



**THE HUMANE SOCIETY
OF THE UNITED STATES**

Dear Chairman Barrett and distinguished members of the House Agriculture Committee,

On behalf of The Humane Society of the United States (HSUS), the nation's largest and most effective animal protection organization, I respectfully urge you to oppose HB 5916 and HB 5917. These bills protect and promote cruel puppy mills and their pet store sales outlets, and do not represent the morals and values of pet-loving Michiganders.

In puppy mills, breeding dogs spend their entire lives in small, filthy wire cages. They are denied veterinary care, exercise, and socialization, are given the bare minimal care needed in order to keep producing puppies.¹ Pet stores are a preferred sales outlet for puppy mills because all the public sees is the cute puppy in the window. The cruelty in a faraway breeding facility remains hidden.

In response to the grave animal welfare concerns with puppy mill-supplied pet stores, concerned advocates across the country, along with animal welfare groups, have helped pass over 250 local ordinances prohibiting the sale of puppy mill puppies in pet stores. Pet stores oppose these ordinances, but they are fighting a losing battle because once elected officials become educated on this issue and are presented with the facts they overwhelmingly vote in favor of cutting off the puppy mill-pet store supply chain. The pet store industry could have responded by converting to the more humane and socially acceptable business model that the ordinances require, and that the largest and most successful pet stores already adhere to, but instead they sought relief, first, and unsuccessfully, from the courts, and now from state legislatures.

Last year, Tennessee, Georgia, and Illinois lawmakers rejected preemption bills similar to HB 5917, and this year Florida lawmakers did so too, as did Georgia lawmakers—again. With a string of losses, the pet industry is hoping Michigan lawmakers will reach a different conclusion than these other state legislators did. Yet, with the facts in hand, I am confident you will reject these pet industry attempts too.

These bills are an attack on animal welfare.

As was the case in the other states where the pet store industry pushed preemption bills, H.B. 5917's companion bill, H.B. 5916, is intentionally misleading. The bill appears to regulate the very industry it protects, but in reality, these bills together would place meaningless restrictions on pet stores and secure the puppy mill-pet store pipeline by preventing localities from enacting laws that prohibit the sale of puppies in pet stores. The popular Eastpointe and Fraser ordinances would be voided, and all localities would be stripped of their right to regulate animal welfare and protect consumers. Plus, Michigan citizens would be stripped of their right to address local concerns with their local elected officials.

¹ For a detailed analysis of common, recurring problems at puppy mills, see the HSUS [Horrible Hundred Report](#).

At a glance, H.B. 5916 might seem like a legitimate animal welfare bill. Yet, it would allow pet stores to source from completely unregulated and unlicensed breeders and licensed breeders without certain Animal Welfare Act (AWA) violations. A glaring problem with this bill is that it relies on a very broken federal licensing and inspection program overseen by the USDA. Even if a breeder complies with all USDA requirements, a breeder can keep animals in extremely inhumane conditions. It is perfectly legal for USDA-licensed breeders to keep dogs in cramped, stacked, wire cages only six inches larger than the dogs themselves for their entire lives. No exercise or socialization is required, and dogs can be kept in extreme temperatures for prolonged periods of time. Females are bred as early and often as possible and personnel without veterinary training often perform surgical births. Breeders are not required to vaccinate dogs from many highly infectious deadly diseases or to provide regular veterinary care. When dogs are no longer able to reproduce, breeders often abandon or inhumanely euthanize them.

To make matters worse, the USDA does a horrible job of enforcing these pathetically low standards. The last time the USDA audited itself, the Inspector General reported that the USDA does a horrible job of enforcing these minimum standards. The USDA “was not aggressively pursuing enforcement actions against violators” and “assessed minimal monetary penalties” against violators.² And, now the USDA is actively protecting animal abusers by keeping their inspection report information out of the public domain. The agency is also currently considering allowing third party inspections, which would result in a largely self-regulated commercial breeding industry.

H.B. 5916’s sourcing provisions would be largely meaningless even if they were enforceable due to the deficiencies of the USDA. Yet, because the USDA no longer provides inspection report information to the public nor enforcement agents, this bill’s provisions are entirely unenforceable. No one except the puppy mills themselves will know if they have received the violations listed in this bill, and the puppy mills would have a financial incentive to lie if they have so they can keep selling to pet stores. Neither the pet store nor enforcement agents could prove them wrong, as only the breeders and the USDA have unredacted reports, and the USDA is keeping them hidden.

In essence, the bill allows even the worst of the worst puppy mills to sell to Michigan pet stores, while at the same time H.B. 5917 prohibits local governments from doing anything about it.

These bills are an attack on local lawmakers’ ability to protect consumers.

In addition to tying the hands of local government officials who may want to regulate animal welfare, H.B. 5917 strips them of their right to protect consumers. Pet stores often lie about where their puppies come from, duping consumers into supporting a cruel industry. Also, pet stores often sell sick puppies. At The HSUS, we receive a constant stream of complaints from consumers who have spent thousands of dollars in veterinary bills caring for their sick pet store puppies. Behavioral problems are common in pet store puppies too because life in a puppy mill, on a truck, or in a small pet store enclosure does not prepare puppies for family life. And,

² U.S. Department of Agriculture, Office of Inspector General, “Animal and Plant Health Inspection Service Animal Care Program Inspections of Problematic Dealers,” Audit Report 33002-4-SF (May 2010), 1.

recently the Centers for Disease Control alerted the public to the “Multistate Outbreak of Multidrug Resistant *Campylobacter* Infections Linked to Contact with Pet Store Puppies”.³ One hundred and thirteen people over 17 states were infected, and 23 of those infected were hospitalized. Local officials have the right and the duty to protect their constituents from such threats, and the state should not take that away from them.

These bills are not needed to offer consumers a choice.

You’ve likely heard baseless claims from the backers of this bill that if local governments prohibit puppy sales in pet stores, it will be harder for consumers to obtain the dog of their choice. Yet, only a small percentage of people bringing a new dog into their family buy a puppy from a pet store. Most adopt from shelters and rescues or buy from the wide network of responsible breeders in Michigan who would never sell puppies to pet stores. And, some might seek out puppies from other puppy mill sales outlets, such as the internet, but there is no evidence that regulating pet stores drives more people to these sources. And, if a consumer elects to purchase a pet online, the source will be the same as those animals sold in the pet stores. Breeders who sell over the internet are held to the exact same USDA licensing requirements and weak standards of care as those who sell to pet stores.

I urge you to do the right thing and oppose HB 5916 and HB 5917. If these bills become law, Michigan will be placed squarely on the wrong side of the puppy mills issue. This will become more and more clear as other states continue to place themselves on the right side of issue by enacting prohibitions on the sale of puppy mill puppies in pet stores. California and Maryland have already done so, and other state lawmakers are chomping at the bit to make their state third.

Sincerely,

Amