stop puppy mills

Dear Ms. Rinard:

Please pass HB 1451!!
The animals need your help in keeping them safe.

Thank you,
Kay Lunceford

[REDACTED]

From: Top [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/8/2012 7:51 AM

I would hope that this would pass to stop the cruelty of all animals being bred and kept in the manner that many are.

Tiff

When I stand before God at the end of my life, I would hope that I would not have a single bit of talent left, and could say, 'I used everything you gave me'.
Erma Bombeck

From: "Sharon Adams" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/8/2012 8:14 AM
Subject: *message*

Stop puppy Mills in Texas!!!!

Sharon Adams

From:
To:
Date:
Subject:

Staci Galvan [REDACTED]
<erule.comments@license.state.tx.us>
2/8/2012 8:25 AM
Bill

Melissa Rinard - Puppy Mills

From: Denise B Warren <[REDACTED]>
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us>
Date: 2/7/2012 11:57 AM
Subject: Puppy Mills

We want a bill passed to stop puppy mills. You are elected by us and you are to vote the correct way.

Denise Warren
[REDACTED]

Melissa Rinard - Puppy and kitten mill laws

From: Katherine Furse [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us>
Date: 2/6/2012 5:46 PM
Subject: Puppy and kitten mill laws

Please protect the animals in our state by strengthening the rules governing puppy and kitten mills! Animals living in mills should have the best care possible to make up for the lack of a good home.

Please respond so I can hear more about your decision.

Sincerely,

Katherine Furse
[REDACTED]

Sent from my iPhone

Melissa Rinard - RE: DOG BREEDERS BILL

From: "Smith, Betty" <[REDACTED]>
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us>
Date: 2/7/2012 10:27 AM
Subject: RE: DOG BREEDERS BILL

I would just like to say that as a dog breeder in Texas (we are in Pilot Point), my husband and I, in discussing the new bill, I believe it to be HB 91 or 1451, have just about decided that we will no longer be able to breed in Texas. We are now in the process of disbanding our kennel as much as we hate to. I'd just also like to reiterate that we paid many thousand dollars in sales tax for the year 2011, not to mention what was paid in the years preceding 2011, and we will no longer be paying anything.

It will be a great hardship on us to rid ourselves of our much-loved friends, but we just cannot afford to pay the exorbitant amounts called for in this bill. I don't really understand the rationale behind this, but let me just say that the state will no longer be getting our tax money. We will have to give away our pups and possibly sell our house and move out of state.

Sincerely,

Bob & Betty Smith

I am using the Free version of SPAMfighter.
SPAMfighter has removed 6108 of my spam emails to date.

Do you have a slow PC? Try free scan!

I am using the Free version of SPAMfighter.
SPAMfighter has removed 6108 of my spam emails to date.

Do you have a slow PC? Try free scan!

From: Linda Lippincott [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/6/2012 7:14 AM
Subject: Puppy Mills

So many dogs and cats are put down each year just in Texas alone and when I found out approximately how many I was sick. There are so many things we as human beings can do to speak for the animals. We have to be their voice. The only way to cut down on so many animals is really simple. Yes, it is probably expensive but I bet if funds could start to be set up for the animals to be fixed before they ever leave shelter (can not depend on owners), Need funds to hire people to oversee the puppy mills yearly and I can bet some people would volunteer to do this, I know that I would. The puppy mills need to be watched over very carefully because of the constant suffering these animals go through. I just can't understand why there is not enough TV exposure on the animals, the shelters, puppy mills and the laws to protect the animals. Can you imagine being stuck in a wire cage 24/7 and never being able to run, play have someone give you a

hug, being on the weather without the necessary items to keep warm or cool. What about food. I just wish someone would stand up and make a difference. I will stand with anyone that wants to make a difference and save many lives. I just wish I had the opportunity to speak on TV and maybe I would be able to have at least one person hear me and the animals begging for someone to save them.

Linda Lippincott
[REDACTED]

From: Mary Floyd [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/6/2012 8:40 AM
Subject: Animal Cruelty

I would like to comment that I am so against BREEDING period. We don't need more animals being put to death because people will not take care of them so they are abandoned or very much abused. It amazes me how humans think this is okay. I hope that something can be done!!!!!!!!!!

Mary Floyd
[REDACTED]

From: diana [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/8/2012 9:20 AM

Ms. Rinard

I was asked to send the following letter to the Dept. of L&R, which I strongly agree with and back fully. But, these proposed rules, in my opinion, don't go nearly far enough! As times and situations change, so should the regulations. With so many dogs and cats running loose on the street, homeless, kicked out, left behind...there is NO NEED for breeders any longer! Every dime collected in registration fees, is spent more than 10 times over in the city dog pound, collecting and killing animals. And to top that off, a lot of those very puppy mill puppies are the ones turning up in the pound. In the very least, breeding should be VERY limited. Puppy mills should not even be allowed!

Melissa Rinard, Legal Assistant
General Counsel's Office
Texas Department of Licensing and Regulation
Email: erule.comments@license.state.tx.us
RE: Comments and Recommendations to the Proposed Rules Governing Licensed Breeders in Texas

Dear Ms. Rinard:

I strongly supported the passage of HB 1451 and believe that its passage will significantly help the animals in large scale breeding facilities. However, the Texas Department of Licensing and Regulation's (TDLR) proposed rules and standards has me very concerned that the goals of HB 1451 will not be realized unless the weak and possibly unenforceable provisions contained in the proposed Rules are strengthened.

The major problem areas are as follows: allowing the use of 100% wire flooring (§91.102 and §91.104); allowing stacking of primary enclosures of dogs (§91.104); grandfathering existing breeder's cage sizes for dogs (§91.104); requiring only a "best efforts" standard for temperature requirements in §91.101 and §91.102; and allowing lay persons to perform veterinary procedures like tail docking, ear cropping debarking and claw removal (§91.112).

100% wire flooring (§91.102 and §91.104): The single most health and injury issue seen in dogs and cats from substandard breeding facilities is their having to spend their entire life on wire flooring, 24/7. Having an animal spend its entire life on a wire floor is by definition "cruel confinement." The proposed rules absolutely must be changed to prohibit 100% wire flooring. Also, there should not be any grandfathering of existing facilities. 100% wire flooring is far too cruel and inhumane to be allowed to continue in any licensed breeder facility.

Cage Stacking: There should be no stacking of primary enclosures for dogs as allowed in §91.104. This practice is unhealthy, unsanitary and can lead to a lack of proper inspection and care for the animals in the higher tier cages. As a last alternative, you should limit only one primary enclosure on top of the other. This is certainly not ideal, but it is much better than going above one cage on top of the other.

Cage Sizes: I agree with the increased cage sizes for dogs in §91.104, but disagree with allowing current licensed breeders to be exempt from those requirements. This is not in keeping with the intent of HB 1451, which had as its primary purpose to protect and provide animals in breeding facilities with humane housing and care. All breeding facilities should be treated equally, and existing facilities should be required to meet the higher standards currently proposed for future licensed facilities. When animals are kept in tight quarters, they have a tendency to become stressed and antisocial. These animals are very difficult and often impossible to adopt out. If you, for whatever reason, grandfather existing facilities, you should include an outside date for them to come into compliance.

Veterinary Procedures: Only veterinarians should perform surgical procedures like tail docking, ear cropping, declawing and debarking. Both veterinarians on the Advisory Committee strongly recommend this and the entire Advisory Committee agreed. These should be included in §91.112.

Temperature: Lastly, the I question why the term "using best efforts" was inserted in §91.101 and §91.102 and I also would like to see you remove "for four consecutive hours" in regulating temperature requirements. The proposed rules were taken from the USDA Regulations, and there is no reference in the USDA Regulations to "using best efforts." It's not there for a purpose; it would not be possible to enforce this requirement if the term "using best efforts" is included. No one will be able to determine what "best efforts" are and whether the breeder was using best efforts. It would require a trial and that would be a disincentive for any inspector to write up that violation. Also, the four hour rule will lead to unenforceability of these two sections. No inspector can wait at a facility for four hours to determine whether or not it is or is not in compliance with the rules.

Thank you for allowing me to submit my comments and recommendations. I would appreciate receiving your thoughts and intentions with respect thereto.

Sincerely,

Diana Rocha
[REDACTED]

From: [REDACTED]
To: " " <erule.comments@license.state.tx.us>
Date: 2/4/2012 4:59 PM
Subject: House Bill 1451, 82nd Legislature, Regular Session, 2011 regarding the licensing and regulation of certain dog and cat breeders

To the Texas Department of Licensing and Regulations,

I am writing today to urge you to strengthen the proposed dog and cat breeder regulations to improve the health and well-being of the animals.

Although the proposed regulations address many of the basic needs of dogs and cats at breeding facilities, several of the provisions need to be strengthened.

1. Under 91.102(e), please prohibit the use of wire flooring for all facilities. If wire flooring is to be allowed, then at a minimum require that at least half of the floor area consists of solid flooring. Grid-style flooring frequently leads to entrapment or injury as dogs' and puppies' paws and toes become wedged or entangled in openings intended for feces
2. Under 91.104, please prohibit the stacking of cages above one level. Stacked cages encourage overcrowding and make it more difficult for adequate lighting and air flow to reach all parts of the enclosures.
3. Under 91.112(b), please prohibit licensed breeders from performing additional surgical procedures such as ear cropping, tail docking, debarking, and dew claw removal. These are painful procedures that should only be conducted by a licensed veterinarian.
4. Under 91.101 (a) and 91.102(a), please remove the sentence allowing a licensed breeder to use their best efforts in not allowing the air temperature to fall below 45 degrees for more than 4 consecutive hours and not rise above 85 degrees for more than 4 consecutive hours. This language is weaker than the federal regulations and as such counter to state statute.

These changes are in the best interest of the animals and we urge you to modify the regulations to reflect these much need changes to improve the health and well-being of the animals.

Sincerely, Sharyn R. Rogers
[REDACTED]

From: DIRK ROGERS [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/8/2012 8:53 AM

Stop cruel puppy mills.
Dirk Rogers RN

From: Doris Jenkins [REDACTED]
To: "erule.comments@license.state.tx.us" [REDACTED]
CC: Justin Summers [REDACTED], Vikki Markaverich [REDACTED]
Date: 2/18/2012 9:39 AM
Subject: Texas Breeder Proposed Rules and Fees

Again, please know that all the reputable dog breeders in this area feel the fees associated with the license are totally unacceptable and are cost prohibitive for any professional dog breeder.

Why should dog breeders have to pay for an inspectyion when no other occupation inspected under TDLR pays for inspections? Vet inspections, current monthly expenses and the amount of fees involved, together with upgrades that will be required will put most dog breeders out of business or force some of us to move out of state.

We are asking that TDLR take a "common sense" approach to these R & R's so the reputable breeders in Texas can remain in business.

Thank you.

From: Richard Hartman [REDACTED]
To: <erule.comments@license.state.tx.us>
CC: [REDACTED]
Date: 2/10/2012 5:30 PM
Subject: Unlicensed Dog & Cat Breeders, Stop Animal Abuse

Since when is these organizations allowed to act as licenced breeders & animal Humanitarians. The photos I just looked at. This is inhumaine & cruel & you need to Stop this in Law Inforcing of the actual bill that is before the State Legislation.

From a Devout Animal & Pet Lover,
Richard Hartman

From: Doris Jenkins [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...
CC: Justin Summers [REDACTED], Vikki Markaverich [REDACTED]
Date: 2/19/2012 8:16 AM
Subject: TX Breeder Proposed Rules and Fees

Gentlemen,

The Dog Breeders of this state have the following issues with the subject Rules and Fees:

1. The veterinarian fees are much too costly.
2. Fees associated with the license are completely unacceptable and prohibitive for any professional dog beeder.
3. Why must dog breeders pay an inspectoin fee? Other occupations inspected by TDRL do not pay an inspection fee.

Exhorbitant fees, vet inspections, monthly expenses, together with required upgrades will put some of us out of business in Texas. We simply do not want this to happen.

Thank you./

From: Jalena Tesanovich [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/3/2012 3:59 PM

Jalena Tesanovich
[REDACTED]
[REDACTED]

Houston, TX [REDACTED]
[REDACTED]

I support this bill 100%. Please pass this bill and ensure that animals all over Texas are treated with respect! Please send a reply.

Thank you for your time. I look forward to the passing of this legislation!

Best wishes,

Jalena Tesanovich
[REDACTED]

From: [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/18/2012 10:09 AM
Subject: Proposed Regulations for Licensed Dog Breeders

Melissa Renard, Legal Assistant
General Counsel's Office, TDLR
Austin, Texas 78711

Re: Concerns with Licensed Dog and Cat Breeders Proposed Regulations

Dear Ms. Rinard:

I am very concerned with some of the proposed rules for dog and cat breeders as developed by TDLR. (I respectfully ask that TDLR address the concerns below before adopting these rules.

I have owned dogs most of my life, and since the early 1980's have been involved in exhibiting my dogs in AKC conformation dog shows, as well as training my dogs in obedience and tracking. I also have bred some of my dogs—generally when I need something else to show. Of course, not all puppies in a litter are of show quality, so I have sold some of my puppies to carefully selected pet homes.

My dogs receive the very best possible care, top quality dog food, proper housing, with constant access to fresh water. They see my veterinarian for vaccinations and any other time that there is a health problem. I spend approximately \$450.00 per month for food, electricity (my dogs are in a climate controlled environment), water, and vet care.

The following are some of the sections that I have concerns with:

Section 91.21 License Required—Presumptions.

If for some reason, proof of age or spay of an animal is not available, what other forms of proof will be acceptable to the department? How can I prove that an animal will not be used for breeding?

Section 91.30 Exemptions .

How can I prove that my dogs are used for hunting, tracking, etc., if those activities are not performed in organized competitive events? Also, does the competitive events exemption apply to show dog kennels?

Such dogs are kept for competitive events, but the regulations are unclear and more specific guidelines are needed.

Please consider and address these points in your deliberations before finalizing your rules and regulations.

Sincerely,
Kathryn Beard
Show Chairman for Longview Kennel Club
Longview, Texas
Longtime Exhibitor and Breeder of Basset Hounds
AKC Breeder of Merit
department?

From: "Jun, Nathan" [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/16/2012 10:09 PM
Subject: TDLR puppy mill regulations

I believe the proposed puppy mill regulations need to be strengthened. In particular, I feel that all cages should have solid floors, that they should have adequate space for movement without risk of injury, and that they should not be stacked so as to maintain sanitary conditions. Lastly, I believe that the proposed regulations should be applied to all facilities at once.

As a trained philosopher and teacher of ethics at a Texas university, I believe these measures are not only legally but morally obligatory.

Thank you for your consideration.

Nathan J. Jun, Ph.D.
Assistant Professor of Philosophy
Midwestern State University

[REDACTED]

From: Nancy Rix [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/20/2012 10:35 AM
Subject: Against proposed Chapter 91 Animal breeder rules

Please count this message as a registered Texas voter who is AGAINST the proposed Chapter 91 rules to govern dog and cat breeders that will not be enforceable, should the bill pass and goes to ridiculous lengths to make the practice of animal husbandry impossible in a state that is known for superior animals. I'm glad I am old and will die fairly soon - hopefully before this ridiculous violation of privacy becomes a law. The proposed starting date of September 2012 is a joke to begin with - trained inspectors will have completed how many pre-license inspections by that date, even if this law was passed tomorrow ?

Thank you very much for allowing me to voice my opinion,
Nancy Rix
[REDACTED]

—
Nancy Rix, 2012
[REDACTED]

The BEST Little Boarding Kennel in Texas
<<http://www.bestboardingtx.com/>>www.ashkabadkennel.com
UKC Registered Akbash Dogs and Kangal Dogs
Turkish Livestock Guardian Dogs

From: Penelope Duitsman [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/20/2012 11:25 AM
Subject: COMMENTS ON DOG OR CAT BREEDER PROGRAM DRAFT RULES

I am a small hobby breeder of chihuahuas here in texas. I keep them for the fun of it and to keep me active in my retirement years. My dogs receive the BEST of care and no puppy leaves here without vaccination shots and being microchipped. For the most part I do have less than 10 dogs of breeding age. If my young girls are counted then I'm in a real fix because I do not know until they are at least 2 years old if they be be a safe size to breed. PLEASE make an exception for tiny breeds that are not bred at 6 months old. I would also like to see the number of puppies allowed for small hobby breeders to be increased. I have NO WAY of knowing how many puppies each of my girls is going to have so I'm now worried I could unintentionally go over the amount allowed if some of my girls have larger litters.

Penny Duitsman
[REDACTED]

Erule. Comments - Please strengthen the Puppy Mill Bill !

From: "Sara Karow" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/10/2012 8:53 PM
Subject: Please strengthen the Puppy Mill Bill !

Dear Ms. Rinard:

I urge you to strengthen the proposed dog and cat breeder regulations as published in the Texas Registry on January 20th.

1. Please prohibit the use of wire flooring for all facilities. Having animals spend their entire lives on a wire floor is cruel and painful.
2. Please prohibit the stacking of wire-bottomed cages above one level. This is unhealthy and unsanitary and allows feces and urine to fall on the animals below. This is exactly the sort of inhumane conditions the original proposed legislation was intended to stop.
3. Please prohibit non-veterinarians from performing surgical procedures such as ear cropping, tail docking, debarking, and dew claw removal. These are surgical procedures and should be performed by a licensed veterinarian.
4. Please remove all references to a licensed breeder to use their "best efforts" regarding temperature control and replace them with enforceable safe ranges. The current phrase is vague, ambiguous and unenforceable. At the very least, Texas standards should match the federal minimum standards, low as they are.

In addition, there should be no "grandfathering" of existing breeder mills. Those currently operating under unacceptable conditions should not be permitted to continue. No animals currently living in these horrific conditions should be allowed to continue suffering under such treatment. If breeders cannot afford to meet acceptable standards, they should scale back their operations to a safe and humane level or not be in business.

Thank you for your consideration.

Sincerely,

Sara Karow

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Erule. Comments - URGENT!!!!!! - Dog & Cat Breeders

From: Ginger Simon [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us>
Date: 2/10/2012 1:50 PM
Subject: URGENT!!!!!! - Dog & Cat Breeders

P.S.

With upmost respect, I would also like to say, shame on you and anyone else who do not do the right thing for helpless animals, who cannot speak or defend themselves. It is an embarrassment for Texas, to say the least!

From: Ginger Simon
Sent: Friday, February 10, 2012 1:46 PM
To: 'erule.comments@license.state.tx.us'
Subject: URGENT!!!!!! - Dog & Cat Breeders

Dear Ms. Rinard:

I am writing today to urge you to strengthen the proposed dog and cat breeder regulations as published in the Texas Registry on January 20th.

1. Please prohibit the use of wire flooring for all facilities. Having animals spend their entire lives on a wire floor is cruel and inhumane.
2. Please prohibit the stacking of cages above one level. This is unhealthy and unsanitary and allows feces and urine to fall on the animals below.
3. Please prohibit non-veterinarians from performing surgical procedures such as ear cropping, tail docking, debarking, and dew claw removal. These are surgical procedures and should be performed by a licensed veterinarian.
4. Please remove all references to a licensed breeder to use their "best efforts" regarding temperature control. This phrase is vague, ambiguous and unenforceable. It also weakens the federal regulations which are the minimum standards and can only be strengthened, NOT weakened.

In addition, there should be no "grandfathering" of existing breeder mills. Dogs and cats currently living in these horrific conditions, rampant in Texas, should not be sentenced to a future of suffering and painful death at the hands of individuals who consider animals a "cash crop."

Thank you for allowing my comments and for your consideration.

Respectfully,

Ginger Simon
[REDACTED]

From: Trish Copeland [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/8/2012 9:09 PM
Subject: Take care of our "Best Friends", please....

Would you want this for your children? They are not that, but damn near!

Trish Copeland
[REDACTED]

Increasing revenue by driving a positive customer experience and exceeding expectations.

Sent from my iPad

From: "Peggy Henger" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/9/2012 5:43 PM
Subject: Proposed rules

Ms. Melissa Rinard

Texas Department of Licensing and Regulation

I would like to express my opinion on the proposed Rules governing licensed dog and cat breeders. I would encourage you to be as generous as possible on the cage sizes and entirely eliminate any "stacking of cages". That is an inhumane and cruel practice, as well as being unhealthy. Also, the floor of any confined space should not be wire or any other surface detrimental to the animal's comforts.

Also, please do not allow any "grandfathering" of any new rules to current owners or breeders. Every breeder should have the best interests of these animals at heart. All animals should be allowed time out of their cage, also. The intest of the "Puppy Mill Bill" is to make the lives of these animals better - a LOT better.

Thank you for the opportunity to make these comments.

Peggy Henger

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: Lenn Wages [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/10/2012 10:20 AM
Subject: Proposed rule 91.23 comments

If a license laps the breeder needs to be allowed to care for the animals. Only sales should be prohibited.

Thanks,
Lenn Wages

From: paige anderson [REDACTED]
To: <erufe.comments@license.state.tx.us>
Date: 2/10/2012 10:56 AM
Subject: Texas Breeding Mills

My name is Paige Anderson and I am a volunteer for Animal Rescue Corp. I have been on site of many puppy mills in Texas and Tennessee. I would hope that the standard you set could help end the suffering of so many.

Several of the standards are weak and provide little if any comfort for the animals in large breeding facilities.

I am especially concerned that many of the standards will not apply to existing breeders.

If this is allowed, the bill has accomplished little if nothing for the animals this bill was trying to help.

Wire Flooring and Cage sizes is imperative for the animals to have some comfort if the majority of their lives are spent inside of these cages.

Allowing cages to be stacked is also a major concern. This encourages overcrowding and will create unsanitary conditions for the poor animals living on the lower levels.

Lastly, Surgical Procedures.

ear cropping, tail docking, euthanasia must all be performed by a licensed vet.

I am hopeful that these provisions will pass and will apply to ALL breeders, new and existing.

Thank you,

Paige Anderson
Volunteer for Animal Rescue Corps

BEAST
paige anderson
[REDACTED]

From: dale martenson [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/10/2012 11:14 AM
Subject: Proposed Changes To Breeder Rules and Regs.

I, Jane Martenson have reviewed the TDLR's regulatory proposal and would like to make the following comments.
Thank you in particular to Commissioner Denton and the other members of TDLR for visiting our breeder meeting last night. It was comforting for me personally to hear that the department was taking into consideration the Animal Right's agenda and unbalanced input into the regulations.
I agree with the American Kennel Club's official response and suggestions regarding the proposed rules. However, the rule which most needs changing is Sec.91.59.
Stronger protection for breeders should absolutely be added here. Something more than an oral assurance which Mr. Denton gave us last night needs to be stated to assure that malicious complaints will not be tolerated. There should be a record of each complainant maintained by the Department. With \$1000. rewards there will be many harassment based claims especially with the anonymity option.
Another thing to keep in mind, is that most of my contemporaries don't have "facilities" but keep their dogs in their homes. For example there is no way to make a townhouse into a USDA kennel or impose the same guidelines you would for a separate facility. You will find that most AKC kennels are very different than the hoarders exploited on the local news stations.
Thank you for your consideration,
Jane Martenson

From: jan mccoy [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/10/2012 1:50 PM
Subject: Puppu Mills

Please be their voice and stop the inhumane treatment of these animals who are forced to live their lives for the greed of owners. They live in filth, wire cages, are constantly bred

not cared for properly, some are in poor health. This is abuse and needs to be stopped. Please visit on of these mills and witness the horrific conditions.

Jan McCoy

From: [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/10/2012 3:53 PM
Subject: The Puppy Mill Bill is Anti-Puppies - and Even Worse on Their Mothers

Dear Madam:

This is not a precise quote of the verses from the Bible, but it is close:
"The just man has thought for the life of his beast, but the bowels of the wicked are cruel."

Laws exist to restrain those who are wicked, but, in relation to animal welfare, too often officials look the other way when in a position to enforce existing laws and regulations that could protect animals from such inhuman monsters. Even worse are those situations in which appropriate laws and regulations only pretend to provide protection but actually do not, such as in the recently passed Puppy Mill Bill.

It is inconceivable that any right-minded person would permit - for even a day - for dogs, "man's best friends," to be stacked in small wire cages, one on top of another, so that the feces from the top dogs can rain down on the bottom dogs. Yet such conditions have actually existed, year in and year out, in dog-breeding hells. The Puppy Mill Bill has only looked the other way.

Please do all in your power to shut down such animal hells by promoting the needed improvements in the Puppy Mill Bill. This would be not just on caging, but on such things as surgeries performed by those who are not veterinarians. Also, the grandfather clause should not be used for existing puppy mills where fully conscious animals, capable of intense suffering, are viewed only as a cash crop. It was precisely because of abuses in such puppy mills that the Puppy Mill Bill was proposed in the first place.

Geraldine E. Rodgers (e-mail:

[REDACTED] Lyndhurst, New Jersey

From: Bonnie [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/10/2012 4:58 PM
Subject: proposed regulations for breeders.

I can't believe stacking of animal cages with wire flooring as being humane!

Nor should anyone be doing surgical procedures such as docking and cropping me unlicensed as a vet!

Best efforts has to be the most lame wording for breeders!

Visit some of these places and try again.

Thank you for your attention,

--
Bonnie Blayney
[REDACTED]

From: [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/10/2012 7:08 PM
Subject: Wire Flooring

Please do not permit the use of wire flooring for animals. It is cruel and inhumane.

Ann K. Spilger

[REDACTED]

From: Dawn Buckby [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/11/2012 5:04 AM
Subject: Welfare of dogs

Dear Madam

I am from England and I'm a great animal lover and as such am extremely interested in the welfare of all animals. It has come to my notice that a law has been passed recently in Texas that allows breeders to keep dogs in insanitary conditions causing intense distress to them their whole lives in order to make money from them. I cannot believe in this day and age that you would allow that to happen. Would it really be too much to ask for me to ask you to reconsider the conditions you will allow these poor dogs to be living in to be made more acceptable. Surely it would give you a more peaceful sleep at night to know you had a hand in helping these poor animals to live at least, a more acceptable way of life.

Thank you for your time in reading this email

Yours Dawn Marchant

[REDACTED]

Dawn

From: Marti Tucker [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/11/2012 11:19 AM
Subject: Puppy Mills

I am against any type of puppy mills being allowed to operate and would appreciate stricter laws being imposed on those that do operate such businesses. I have seen the results of families who have purchased such animals and their families dealing with the poor .sick animal. Thank you for your support. Marti Tucker

From: Maribel Godoy [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/11/2012 2:36 PM
Subject: Prevent any more abuse on these helpless animals

Hello Ms Rinard

My name is Victoria lopez and I am writing to you in care of all mistreated animals in the UNITED STATES OF AMERICA but specially here in our own TEXAS

Please strengthen the proposed dog and cat breeder regulations as published in the Texas Registry on January 20th .

Please prohibit the use of wire flooring for all facilities . This is so painful after hours and hours and the stacking for cages one on top of the other.

My friends get urine and feces on top of them and in there food and water and they stay that way for days and in same cases til they pass away.

This is as you know very unhealthy and unsanitary not just for my friends but for humans too.

Also prohibit non-veterinarians from performing surgical procedures ear cropping tail docking and the worst is Debarking and dew clawing . I myself

Do not think some of these procedures are right God made us and animals in his image but that is another issue, and please remove all references to a licensed breeder to use there BEST EFFORTS regarding temperature control this has become a phrase that is vague, ambiguous and unenforceable and it also weakens the federal regulations which are the minimum standards and can only be strengthened not weakened . In addition there should be no grandfathering of existing breeder mills. My friends the dogs and cats currently living in these HORRIFIC conditions, rampant in Texas, PLEASE PLEASE they should not be sentenced to a future of suffering and painful death at the hands of individuals who consider animals a CASH CROP. I ask of you to please just take one minute close your eyes and picture my friends in those cages wet cold hungry and listening to there roommates crying to there death and then you open your eyes and its you in that cage. Please help them.

Thank you for allowing my comments and feelings and for your consideration.

Respectfully and sincerely,

Victoria Lopez
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: Wallee Wright [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/12/2012 12:33 PM
Subject: Puppy Mill Bill Licensing and Enforcement

Ms Rule:

It is my understanding that the Puppy Mill Bill does not prohibit the use of wire flooring for animal cages, nor prohibit the stacking of these cages one upon the other. Puppy Mill operators who are too damned lazy to maintain a sanitary facility and who would engage in the practices should, themselves, be placed in wire floor cages stacked one upon the other. To enable this practice to continue unabated and unpunished is not simply inhumane, it is unconscionable. While this would probably describe the actions of most politicians these days I would have hoped that Texans would be above this type of trashy conduct.

The above practice, plus grandfathering any existing breeder currently engaging in these practices is so base as be beyond contemptible - it warrants placing the political allies of these lazy, disreputable, trash breeders in the same wire-floored enclosures ... but exclusively on the lowest tier.

I'm not a tree hugger nor a PETA crazy, Ms. Rule. I'm just a resident of the State of Texas begging you to do whatever you're able to prevent these practices by any breeder. I would include my State Senator and State Representative on this email, but both are apparently too cowardly to receive incoming email, all the while eagerly embracing filling my inbox with their bull—. If you're able, please forward this to them.

Walter Wright
[REDACTED]

From: "Carol Dixon" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/19/2012 5:06 PM
Subject: ATT. Melissa Rinard

Carol Dixon
[REDACTED]
[REDACTED]

February 19, 2012

Melissa Renard, Legal Assistant, General Counsels Office

Texas Department of Licensing and Regulation

P.O. Box 12157

Austin, TX 78711

Dear Ms. Renard:

I am writing you today about the proposed new rules for both dog and cat breeders, Rules 16 TAC 91.1 through 91.202

I have raised and shown Siberian Huskies since 1962. This interest started as child while watching "Sergeant Preston Of The Yukon" on Television. It has grown into my love of all animals in general and working professionally as a dog groomer. The person who decides to dedicate themselves to one breed of dog and then set about to improve it is motivated for their love of dogs and the passion to develop their breed to be healthy, beautiful, and sound in mind and body. The pursuit of this hobby involves studying pedigrees, health issues, genetics and conformation. This in turn leads to shows and events such as Westminster seen on television just this past week.

Conformation and working events also generate a lot of income for the cities hosting the events as many exhibitors are from out of town, stay at hotels and motels and eat at local restaurants.

As a person who has spent almost 50 years of their life protecting one breed of dog and trying to see that they do not fall into the hand of BACK YARD BREEDERS and PUPPY MILLS is saddens me to see such a bill come up. While it is well intended, the only people it will hurt are the people who truly love and care for their dogs and cats. Breeders that have spent their lives devoted to their cause.

This law will greatly penalize the good breeders and do nothing for the big problem. It will be devastation for those of us who spend our life attending shows, field events and obedience trials. It will be devastating for the people who want to own a quality dog. Please take another look at this Bill. It will only hurt those trying to do the right thing and do nothing to solve the real problem. The Dedicated breeder is the key to education in responsible dog ownership. Dedicated breeders are the stewards of the breed. They do all they can to protect their dogs in every way possible. They have invested years and generations to maintain type and to improve the quality of their dogs. This bill will greatly harm those trying to do the most good for responsible dog ownership.

Please do not pass this bill that has failed to look at the big picture.

Sincerely,

Carol Dixon

From: N James Dormer [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/19/2012 11:57 AM
Subject: Please Strengthen the Proposed Breeder Rules and Standards

Feb 19, 2012

Texas Department of Licensing and Regulation

Dear of Licensing and Regulation,

I respectfully urge you to make changes to the proposed breeder rules and standards that are necessary to implement the Dog and Cat Breeders Act regarding the licensing and regulation of certain dog and cat breeders. In particular, please remove grandfather clauses that would allow breeders in business before the Dog and Cat Breeders Act was passed to use smaller caging and caging with wire floors; forbid the use of cage stacking; ban breeders from performing surgical procedures (including debarking, ear-cropping, tail-docking, dew claw removal, etc.); and require all licensed breeders to keep ambient temperatures at adequate levels at all times.

As currently written, the proposed rules will not promote the improvements in animal treatment required by the Dog and Cat Breeders Act.

Thank you.

Sincerely,

N James Dormer

From: Holly Bird [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/19/2012 2:52 PM
Subject: Please make much needed changes to breeder rules!

Feb 19, 2012

Texas Department of Licensing and Regulation

Dear of Licensing and Regulation,

I respectfully urge you to make changes to the proposed breeder rules and standards that are necessary to implement the Dog and Cat Breeders Act regarding the licensing and regulation of certain dog and cat breeders. In particular, please remove grandfather clauses that would allow breeders in business before the Dog and Cat Breeders Act was passed to use smaller caging and caging with wire floors; forbid the use of cage stacking; ban breeders from performing surgical procedures (including debarking, ear-cropping, tail-docking, dew claw removal, etc.); and require all licensed breeders to keep ambient temperatures at adequate levels at all times.

As currently written, the proposed rules will not promote the improvements in animal treatment required by the Dog and Cat Breeders Act.

Thank you.

Sincerely,

Holly Bird

From: .Vikki Markaverich [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/19/2012 3:42 PM
Subject: New Breeder's Regulations and Fees

TX Breeder Proposed Rules and Fees

Gentlemen,

The Dog Breeders of this state have the following issues with the subject Rules and Fees:

1. The veterinarian fees are much too costly.
2. Fees associated with the license are completely unacceptable and prohibitive for any professional dog breeder.
3. Why must dog breeders pay an inspection fee? Other occupations inspected by TDRL do not pay an inspection fee. Exorbitant fees, vet inspections, monthly expenses, together with required upgrades will put some of us out of business in Texas. We simply do not want this to happen.

Thank you,

Vikki Markaverich

Reply to:
Reply to: Doris Jenkins All Reply to Doris Jenkins Send

From: Justin Summers [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/19/2012 11:37 AM
Subject: dog breeding law

Gentlemen,

The Dog Breeders of this state have the following issues with the subject Rules and Fees:

1. The veterinarian fees are much too costly.
2. Fees associated with the license are completely unacceptable and prohibitive for any professional dog breeder.
3. Why must dog breeders pay an inspection fee? Other occupations inspected by TDRL do not pay an inspection fee.

Exorbitant fees, vet inspections, monthly expenses, together with required upgrades will put some of us out of business in Texas. We simply do not want this to happen.

Thank you./ Justin Summers

From: [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/19/2012 8:36 AM
Subject: Comments on Dog and Cat Breeder Program

Hello,
We have a few questions, and concerns, in regard to the Dog and Cat Breeder Program. If you could address these, we would appreciate it.
Thank you for your time.
Sincerely,
Steve and Denise Robertson
[REDACTED]

1. What other private business pays this high of a license fee? And, how does it compare to other small business license fees?
2. What other private or public business pays for inspections? And, if any, how do they compare?
3. How are breeders from out of state going to be regulated if they bring puppies, into Texas, to sell? An out of state plumber, electrician, etc. would have to be licensed in the state of Texas to be able to do work in Texas. How can I compete with everyone bringing dogs in from out of state? More dogs are sold at Canton and other open markets from out of state sellers than in state sellers.
4. How do you plan to enforce the 20 puppy rule ? I see it as unenforceable. If unenforceable how can I compete with someone who pays no fees? The purpose of the bill was to stop puppy mills, they will find a way around any limit.
5. Are puppies from livestock guardian dogs and herding dogs exempt? Livestock dogs cannot be locked up, their purpose is to guard livestock out in the pasture, and one female can produce 20 puppies per year.
6. It is my understanding that the new tax exemption does not allow an exemption for kennels, yet you ask for the exemption number on the application.
7. With such high fees for license and inspections, the required veterinarian care costs and upgrade costs, we will not be able to stay in business. For example, just the cost of new dog houses will put some of us out of business. Wholesale cost of a cheap dog house is about \$55 each and they may not meet the new standards. Another example, hands on yearly vet care would be very time consuming and expensive.
8. What our we suppose to do if we are at our limit of intact females, per our license, when we have female puppies that reach the age of 6 months and have not sold?

From: Prue Whitaker [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/19/2012 9:33 AM
Subject: HB 1451

In order for this to be successful, fees are going to have to be minimal, rules are going to have to follow USDA rules, and Texas must get animal rights people out of the picture. The other states that have been successful in their enforcement of such rules have NO animal rights people on their board. Animal Rights Extremists have absolutely nothing to gain or lose from these rules, but seem to have the most input. Pet breeders have absolutely no respect or trust of the lawmakers of Texas. They see very little reason to respond as they worked diligently to stop this bill, but money talked rather than reason. Should we expect things to change now? Breeders from other states can come to Texas and sell their pups and make a larger profit, pay no sales tax, thanks to these rules. Our best option at this time is to move to another state and sell in Texas. You are simply running your good breeders that currently pay sales taxes out of the state of Texas. What are you going to have left?

-

From: Cae McDowra <[REDACTED]>
To: <erule.comments@license.state.tx.us>
Date: 2/19/2012 10:01 AM
Subject: Commercial Breeders rules

I am writing to say that I feel that you would have more breeders licensed and operating viable, productive kennels, if you would revert back to what the original bill said, and go simply by USDA guidelines. What that being said, please strike all of the extra knit picky language in the bill and go by USDA only.

Along with that, you need to make the fees affordable to the breeders. With you current licensing fees, it is less expensive to move to another state than to operate for a few years in Texas.

Please reconsider this.

You are reducing the industry in Texas and other states will profit from it.

From: Cae McDowra [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/19/2012 10:23 AM
Subject: Commercial Breeder Rules

I feel that if you were to reconsider all of the changes you have made, and revert back to USDA guidelines, you may have some licensed kennels in Texas. If you go by the last draft, I don't feel that you will have any kennels apply for a license. It appears by the language in the last draft, that you are simply saying that you don't want any breeders in the state of Texas, and for them to either close or move elsewhere.

With the ambiguity of the language about the type of wire, the size of wire and the percentage of wire, it would take a legal mind to figure out the requirements that each individual dog needed.

Do you do these types of measurements when allowing for space in a child's classroom or bedroom size?

Also, who thinks it is the right of the state to say when you take your animal to the vet and what the vet must do to that animal. Shouldn't that be up to the opinion of the vet?

I think you should go by the USDA guidelines as to what the vet must do.

From: Justin Summers <[REDACTED]>
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/18/2012 4:57 PM
Subject: rules and regs of dog breeding program

Please know that all the reputable dog breeders in this area feel the fees associated with the license are totally unacceptable and are cost prohibitive for any professional dog breeder.

Why should dog breeders have to pay for an inspection when no other occupation inspected under TDLR pays for inspections? Vet inspections, current monthly expenses and the amount of fees involved, together with upgrades that will be required will put most dog breeders out of business or force some of us to move out of state.

We are asking that TDLR take a "common sense" approach to these R & R's so the reputable breeders in Texas can remain in business.

Thank you.

From: "Janice Seiffert" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/18/2012 5:18 PM
Subject: Puppy Mill Bill PLEASE MAKE IT COUNT FOR THE ANIMALS, THEY CAN NOT SPEAK FOR THEMSELVES
Attachments: PUPPY MILL CONDITIONS.htm

Dear Ms Rinard,

I have four wonderful pets, all rescue dogs. They are the lucky ones, we took care of their immediate needs when they came to live with us, and continue in good health as we are able to give them best care and, visit their Vet on a regular basis.

What makes me cry though, is all the ones I have to turn my back on. A local rescue group took in almost 200 dogs and puppies from a rescue mill (this bill makes her conditions legal) so sick and infected sores all over them. The woman claimed she was too sick to take care of her "pets" and voluntarily gave them up to the authorities to find homes for. Later it was discovered these "pets" were females that could no longer carry a litter, deformed and injured dogs and puppies that couldn't be sold and it was cheaper for her to "give them up" than spend the money and time to discard and bury or burn them!!! Her puppy mill is still in business !!! Many of the dogs she gave up had to be put down because of their terrible injuries and many more died of illness though much effort and money was poured into their care. People adopting these dogs have to expect a life long association with the Vet for future care as they are in a weakened state.

Please make harder restrictions in this bill. If dog breeders really love their animals, they already have good clean conditions and vet care for their animals. They are concerned for their well being even if no laws are in place. This bill is for those looking at dogs and puppies as a cash crop and don't care that they are suffering and miserable for their entire lives with the breeder as long as the "clean up and look good at the sale!!!"

If you take a feather, bother a nest or touch an egg or chick of the bald eagle, you spend time in jail. But it is ok to abuse, torment, starve, torture and more these poor animals in the puppy mills. This is a terrible crime. Please make every effort to prevent this treatment of our four legged friends by making it harder and more expensive to meet the regulations that keep the dogs healthy and safe, and have harsher penalties when they break the law. Thank you for taking your time to read this and look at the attached pictures.

Thank you,

Janice Seiffert

From: Cheryl Stupprich [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/18/2012 9:28 AM
Subject: Concerned breeder

My name is Cheryl Stupprich. I'm a breeder in Ohio. I'm very concerned about regulation and large fees being place at our feet. They are outrageous. Please consider the responsible individual breeder who already invest everything they have in their breed and can not possibly afford these fees.

Lyberti Dobermans.
Sent from my iPhone

From: Doris Jenkins [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...
CC: Vikki Markaverich <vljm2@yahoo.com>, "lreyenga@comcast.net" <lreyenga@co...
Date: 2/18/2012 9:43 AM
Subject: TEXAS BREEDER PROPOSED RULES AND FEES

Gentlemen,

In addition to the other fees associated with these "Rules and Fees" the vet requirements are too extreme and will cost way too much.

From: Sara Black [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/18/2012 11:39 AM
Subject: proposed rules for license breeders program

I am not going to start listing all the "bad" proposals" in this program... Most of you know which ones they are.
I only wanted to contact you and just express my complete disbelief in this system.. Majority of breeders are very caring and concern with their breeding program.. most of the breeders I am associated with are show people
We strive to make our breed healthy..... we have so many education programs to help us maintain high integrity in our kennels and to help us with decisions of not breeding our animal that might pass along a medical problem.
In my breed we have really come a long way in the last 15 years - even though the "animal rights people" will not accept this or even seek out responsible breeders to learn the truth... yes, we have back yard breeders and my breed club has been trying to reach out to the ones we can find to try and educate them We need to have the laws on the books be enforced against these that could care less about the animals they have in their care.... These backyard breeders only care how much money they can make- when in reality a true responsible breeder does not make "a lot of money breeding" as has been one of the complaints from certain associations..
All I ask is please question some of the rules... it is odd that the bill passed in the first place since so many of our representatives relayed to us the bill was not a good bill and would not pass.... mmmmmmm.... do you think money might have had an effect on the outcome... Guess the bottom line is to go with the money group or the responsible breeders that love and care for the Animals in their care... after all, this should be about the animal.....Thank you for allowing me to vent....

Sara

From: Kay Christensen [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/18/2012 1:54 PM
Subject: Dog Breeder Legislation

Hello- I am a small breeder who has concerns about the new legislation that was passed last year. I believe the USDA guidelines have served the industry quite well for years. As with any legislation, it will affect those who try to operate legally and correctly, and those who don't will continue to do what they always do- hide, cheat, what-have-you. For those of us looking to become licensed one day, the legislation, as written, would make it extremely cost prohibitive to do so. My dogs live with us in our home, garage, and yard. They are healthy and happy- always well cared for. I spend hundreds of dollars on genetic testing to ensure that I am producing the healthiest puppies possible. I do this because I truly care about my breeding program, not because it is required by anyone. The USDA Guidelines are quite enough to ensure the welfare of these animals, if followed and enforced.

It seems to me that if the guidelines that have been in place have worked for decades, that we do not need even more rules and regulations. Every breeder's situation is unique. There is no one size fits all solution here. What concerns me the most is the "bounty" being offered for turning a breeder in. In my opinion, this just encourages neighbors who dislike barking dogs, people with grudges against someone, or ARA Groups to just report away en masse. Once reported, even though they may not have done one single thing wrong, the breeder is put in the position of defending themselves, their operation, and their dogs. The legal fees to fight this sort of thing would put many out of business. Perhaps there could be a fine or penalty for "false or frivolous reporting?" I, personally, have reported several times about horses who were obviously starving. Anyone who truly cares for animals does need the incentive of a bounty to report abuse, neglect, or cruelty.

I am well aware that there are breeders out there who treat their animals horribly, and who need to be shut down. But why must those of us who are doing right by our animals be legislated right out of business? Please rethink the wording of this legislation, and the possible unintended outcomes that could be devastating to many.

Respectfully,

Kay Barstad

From: Patrick Reforsado [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/17/2012 5:58 PM
Subject: Re: Puppy Mill Bill

To Respected Sirs/Ma'ams,

I am writing in regards to the Puppy Mill Bill. It is a known fact that Puppy Mills here in America is known not for sharing the love of animals, but the profitability it makes. However, it is unpleasant to even think that we are ABLE and ALLOWING people to use dogs and cats as a money-making scheme. In addition, we should also keep in mind that the animals themselves are the ones that are suffering. This also affects the people who work for Humane Societies that house these animals because the populations of animals will increase and are forced to put to sleep. We need to step back and take a look at the big picture. Money and greed causes trouble. What makes this situation different? The Puppy Mill doesn't just affect the innocent and well-being of animals, but affects the dynamics of how America functions as responsible citizens. Apathy will only lead to failure. We need to stand up, take action, and do what is right.

I would like to request a feedback/response. Thank you very much for your time.

Patrick D. Reforsado
Chair, Red River Group
Lone Star Chapter
The Sierra Club
[REDACTED]

From: "Boehm, Kristi" [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx...>
Date: 2/17/2012 5:16 PM
Subject: COMMENTS ON DOG OR CAT BREEDER PROGRAM DRAFT RULES

Dear TDLR,

Please do not pass this legislation!!

I have female dogs that I show in AKC events (confirmation, obedience and hunt tests). I don't breed them, nor do I have any intention to, but how does someone prove that they don't breed since only records are kept when dogs are bred (veterinary services for the dam and puppies). However, if I ever did want to produce a litter, a responsible pet owner who does make sure that my vet sees my dogs on an annual basis, I should be able to without having to get a breeder's license. People who run "alleged" puppy mills or who breed multiple litters each year should be subject to some regulation compared to someone who owns 1 or 2 purebred companion dogs.

One of my dogs is 10 years old and the other has a physical condition that would make breeding her unethical (shallow hip). I will not spay them as to be shown they must be intact; however, this legislation seems to suggest that I would be forced me to get a breeder's license.

This legislation needs more clarification on many items dealing with breeding and exemptions. HSUS, who supports this legislation, is trying to make having a pet dog (or cat) prohibitive.

SEC. 802.004. PRESUMPTION OF USE FOR BREEDING. (see Draft Rules §91.21.License Required–Presumptions.) (See §91.30.Exemptions.)

For purposes of this chapter, each adult intact female animal possessed by a person engaged in the business of breeding animals for direct or indirect sale or for exchange in return for consideration is presumed to be used for breeding purposes unless the person establishes to the satisfaction of the department, based on the person's breeding records or other evidence reasonably acceptable to the department, that the animal is not used for breeding.

Clarification is needed regarding what documentation is acceptable to prove an intact female was not bred and also, does the limit to breeding apply to being bred multiple times in a given year or just being bred one time?

SEC. 802.005 - EXEMPTION FOR CERTAIN PERSONS WHO BREED SPECIAL PURPOSE DOGS.

This section purports to exempt dogs bred and used for herding livestock, hunting, including tracking, chasing, pointing, flushing, or retrieving game, or competing in field trials, hunting tests, or similar organized performance events. However, the exemption has been narrowed with further stipulations in the Proposed Rules by requirement of proof including but not limited to:

- (1) evidence of agriculture activity or business operations using a dog described by this section;
 - (2) entry registration forms or receipts issued by an entity sponsoring, conducting or organizing competitive events.
- (f) All evidence submitted under this section must uniquely and conclusively identify and relate to the specific dog or dogs for which an exemption is requested.

Is proof of event competition required for every dog owned in order to qualify for the exemption? What about young females who are being shown but not entered into hunt tests or field trials yet, in an effort to keep their coat in top condition for the show ring. Again...as long as they are competing in the show ring they cannot be spayed.

Please don't pass this draft!

KBoehm

From: Dominique Lowe [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/17/2012 12:02 PM
Subject: COMMENTS ON DOG OR CAT BREEDER PROGRAM DRAFT RULES

My name is Dominique Lowe and I am a small hobby breeder of Chihuahuas. I would like to add my comments on some of the Draft Rules for the Dog or Cat Breeders Program. Let me begin by saying that I am a small hobby breeder. My dogs are my dear pets that are kept in my home. Because of the low threshold for the requirements for this license myself and other breeders like me will be dramatically affected. I raise puppies to cover the cost of my hobby, which is breeding Chihuahuas. It is not a source of family income. It is an hobby I do for personal enjoyment. The proposed fees and cost of the inspection and license alone will have a dramatic impact on my hobby budget. I already comply with the standards of care that are being implemented, but this will be an additional cost. I am already inspected by the American Kennel Club. Is there any way that this inspection report could be submitted in place of another inspection performed by TDLR? Perhaps the TDLR could work with the AKC to save small hobby breeders at least the cost of the inspection. Home hobby breeders need to be separated from the professional kennel operations. The 11 breeding female limit is totally reasonable, however in conjunction with the 20 puppy a year limit it is out of sync. For large breed dogs that is maybe two litters a year, a couple more for small breed dogs. Limiting the number of puppies is also completely beyond a breeder's control. I can control the number of breeding females I keep however, I cannot control the number of puppies they have! Raising the number of puppies per year would be an adequate way of separating the small hobby breeders from the larger scale operations, which I hope are the real targets of this bill in the first place. It would also be more in line with the number of intact breeding females that fall under this regulation.

I also hope that we could get clarification on several sections of these Draft rules.

SEC. 802.004. PRESUMPTION OF USE FOR BREEDING. (see Draft Rules §91.21.License Required--Presumptions.) (See §91.30.Exemptions.)

For purposes of this chapter, each adult intact female animal possessed by a person engaged in the business of breeding animals for direct or indirect sale or for exchange in return for consideration is presumed to be used for breeding purposes unless the person establishes to the satisfaction of the department, based on the person's breeding records or other evidence reasonably acceptable to the department, that the animal is not used for breeding.

Clarification is needed regarding what documentation is acceptable to prove an intact female was not bred and whether this applies to being bred in a given year or at any time. I already keep extensive breeding records for the American Kennel Club which include breeding records and dates, as well as litter records. Will this be reasonably accepted evidence? I would also like to mention that I do not breed any of my females before they are two years old. With a small breed like the chihuahua we give them extra time to grow and be evaluated for breeding. How will this be handled? I do not want to be forced to spay a female too young because she will "count" as a breeding female before she has been given a chance to mature and grow. Her records are simply blank, as she has never been bred.

SEC. 802.056 AND 802.057 - ESTABLISH A PUBLIC DATABASE OF LICENSEES AND DISCIPLINARY ACTIONS.(see §91.55 and §91.56)

Due to the low thresholds of the law, breeders who utilize their homes will be regulated and licensed. Thus private homes will become subjects of public information.

The draft regulations should clarify what information is absolutely necessary for inclusion in this public database so as not to create opportunities for harassment by activists or predators. (see §91.55 and §91.56) This is a HUGE concern and a direct violation of my privacy. I am a hobby breeder that operates out of my personal residence. I am very selective about how much of my personal information I release, even when I advertise. I do not openly publish my address and do not wish it to be without my control. There has to be a compromise here for the safety of my family and my home.

In closing, please consider the small home hobby breeders when enacting these draft rules. I sincerely hope that penalizing families who enjoy their dogs and puppies was not the intention of the passage of this bill. A few changes would go a long way to separate the full scale breeding facilities (puppy mills that we all abhor) from the hobbyists.

Thank you for your time,

Dominique Lowe
Red Hawk Ranch Chihuahuas

From: "Arlyn C. Shields" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/17/2012 12:12 PM
Subject: cat and dog breeder regulations—Texas Registry Jan. 20. 2012

Dear Ms. Rinard,

I am writing regarding the about -named subject of cat and dog breeders. These regulations have the potential to impact the horrific conditions of these animals at the hands of so-called breeders to make money. Legitimate breeders already abide by humane practices and would not be affected by the regulations.

If the proposed regulations were specific about the use of wire flooring, stacking of cages, surgical procedures by non-veterinary personnel, and specific guidelines for temperature control, they would have meaning in the treatment of animals rather than "suggestions." There also should be no grandfathering of breeder mills as they seem to be rampant across the state and would allow these conditions to continue for years.

Thank you for your attention in this matter.

Sincerely,

Arlyn Shields
[REDACTED]
[REDACTED]

From: Jo Guthrie [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/17/2012 1:15 PM
Subject: question

In addition, there should be no "grandfathering" of existing breeder mills. I read this in a Houston SPCA ad. What exactly does this mean? If you are an existing kennel/breeder are you "Grandfathered" under the new law?

Grandfather clause is a legal term used to describe a situation in which an old rule continues to apply to some existing situations, while a new rule will apply to all future situations. It is often used as a verb: to grandfather means to grant such an exemption. Frequently, the exemption is limited; it may extend for a set period of time, or it may be lost under certain circumstances. For example, a "grandfathered power plant" might be exempt from new, more restrictive pollution laws, but those rules would apply if the plant were expanded. Often, such a provision is used as a compromise, to effect new rules without upsetting a well-established logistical or political situation. This extends the idea of a rule not being retroactively applied.

The term originated in late-19th-century legislation and constitutional amendments passed by a number of U.S. Southern states, which created new literacy and property restrictions on voting, but exempted those whose ancestors (grandfathers) had the right to vote before the Civil War. The intent and effect of such rules was to prevent poor and illiterate African American former slaves and their descendants from voting, but without denying poor and illiterate whites the right to vote. Although these original grandfather clauses were eventually ruled unconstitutional, the terms grandfather clause and grandfather remain in use, with no connotation regarding the justness of these provisions when applied in other areas.

From: "Nanci Gates" [REDACTED]
To: "erule.comments@license.state.tx.us" <'erule.comments@license.state.tx.u...
Date: 2/17/2012 3:01 PM
Subject: COMMENTS ON DOG OR CAT BREEDER PROGRAM DRAFT RULES

I accidentally omitted my contact information. Please send your reply by email.

Nanci Gates
[REDACTED]
[REDACTED]

> -----Original Message-----

> **From:** Nanci Gates
> **Sent:** Friday, February 17, 2012 2:58 PM
> **To:** 'erule.comments@license.state.tx.us'
> **Subject:** COMMENTS ON DOG OR CAT BREEDER PROGRAM DRAFT RULES

> Dear Rules Committee:

> I would like to inquiry about how this law will actually be implemented. I am a single mother and worry about my private information being available to just anyone.

> SEC. 802.056 AND 802.057 - ESTABLISH A PUBLIC DATABASE OF LICENSEES AND DISCIPLINARY ACTIONS. (see §91.55 and §91.56)

> Due to the low thresholds of the law, breeders who utilize their homes will be regulated and licensed. Thus private homes will become subjects of public information. The draft regulations should clarify what information is absolutely necessary for inclusion in this public database so as not to create opportunities for harassment by activists or predators. (see §91.55 and §91.56)

> Any solutions you can offer will be kindly appreciated.

> Thank you,

> Nanci Gates
> Grapevine TX

From: "Nanci Gates" [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.u...>
Date: 2/17/2012 3:03 PM
Subject: COMMENTS ON DOG OR CAT BREEDER PROGRAM DRAFT RULES

Dear Rules Committee:
I have a few questions and concerns regarding

SEC. 802.005 ? EXEMPTION FOR CERTAIN PERSONS WHO BREED SPECIAL PURPOSE DOGS.

This section purports to exempt dogs bred and used for herding livestock, hunting, including tracking, chasing, pointing, flushing, or retrieving game, or competing in field trials, hunting tests, or similar organized performance events. However, the exemption has been narrowed with further stipulations in the Proposed Rules by requirement of proof including but not limited to:

- (1) evidence of agriculture activity or business operations using a dog described by this section;
- (2) entry registration forms or receipts issued by an entity sponsoring, conducting or organizing competitive events.
- (f) All evidence submitted under this section must uniquely and conclusively identify and relate to the specific dog or dogs for which an exemption is requested.

My Questions:

Is proof of event competition required for every dog owned in order to qualify for the exemption?

Is this an annual requirement or is the possession of any field trial or hunting test title sufficient to prove the dog is working in the capacity for which it was bred?

As a hunter goes after wild hogs and other game are not competing in organized events and will not have "event" receipts to submit in order to gain a kennel licensing exemption?

Thank you for taking the time to respond to my questions regarding this Section.

Sincerely

Nanci Gates
[REDACTED]

>

From: Karen Comeaux [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/17/2012 4:36 PM
Subject: Puppy Mills

Please stop the puppy mills. Please strengthen the laws to keep just anyone from keeping over a certain amount of dogs or puppies. I don't know the current laws, but if people had to pay for licenses, certifications and had to qualify to keep and sell pets, it might deter the uncaring people from using animals for profit only. Also, inspections should be a regular event at all puppy mills. Please do what you can to stop the bad treatment of animals.

Thank you. Karen F. Comeaux
[REDACTED]

Sent from my iPhone

Melissa Rinard - Licensed Breeder Bill--Proposed Rules

From: Joel Hailey <[REDACTED]>
To: <erule.comments@license.state.tx.us>
Date: 2/2/2012 1:55 PM
Subject: Licensed Breeder Bill--Proposed Rules
CC: Joel Hailey <[REDACTED]>, Joel Hailey <[REDACTED]>

I urge that you strengthen the proposed rules for licensed breeders as follows:

- 1) The prohibition against wire flooring should apply to existing breeders (not simply new breeders).
- 2) The proposed requirement of larger cage sizes should apply to existing breeders (not simply new breeders).
- 3) Cage stacking should be prohibited because it encourages overcrowding, allows more flowage or urine, and impedes air flow.
- 4) All surgical procedures (including tail-docking, ear-cropping, claw removal and debarking) should be done exclusively by licensed veterinarians.

Please improve the proposed rules to make Texas a more responsible, humane state.

Joel Hailey
Attorney at Law
Former Chair, State Bar of Texas Animal Law Section

From: William Montgomery [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/2/2012 1:50 PM

Dear Sirs,
Do not allow wire flooring in dog and cat cages. Do not allow stacking of dog cages on top of one another. Require all ear cropping, tail docking, declawing and debarking be done by a vet.
Bill Montgomery

Melissa Rinard - puppy mills

From: [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/2/2012 1:42 PM
Subject: puppy mills

Please consider the enormous problems of uncaring puppy breeders and adopt careful guidelines regarding the regulation of animal breeding.

Mary V. Davis
[REDACTED]

Melissa Rinard - dog & cat breeder reg.

From: Rodney and Cindy Wingerter [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/2/2012 9:25 AM
Subject: dog & cat breeder reg.

To: Melissa Rinard,

I am writing in regards to the licensing & regulation concerning large puppy mills, cat breeders in Texas. I have lived here about a year now, coming from the state of Wa., & Calif., and I am just in shock over how bad the state of Texas is in humane treatment of animals, dogs & cats, & horses as well. This is such a proud state in so many other ways, very prosperous, it has just been shocking to see the overall cruel & thoughtless treatment of animals here. Please do what is needed to preserve the living conditions of these animals! Larger cages, solid bottoms to cages, not just wire, no overcrowding, no stacking of cages, allowing urine & feces to fall down onto other animals. I request a reply to this e-mail please.

Sincerely,
Cynthia Wingerter

[REDACTED]

--
~Cinrods~
[REDACTED]

Melissa Rinard

From: shirley gottschalk [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/1/2012 3:13 PM

Please pass H B 1451, Please pass all legislature that would help all helpless animals. STOP ANIMAL CRUELTY!
Shirley Gottschalk

From: karen carrillo - [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/16/2012 12:10 PM
Subject: Rediculous Rules and Regulations

I have severel questins about this iudicrous bill;

1. Why do dog breeders have to pay an inspection fee when no other occupations inspected under the TDLR are required to pay for inspections?
2. The license fees are rediculously high and NOT acceptable to dog breeders
3. The regulations such as fees, vet inspections upgrades and monthly expenses would make it impossible for honest hardworking dog breeder to stay in business.

Please do not let these horrible fees and regulations drive Texas Dog Breeders out of business. They are hard working individuals who love animals too.

Karen Carrillo

From: Rebecca Carazzone [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/16/2012 11:23 PM
Subject: HB 1451

Dear Ms. Rinard,

I am a lover of purebred Maine Coon cats and am against HB 1451. I have read the draft rules and support the comments that will be presented to TDLR by the Responsible Pet Owners' Alliance and the Sportsman's and Animal Owners' Voting Alliance. I know that Mr. Whitmire hopes to reduce the number of intact females in the next legislative session and I sincerely hope that the rules for implementation of HB 1451 do not completely destroy the purebred cat and dog breeders in Texas. There will always be people who want purebred cats and dogs, please don't let TDLR implement rules that destroy the breeders.

Sincerely,
Becky Carazzone
Houston Cat Club, President

From: Manda [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/17/2012 2:03 AM
Subject: COMMENTS ON DOG OR CAT BREEDER PROGRAM DRAFT RULES

Hi! I have working dogs and dogs that I do field trails! I feel this bill is not right! Yes I female dogs and because of this I have to have a license to breed! For one I do not breed to sale I breed for my self in four year I have bred 2 times! I feel this bill is trying to kill out the dogs period! I understand it for the puppy pushers but, why are they trying to stop the working class dogs! I vote that they leave the working/hunting dogs alone! This is how I feel! I have 10 female dogs! And like I said in 4 years I have had 2 litters and did not sale one of them! Go after the people who are out there just to make money of the dogs not the people who work there dogs! Thank you for your time!

Manda Ann

From: "dexter l. blevins" [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/17/2012 4:08 AM
Subject: COMMENTS ON DOG OR CAT BREEDER PROGRAM DRAFT RULES

SEC. 802.005 – EXEMPTION FOR CERTAIN PERSONS WHO BREED SPECIAL PURPOSE DOGS.

This section purports to exempt dogs bred and used for herding livestock, hunting, including tracking, chasing, pointing, flushing, or retrieving game, or competing in field trials, hunting tests, or similar organized performance events. However, the exemption has been narrowed with further stipulations in the Proposed Rules by requirement of proof including but not limited to:

- (1) evidence of agriculture activity or business operations using a dog described by this section;
- (2) entry registration forms or receipts issued by an entity sponsoring, conducting or organizing competitive events.
- (f) All evidence submitted under this section must uniquely and conclusively identify and relate to the specific dog or dogs for which an exemption is requested.

Is proof of event competition required for every dog owned in order to qualify for the exemption? Is this an annual requirement or is the possession of any field trial or hunting test title sufficient to prove the dog is working in the capacity for which it was bred?

Does "similar organized performance events" include lure coursing, Earthdog and other working/sporting dog events?

Hunters going after wild hogs and other game are not competing in organized events and will not have "event" receipts to submit in order to gain a kennel licensing exemption.

I have cow and hog dogs wich I use to help rid the State of Texas of ferel hogs with they way this is going thousands of dog hunters will be no longer thus allowing the problem to worsen This is so wrong and I beleive a better attempt need to be taken to preserve the working / hunting/ herding dogs

Dexter L. Blevins
[REDACTED]

From: "dexter l. blevins" [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/17/2012 4:18 AM
Subject: COMMENTS ON DOG OR CAT BREEDER PROGRAM DRAFT RULES

§91.112. STANDARDS OF CARE--VETERINARY CARE.

(a) Annual hands on examination. A licensed breeder shall have each animal used for breeding examined by a veterinarian at least once in every twelve month period and provide the animal with any treatment recommended by the veterinarian. The annual examination required by this section must be hands on by the veterinarian and documented by the attending veterinarian in the medical records related to each animal.

Federal regulations Title 9 CFR, Part 3, Subpart D Attending Veterinarian and Adequate Veterinary Care (a) (1) require that dealers have formal arrangements made with a veterinarian that include a written program of care and regularly scheduled visits to the premises. Neither HB1451 enacted into law or federal regulations require an annual "hands on" examination of every animal on premise as required in §91.112. Standards of Care-Veterinary Care. A hands on examination of animals who visually, in the veterinarian's opinion, appear to be vigorous, active, in appropriate weight, free of hot spots or skin irritations, should not require a hands on examination. This requirement exceeds the law at great cost to the kennel/cattery owner.

Why tell me I have to have my Veterinarian come out and inspect my dogs I have dogs to ripe old ages of 10 -13 and have 2 over ten now thats never been to the Veterinaians office otehr than for Rabies shots this would add a great fiancial burden on me aswell as any other ranch hand-farm boy trying just to keep the family working dogs it all sounds special intrest to me

Dexter L. Blevins
[REDACTED]

From: "dexter i. blevins" [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/17/2012 4:23 AM
Subject: COMMENTS ON DOG OR CAT BREEDER PROGRAM DRAFT RULES

SEC. 802.059. DOG OR CAT BREEDER TRAINING AND ENFORCEMENT ACCOUNT. (See §91.60. Responsibilities of the Department—Payment of Rewards)

An account is established to pay "rewards" for information leading to discovery of unlicensed breeders. The Draft Rules propose a \$1,000 "bounty" not to exceed \$1,000. There is no statement in the Draft Rules to warn of penalties for false reporting, a crime under Texas Penal Code, in order to avert potential breeder harassment.

this will open a lots of troubles and added burden on a already stretched "enforcement group"

Dexter I. Blevins
[REDACTED]

From: "dexter l. blevins" [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/17/2012 4:29 AM
Subject: COMMENTS ON DOG OR CAT BREEDER PROGRAM DRAFT RULES

SEC. 802.056 AND 802.057 - ESTABLISH A PUBLIC DATABASE OF LICENSEES AND DISCIPLINARY ACTIONS. (see §91.55 and §91.56)

Due to the low thresholds of the law, breeders who utilize their homes will be regulated and licensed. Thus private homes will become subjects of public information. The draft regulations should clarify what information is absolutely necessary for inclusion in this public database so as not to create opportunities for harassment by activists or predators. (see §91.55 and §91.56)

This is wrong by so many counts and need to be kept private to keep the wack jobs away from our homes and families ... its a bad ideal

Dexter L. Blevins
[REDACTED]

Melissa Rinard - next meeting

From: BCPS KENNELS [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/2/2012 2:37 PM
Subject: next meeting

I would like to know when next meeting is I do have few comments or please call [REDACTED]

--
BCPS KENNELS

Melissa Rinard - Puppy Mill Standards

From: Peggy Brown [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us>
Date: 2/2/2012 2:45 PM
Subject: Puppy Mill Standards

Having seen first hand the horrors that breeding dogs in puppy mills are subject to, I would like to urge implementing humane standards of care and funding the enforcement of those standards.

Forcing an animal to live its life stacked three deep, with barely room to turn around, feet raw from standing 24/7 on wire, can by no standards be considered humane. Please let's make sure that Texas is leading the movement toward loving care of Man's Best Friend, not lagging behind.

Peggy Brown
Community Outreach and Education
Humane Society of North Texas

[REDACTED]

Melissa Rinard - Concerned Texas Resident

From: "Stone, Shelley" [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us>
Date: 2/2/2012 2:44 PM
Subject: Concerned Texas Resident

Melissa Rinard, Legal Assistant
General Counsel's Office
Texas Department of Licensing and Regulation
P.O. Box 12157
Austin, TX 78711

To whom it may concern:

I wanted to express my complete support to ensure the humane treatment of dogs and cats in Texas puppy mills is addressed! I am truly concerned about several of these issues such as the wired flooring, the cage sizes and the surgical procedures that should only be conducted from a *veterinarian*. Please respond to let me know your plans to address these issues.

Thank you-

- Wire flooring increases drafts in extremely cold weather, making it difficult for dogs to maintain their body heat. – Texas weather is changing all the time!
- Wire flooring in most cases is less sanitary than solid flooring. Feces do not readily fall through wire mesh, so the dog(s) grind it through the wire with their feet which creates terribly unsanitary conditions. Both the dogs and the wire flooring become caked in feces and debris, making cleaning very difficult if not impossible.
- Stacking makes it more difficult for adequate lighting and air flow to reach all parts of the enclosures - allowing many dogs and cats to live in total darkness and neglect.

Shelley Stone-Neustupa
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



Join Camden in going green. Think twice before printing this email.

Melissa Rinard - §91.66.Responsibilities of Inspectors

From: Debra Amszi <[REDACTED]>
To: <erule.comments@license.state.tx.us>
Date: 2/2/2012 3:22 PM
Subject: §91.66.Responsibilities of Inspectors

§91.66.Responsibilities of Inspectors--Inspections, Investigations, and Reports of Animal Cruelty.

- (a) An inspector or investigation must conduct inspections during the facility's normal business hours, and the licensed breeder or a representative of the licensed breeder must be given a reasonable opportunity to be present during the inspection.
- (b) If an inspector determines it is not appropriate to provide advance notice to the licensed breeder or a representative of the licensed breeder before arriving at the facility, the inspection report must describe the reasons supporting the determination.
- (c) In conducting an inspection or investigation under this section, an inspector may not enter or access any portion of a private residence of a licensed breeder except as necessary to access animals or other property relevant to the care of the animals. This subsection does not apply to the investigation of unlicensed activity. ,

Above rule concerns me.

I respect the need for a law for breeders but even inspectors are people and can be misinformed or hostile no matter what kind of training given.
We might not ever require a license but had considered getting one to support the cause and in case we ever breed and get a huge litter that could put us over the 19 pup limit.
We will never have 11 intact female adults.

But to have strangers, inspectors think they have a right to go inside our home is wrong. Especially if we do not have a license.

We are so against this attitude of coming inside our homes and especially without appointment. This rule is unclear to us.

Debra
Shawn and Debra Amszi

[REDACTED]

Melissa Rinard - §91.52.Inspections--Periodic.

From: Debra Amszi [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/2/2012 3:09 PM
Subject: §91.52.Inspections--Periodic.

§91.52.Inspections--Periodic.

(a) Each facility of a licensed breeder shall be inspected at least once in every 18-month period.(b) The inspection must be conducted during the facility's normal business hours, and the licensed breeder or a representative of the licensed breeder must be given a reasonable opportunity to be present during the inspection.

above rule?

We have no regular business hours nor can decide regular business hours.

We are by appointment only and not all year or that often.

So when would inspections be required and what about vacations when we will be out of town or state longer than 2-3 weeks?

,Debra
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: "C. McNamara" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/3/2012 3:53 PM
Subject: Licensed Breeding Bill
Attachments: DSC_0024.JPG

I am writing because I feel so strongly that individuals/corporations that think puppy mills are OK is just abhorrent to me.

Working with a North Texas rescue group we took a dog in from a puppy mill seizure. That poor girl was young - had had puppies and didn't know what a door was. She was in poor condition and only felt comfortable in a cage. However, she was the sweetest girl and so trusting of us. Clearly she knew we cared and was eventually adopted out. One of the lucky ones.

The bill needs to have real teeth! No wire cages - No cages that are too small - any surgery that's needed must be done by real vet! I can't even imagine anyone thinking it's OK not to use one! It's inhumane and people that can do that to animals can do awful things to people. Breeders with integrity know that their dogs need exercise and socialization - good medical attention - anything that keep their dogs healthy and happy. Anything less is cruel.

I'm not going throw breeders, in general, under the bus. This country has a problem with puppy mills of all sizes. We need to get rid of them. I'm sure there are lots of people who would volunteer to check on places.

Another thing to tackle is to make it illegal to sell pets in stores - i.e. Petland. They are the puppy mills best customer.

I hope you really consider making the bill tough. We know who you will make angry - losers - so who cares?!

We have 4 dogs - 3 rescues and 1 from a great breeder. They gave him to us for free because he couldn't be bred or shown. There was only one caveat - that we fix him. All of our dogs are altered. We will continue to work with rescues but hopefully there will be fewer animals because ya'll have the backbone to do what's right.

Respectfully,

Carol McNamara
God Bless Texas

From: "Amy A. Breyer" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/2/2012 8:41 PM
Subject: Proposed regulations for licensed breeder bill

To Whom it May Concern:

I write regarding proposed regulations to the state's 2011 Licensed Breeder Bill. While Texas is to be congratulated for taking an important step forward, the state can and should do much more to ensure humane treatment of animals. I urge regulators to develop the strongest protections possible; at a minimum, those proposed by the Humane Society of the U.S. I won't re-paste them here; I'm sure you've received many such emails. Don't be fooled by arguments of breeders and others who stand to gain financially with each extra inch of wiggle room that lax regulations would permit.

Texas is still often viewed by the rest of the U.S. as the Wild West. While this might work well for a tourism commercial, I hope you will take this opportunity to demonstrate that Texas occupies a respectable place among the states in 21st century understanding and compassionate policy for all.

Sincerely,
Amy Breyer

AMY A. BREYER
Attorney at Law

[REDACTED]

Licensed in Illinois

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From: "Carolyn Cosgriff" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/2/2012 9:11 PM
Subject: Breeder bill

I believe the current Texas law regulating large breeders is not strong enough. In a world where hundreds of animals are euthanized daily, there is no reason to permit anything short of safe, clean, healthy environments to be provided by those breeding additional animals.

Carolyn Cosgriff
[REDACTED]

From: Tawana Couch [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/2/2012 6:53 PM
Subject: Breeders

To Whom It May Concern,

I am writing to encourage the state to implement stronger laws to protect animals in breeding facilities. I am so glad that the state finally has passed some laws to help animals somewhat in this area but it is clearly not enough. We must crack down on this abuse. As a former puppy mill dog owner it is awful what a puppy mill dog endures. It is inhumane.

Texas needs to be known as a progressive state where there are laws to protect puppy mill dogs.

Please send me a response I am very concern.

I support THLN efforts in there goals to protect animals.

Tawana Couch
[REDACTED]

From: Diane Falbe [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/2/2012 7:01 PM
Subject: Rules and Regulations.

To Whom it may concern:

I tried to read your rules and regulations and there is too many rules.

Also it is very hard to understand.

It goes on and on and doesn't make much sense.

You'd have to have a lawyer read and explain this to the ordinary layman.

[REDACTED]

From: Melissa Womack [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/2/2012 8:07 PM
Subject: Texas Humane Legislation Support

Please support Texas Humane Legislation to apply proposed rules to existing breeding facilities.

Imagine living your entire life on wire flooring with no relief, where can't even stand, sit, lie down on a solid surface.

What if you were confined to a cage, crowded, with others on top with urine and feces leaking all over you.

These are the conditions we are allowing.

With the number of homeless pets we euthanize every day, why do we allow mass breeding as a means of income at all.

At least enforce the humane conditions.

Thank you,

Melissa Womack
[REDACTED]

From: Kirk [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/2/2012 6:20 PM
Subject: puppy mills

To whom it may concern:

I find it amazing that we are still having to fight against puppy mills in this day and age. A visit to any animal shelter, urban or rural, small town or city, and it should be obvious that we have plenty of animals that are in desperate need of caring homes, and I shudder to think of the numbers of those who are put to sleep every week, month and year. While I don't doubt that there are some good and caring breeders, it seems a crime against nature to keep producing more and more animals who will end up behind bars and then in some county or city dump. I currently have 4 dogs—all rescues who I found in my yard—and two cats we adopted from the local shelter. The dogs were gathered in the D-FW Metroplex, while the cats were adopted from the shelter in Monte Vista, Colorado. Different times and places, but a common theme: too many animals and too few caretakers of those animals. If I was King, I'd ban all breeding until the shelters are empty. I wonder how long that would take? I can only hope I can live to see the day when they are so. Thanks for your time and attention,
Sincerely,

Kirk R. and Michal Jean Thompson.

From: "shefaro" <[REDACTED]>
To: <erule.comments@license.state.tx.us>
Date: 2/2/2012 5:16 PM
Subject: Section 91.30 No. 1

I am a small livestock rancher raising sheep and goats in S. Texas.

You include "herding" dogs in the above section, but you do not include "livestock guard" dogs, for example, Anatolian Shepherds and Great Pyrenees.

These breeds can be seen on many farms and ranches and are an intricate part of any small livestock ranching operation. Without these Livestock Guard Dogs, our small livestock would be at the mercy of predators such as coyotes, bobcats, owls, etc., not to mention two legged predators!

I will greatly appreciate your adding "livestock guarding dogs" to this section which currently only covers "herding" dogs.

Thank you.
Sherry

From: Bonnie Mathias [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/2/2012 4:35 PM
Subject: Puppy Mills

The legislation passed last session was a good start but I believe there should be some tweaking done to make it truly humane and fair to all breeders, current and future.

First of all the rules need to apply to ALL breeders, current and future. There should be no "grandfathering" done for any of the rules. No one person or company should be able to skirt the new rules simply because they started their breeding operation before the new rules were put into place. Please strengthen the rules and apply the standards to everyone!

Wire flooring vs Solid flooring; cage sizes and stacking of those cages - these should all be "no-brainers"! Wire flooring is far less sanitary than solid flooring. Wire flooring constitutes cruelty - especially if there are one to three cages stacked on top of each other. Think about it...the animals in the middle and on the bottom are going to have feces and urine falling down on them. The animals feet when exposed long-term to wire flooring suffer from foot and leg injuries, including chronic, painful sores, infections and cysts between the toes, toenails that curl into the paw pads from lack of pressure on the nail, and toenails being ripped out when they get caught on the wire. This is far from humane or healthy. This legislation was passed to help improve the health of breeder animals. Some of the standards provide little comfort or protection to animals in breeding facilities. Please strengthen these standards!

All surgical procedures must be done by a veterinarian, not just euthanasia but also birth procedures such as tail docking, ear cropping, debarking and claw removal. While I personally find the practice of claw removal and debarking disgusting and unnecessary it absolutely should be done by a licensed veterinarian! Often breeders and non-vet personnel perform these procedures without anesthesia for pain, pain medication or antibiotics to insure the health of the animal. Please do the right thing!

A response to my comments and concerns is appreciated.

Thank you,

Bonnie L. Mathias
[REDACTED]

From: Debra Amszi [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/2/2012 3:56 PM
Subject: Section 91.112. Standards of Care—Veterinary Care.

Section 91.112. Standards of Care—Veterinary Care.

... "(d) Breeding cycles. A licensed breeder shall provide breeding females adequate rest between breeding cycles as recommended by the attending veterinarian based on the breed, age, and health of the individual breeding female and documented by the attending veterinarian in the medical records related to each animal."

*
*

Why put so much responsibility on the veterinarian?
If the dog is healthy it flat can be bred fine if nature allows. This rule is all wrong. What is rest? Nature has a way of skipping cycles or successful breedings anyway. Some cycles are silent or some last over a year anyway. This can not be put in words as a rule

,Debra
Shawn and Debra Amszi

[REDACTED]

From: Debra Amszi [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/2/2012 3:51 PM
Subject: §91.101.Standards of Care- temperature

§91.101.Standards of Care--Indoor Housing Facilities.

(a) Heating, cooling, and temperature. Indoor housing facilities for dogs and cats must be sufficiently heated and cooled when necessary to protect the dogs and cats from temperature or humidity extremes and to provide for their health and well-being. When dogs or cats are present, using best efforts, the ambient temperature in the facility must not fall below 50° F (10° C) for dogs and cats not acclimated to lower temperatures, for those breeds that cannot tolerate lower temperatures without stress or discomfort (such as short-haired breeds), and for sick, aged, young, or infirm dogs and cats, except as approved by the attending veterinarian. Dry bedding, solid resting boards, or other methods of conserving body heat must be provided when temperatures are below 50° F (10° C). Using best efforts, the ambient temperature must not fall below 45° F (7.2° C) for more than 4 consecutive hours when dogs or cats are present, and must not rise above 85° F (29.5° C) for more than 4 consecutive hours when dogs or cats are present. The preceding requirements are in addition to, not in place of, all other requirements pertaining to climatic conditions. ,

Animals that like to stay outside more often by choice do fine and like the temperatures that naturally get to the extreme higher and lower from these numbers. It is known the texas heat can get to 112 or more. Some heavy coated breeds even use the coat as an airconditioner and can relax in the shade doing just fine. How can an inspector know more than the breeder/owner of how well the dog is doing or not in cold or hot beyond these rules?

Why should owner/breeder be at such risk for bad reports or fines?
There should not be such temperture restrictions. Does the inspector come with devices to measure temperature and humidity? This is wrong to restrict everyone to these numbers.

Debra
Shawn and Debra Amszi

[REDACTED]

From: Ferguson [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/3/2012 6:12 AM
Subject: House bill 1451

I would like to make a suggestion for this bill. Since it unfair on the amount of dogs depending on breed I saw that another state is going by puppies. If you have 50 or more puppies. That would balance out the large breed having more puppies in a litter than a small breed dog. Then you could do 50-70 puppies. 70-100 puppies and over 100 puppies. This would be fair. Also these numbers are of a commercial operation.

From: Sally Seegers [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/3/2012 7:57 AM
Subject: HB1451

PLEASE consider revising the rules pertaining to cage size, cage stacking, surgical procedures and wire floors. Forcing these animals to live in such conditions is cruelty and torture. Dogs and cats are companion animals with feelings and emotions, capable of providing such love and happiness to their families. The rules should not allow for a grand father clause. Those animals that are already living in such conditions need to be freed from their prisons.

Thank you for your attention to this urgent matter.

Sally Seegers
[REDACTED]

Save a life adopt a pet!

SallySeegers
Supply Sanitation Systems [REDACTED]

From: Barbara Tynes [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/3/2012 10:02 AM
Subject: Puppy Mills

Please pass very strong legislation regarding banning puppy mills. There is no place or need in our society for mass breeding of dogs. Shelters euthanize thousands yearly. Please consider banning puppy mills. Lets make it hard for people to breed dogs and perhaps we can see a day where every dog has a good home!! Thank You!!

Respectfully,

Barbara Tynes

[REDACTED]
[REDACTED]
[REDACTED]

From: "Kellyn Gandy" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/3/2012 9:29 AM
Subject: Texas House Bill 1451

Dear Sir or Madam,

Can you please provide clarification for Texas House Bill 1451. I am confused by the definition of a dog breeder. I understand the definition of 11 intact females but if we only have 8 intact females but produce more than 20 puppies a year does the law apply to us? Please clarify so if we do fall within the definition we can apply for a license.

Thank you,
Kelly Gandy

From: Carol Geary [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/3/2012 9:27 AM
Subject: proposed licensing regulations

February 3, 2012

To the Texas Department of Licensing and Regulation:

My name is Carol Geary. I live in Dallas, Texas and have four labradors, all of whom were rescues and are spayed or neutered. My first three labs were purchased from a responsible breeder. I was lucky. In my experience, not many dogs come from responsible breeders. Over the years, I began volunteering with animal shelters and rescues. I was a volunteer at the SPCA of Texas during several large scale seizures involving puppy mills and "breeders." It is imperative that the State of Texas monitor and regulate the treatment of animals under the control of breeders because the vast majority of the "breeders" do not care whether the animal they have is properly cared for.

I applaud the State of Texas for enacting regulations, however, the proposed regulations are lacking in several key areas. Most breeders and puppy mills use wire crates as do many shelters and rescues. The big difference, however, is that rescues and shelters ensure the wire crates are large enough to comfortably house the animal inside. Likewise, the shelters and rescues use metal or plastic trays in the bottom of the crate so the animal is not forced to stand on wire. Stacking on wire can cause paws to splay and become deformed. A dog could end up lame just from being stuck in a wire crate for its life. These are two key areas in which the proposed regulations fail. They also fail because they do not prohibit the stacking of crates. If we learned anything from the SPCA seizures it should be to prohibit stacking. Dogs came in matted with urine and feces because the "breeder" did not allow the dogs to go outside the crate and the crates in those seizures were stacked from floor to ceiling. Pity the poor dog on the bottom...but those in the middle did not fare so well either. The stench was horrific (stacking also prevents air from circulating). The stacking of crates also prevents the breeder or inspector or anyone else from being able to see how the animal inside is doing.

The proposed regulations do not require a veterinarian perform procedures such as ear cropping, tail docking, removal of dew claws, all of which are surgical procedures that should be performed in a sterile environment with pain management being used (i.e., anesthesia, pain meds, etc.). I know professional breeders who have bred champion dogs. They do not perform these procedures - they have their veterinarian do them! We should not have two sets of standards - one for champions and the other for the nonchampions.

Finally, we live in Texas people! Please remove the language allowing a licensed breeder to use their "best efforts" in not allowing the temperature of the air in the enclosure to fall below 45 degrees for more than 4 consecutive hours or rise above 85 degrees for more than 4 consecutive hours. Certain breeds do not have much body fat or hair - think greyhounds and chihuahuas. They cannot survive at low or high temperature extremes. And while 85 may not seem that hot, when you have a permanent fur coat, it is. Couple those high temps with the lack of air circulation and the result is often deadly.

Again, I am pleased my State is doing something to help the animals but please, take these few steps to make the animals suffer less - large enough crates to truly accommodate the animal, no wire bottoms, no stacking, no excessive temperatures, no surgical procedures performed by lay people.

I would appreciate an acknowledgement (reply or response) that the TDLR received this email. Thank you for your attention.

Carol Geary

From: Michelle Mitchell [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/3/2012 9:21 AM
Subject: Breeding Mills

The State of Texas Congress sent a message to breeders that we want better conditions for the poor animals kept in these horrible facilities. It is now up to you to enforce these laws in a meaningful manner.

By allowing grandfathering and loop holes you are siding w/the breeders on these issues and that is simply not acceptable to the people of this state that care about humane treatment of our animals.

I personally hope to live to see the day that all of these horrible places are closed down but until that day I do expect the agency responsible to carry out their job as mandated by law and enforce living conditions that are humane.

Please your agency is being given a chance to help these poor animals. Do the right thing. Enforce the laws to their maximum and make these subhumans do what is right. They make tons of money off the backs of innocent animals. The least they can do is be humane in their horribly inhumane business.

We are all looking to you to do what is right. Don't allow them to get away with skirting these laws. They are hardly a burden to the breeders compared to what the animals endure. Make us proud!

Thanks
Michelle Mitchell

[REDACTED]
[REDACTED]
"The greatness of a nation and its moral progress can be judged by the way in which its animals are treated. I hold that the more helpless a creature, the more entitled it is to protection by man from the cruelty of man."
Mahatma Gandhi

From: [REDACTED]
To: <erufe.comments@license.state.tx.us>
Date: 2/3/2012 9:17 AM
Subject: puppy mill regulations

Dear Melissa Rinard,

First, thank you so much for taking the time to read this email! It has been brought to my attention that the great state of Texas is moving forward in the fight against animal cruelty in regards to puppy mills! I'm so eager to see changes coming our way in the treatment of caged animals. However it has also been noticed that the now perceived improper treatment of caged animals will be allowed to continue under the grandfathered clauses contained in the new bill. What?! If it's inhuman today, wouldn't it be inhumane tomorrow? If wire bottomed cages cause pain and suffering to today's caged animals won't it cause it tomorrow also? Would not one square foot of space in a cage per animal be too small today AND tomorrow? And if stacking cages is considered cruel today, would it not still be cruel in two weeks, two years, or twenty?

I know our representatives care about this issue or it would not be discussed at this time, so please take it one step further and set the new higher bar for caged animals and let Texas be a beacon to other states in the ethical treatment of our pets. Please rescind the grandfather clauses in the new bill.

Again, thank you for your time and ear!

With kind regards,

Beverly Sanborn
[REDACTED]

From: SUZANNE TUGMAN [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/3/2012 10:02 AM

Ms. Rinard,

As you may well be aware, there is a campaign that is spreading throughout the social media sites describing the proposed legislation following the passage of H.B. 1451, The Licensed Breeder Bill, that the Texas Department of Licensing and Regulation (TDLR) released that contains Proposed Rules and Standards as required by the statute.

The reaction to such legislation is being viewed with concern due to the reality that preexisting breeders will remain exempt for the most significant changes that the bill proposes.

There is not a reasonable mind that can grasp why a grandfather clause exists in the industry that has brought this legislation against it; as it is by their unethical actions that has made such a law a necessary reality.

Clearly this bill is headed in the right direction yet it falls drastically short on its intended target by allowing existing breeders to maintain their current breeding practices which everyone is acknowledging as unconscionable. Why then will the Texas people allow such breeding practices to proceed forward with business as usual? This seems a mockery not only over the good people in your office who are trying to make a difference in these barbaric practice but over the honest breeders who are trying to provide proper living conditions to the pets they breed.

I am certain I am not the first to contact you over the shortcoming of H.B. 1451 but I encourage you to take the measure within your power to ensure that ALL breeders are held accountable to the same standard so that your visionary commitment to the safe keeping of animals within your state can become a measure for remaining states to model.

Best to you
this day

Suzanne
Tugman-EngelTugman Associates Group

Sandpoint
Idaho 83860

From: Dorothy Lauterbach [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/3/2012 11:43 AM
Subject: HB 1452

My name is Dorothy Lauterbach and I stand in favor of HB 1452. But there are two issues which worry me.

1. wire flooring - wire flooring is cruel please change language to provide at least 50% solid flooring.
2. surgical procedures - please insure that only veterinarians perform surgical procedures such as euthanize, ear cropping, etc., on the animals.

Please work with veterinarians to insure HB 1542 is humane and fair.

May I have a reply from your office.

Thank you.

Dorothy Lauterbach
[REDACTED]

From: "Kara Ezell" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/3/2012 10:55 AM
Subject: H.B. 1451

Dear Sir or Madame,

I am writing in regards to H.B 1451 as it deals with animals breeders in Texas. As a person who came from a very rural town and now live in Plano, I have seen both sides of this issue. I have known breeders and have fostered many shelter dogs. Many breeders, like other business owners cut corners and do whatever they can to increase their bottom line profit. Unfortunately with the animal industry, that many times means the animals are the ones to make the sacrifices for the "company".

I would like to give my input on a few of the proposals.

A. Surgical Procedures - all procedures that cause any type of pain, should be performed by a licensed veterinarian. Anything less is full on cruelty. You would never perform surgery on your own child.

B. Cage Sizes - all breeders should maintain adequate size cages for their animals. No one should be grandfathered into not having them. Just like all companies having to provide wheelchair access, many companies had to pay to come up to proper code.

C. Cage Stacking - there is no way to justify animals having urine and feces fall on them. It is unsanitary, and can lead to a spreading of parasites and illness.

D. Wire Flooring - Not only is this painful if the animal never gets a relief from it, but it is not clean. This is an easy issue to resolve at a small cost or even no cost to breeders. No one should be grandfathered in, especially when it is a simple fix.

I would like to believe that H.B. 1451 was created to protect animals in breeding facilities. When we think that all the animals bred are meant to be purchased by every day families, it should be easy to see why there are a few issues that should be resolved. Like our food and many other products, I think most people want to know that their pets come from a clean, pet loving breeder, not someone who is willing to whatever to make the most money. Also, instituting the above mentioned items would truly help cut down on "backyard breeders". By allowing any grandfathering in, we give many of those people the right to operate as they have been, which is not in the best interest of the animals or the potential owners.

I thank you very much for your time. I would like to hear your thoughts as well.

Much appreciation,

[REDACTED]
[REDACTED]

From: "Sadler, Dustin, K" [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx...>
Date: 2/3/2012 10:53 AM
Subject: Breeder Bill

To whom it may concern,

I have just reviewed the current Licensed Breeder Bill and was appalled that current breeding facilities have been grandfathered from having to make changes. These are the facilities that sparked changes to me made in the first place. Shouldn't these breeders that have, for so long, mistreated and raised animals in horrible conditions have to revamp and rethink their businesses?! It seems pointless to make these laws to better the lives of animals living in these facilities and then let existing breeding mills continue operating inhumanely.

Wire floors... bad.

Cage sizes and stacking...terribly stressful.

Surgical procedures without drugs for pain or anesthesia...SICK!

Please consider enforcing stronger and more humane laws to keep people from taking advantage of innocent animals. There is a way to make these places better for everyone involved...humans and animals alike. Rethink allowing existing breeders to operate in their current fashion...please! I would love a response from someone who can better explain this law and the reasoning behind the decision to allow for the unfair treatment of all animals living in existing breeding facilities.

Thank you for your time,

Dustin Kate Sadler
[REDACTED]
[REDACTED]

From: Lynn Ambrose [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/3/2012 10:37 AM
Subject: Licensed Breeder Bill 2011

Hi am writing on behalf of animal lovers in Texas imploring you to strengthen the legislation against puppy mill type dog breeders.

>
|

Please vote for this bill and help end suffering of thousands of dogs in our state.

Thank you. Looking forward to your response.

Lynn Ambrose

From: "Chris McCrary" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/3/2012 10:34 AM
Subject: Comments of Puppy Mill regulations

It is sad that there has to even be State and Federal intervention on behalf of our companion animals. Some things should

just be common sense.

However, while you are working on the issue of animal cruelty via puppy mills, why not just do it right to begin with?

I have always found that if a job is done the right way to begin with the results are cheaper. It would be cheaper for the

government to do this right the first time.

The grandfathering clause should be deleted immediately. It is not like anyone is asking these humans to give up their

right to make a living. We are just asking them, since they have no good common sense of their own, to raise their standards

to less than cruel. By the way, the owners of these mills actually get to include the cost of improvements as business expenses.

Please point that out when they start whimpering about government intervention and how much the improvements will cost.

As plain old citizens, we have the right to expect the people we rely on to make regulations that are enforceable and just. So

often that does not happen in politics. Please don't make this a political agenda. This is an issue of cruelty and inhumane

conditions, not politics.

Thank you.

[REDACTED]
[REDACTED]
[REDACTED]

From: "Pam Laham" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/3/2012 11:43 PM
Subject: Texas Breeding Mills

I respectfully ask that you please make all aspects of the Texas Breeding Mill law as strong as possible to protect the puppies, kittens, and grown animals who often live in intolerable conditions. These wonderful animals should not be allowed to suffer while breeders try to make money from their misery. As a long-time animal welfare volunteer I routinely see the sad result of over breeding and pet over population. Thank you for considering my comments.

Dr. Pamela Laham

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: Mike Kennedy [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/3/2012 8:50 PM
Subject: Dog Breeder laws

Melissa,
I am writing in regard to this section of the new license law for dog breeders:

91.22. License Required--Dog or Cat Breeder.

(a) A person may not act as, offer to act as, or represent that the person is a dog or cat breeder in this state unless the person holds a license under this chapter for each facility that the person owns or operates in this state.

When a person who is not required to get a license due to only having a few dogs/cats that they show, has their dog/cat entered in the show, the show book lists the "breeder" of the dog/cat being shown. It sounds like from reading the license required section, that a person who is showing their cat will not be able to do that unless they have a license. Otherwise, when they register for the cat show, they are saying they are a breeder when they don't have a license. The show books are given to spectators when they enter the show, so it's also a form of advertising to be listed as the breeder of a cat/dog that's getting a lot of awards.

TICA is a cat association located in this State that issues certificates on an international basis to register cats. The registration requires the name of the breeder on the form. If a person cannot be identified as a breeder in this state unless they have a license, what are the people who live in this state but fall under the limits for licensing supposed to list in the area "breeder" for registering their cats? Does this mean that cats/dogs cannot be registered unless the breeder has paid for a breeder license?

The certificates for cats/dogs, list the "breeder" of the cat/dog as part of the identification. What if someone is showing a cat/dog that lists a "breeder" from several years ago before this law was enacted? The show book would list someone as a "breeder" so that they are violating the law if they haven't paid the license fee, but this unlicensed breeder may personally no longer be registering cats so that they don't violate the part about identifying yourself as a breeder on a current basis.

Then if you have a litter of kittens/puppies because you want to show a kitten/puppy from the litter, it seems like you can't register the litter because then you would be identifying yourself as a breeder when you don't have a license to be a breeder.

If you want to sell the remainder of the litter of kittens, what are you supposed to identify yourself as being since you can't say you are a breeder unless you have a license? I don't want to break the law but I only have a couple of animals and I can't afford to pay license fees or to buy a special building for them with the showers for workmen etc that it seems like the law is saying you need to have.

It seems like the law requires you to sell your kittens/puppies in another State if you want to say you are the breeder of the litter but don't have a license? Also to show a dog/cat, you'd have to leave the State so that it won't be a violation to have your dog/cat listed in the show brochure under your name as a breeder? Then you couldn't register a cat/kitten with TICA because the certificate would be issued from an In-State organization listing you as a breeder. You'd have to get your certificate from CFA so that it's an out of State listing and out of State identification. It seems like you can only attend shows outside of the State of Texas so that you aren't violating the restriction of not identifying yourself as a breeder in this State unless you've got the breeder license.

I would appreciate detailed interpretation for the people who are just having one or two litters, losing money in the process already and wanting to continue so they can show one kitten/puppy from the litter. Or is this impossible to do in the State and we must take all our activities outside of the State?

Thanks so much for your assistance.

From: "RJ Corry" [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/3/2012 5:03 PM
Subject: Licensed Breeder Bill Support

We strongly support strengthening animal protection laws in general and controls on breeders in particular. We have had firsthand experience with trying to deal with the problems created by breeders. We got 10 collies seized from a breeder. Three of the dogs were mentally beyond being placed in foster homes due to the inhumane conditions they were raised in. Four other dogs were found with life threatening disease. Our weak animal protection laws in Texas allowed these poor animals to be returned to inhumane conditions.

Robert Corry, P.E.

From: Trish Rowe [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/3/2012 4:09 PM
Subject: H.B. 1451, The Licensed Breeder Bill

Stop this cruelty!! Animals cannot live on wire cage floors in cages stacked one on top of the other. This is DISGUSTING! How can anyone justify this kind of treatment of one of God's creatures? Especially dogs who are so loving and great companions. No wonder when people buy pets from puppy mills, those poor dogs end up in the pound!! They never had a chance! Who wants to spend their formative months living in a fricking cage!???

I'm so distraught about this, I can hardly even find words to describe the depth of my feelings. When are people going to get over being so greedy and start thinking about the other species that we are sharing Mother Earth with? Any breeder keeping puppies/dogs in wire floored cages should be made to stay in a cramped little crappy space like that him/herself for a month or two. Might improve their empathy and make them realize that money is NOT the only thing in the world that counts.

--
Trish
[REDACTED]

From: [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/3/2012 4:06 PM
Subject: GOOD WE NEED LAWS LIKE THIS; TOO MANY DOGS END UP EUTHANIZED, OR ABANDONED; AKC IS JUST FOR MONEY--DEANN COLTON

—
DeAnn C.
[REDACTED]
[REDACTED]

From: Judy Knight [REDACTED]
To: <erule.comments@license.state.tx.us>
Date: 2/3/2012 1:59 PM
Subject: Puppy Mills

I am sending this E mail to STOP!!!!!!!! PUPPY MILLS. They are cruel and inhumane. Such misery must stop. Maybe we can put some of the Puppy mill owners in small cages. Thank You, Judy Knight

From: Elaine [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/3/2012 12:41 PM
Subject: Protect dogs who cannot speak.

Pls pass the laws protecting the dogs from breeders who only want them for income! They are not livestock.

Sent from my iPhone

From: Judy Reeves [REDACTED]
To: "erule.comments@license.state.tx.us" <erule.comments@license.state.tx.us...>
Date: 2/17/2012 9:09 AM
Subject: PROPOSED TEXAS LICENSE FEE AND INSPECTION FEE AND VET CHARGES

THE PROPOSED LICENSE FEE AND INSPECTION FEES ARE EXTREMELY TOO HIGH AND BREEDERS CANNOT AFFORD TO PAY THEM. NO OTHER STATE HAS FEES LIKE THIS. THE ANNUAL VET CHECK FOR ALL DOGS INCLUDING HEALTHY DOGS IS RIDICULOUS. BREEDERS KNOW THEIR DOGS AND THE HEALTH OF THEIR DOGS AND NEED TO SPEND THE MONEY NECESSARY ON DOGS THAT NEED MEDICAL ATTENTION ONLY.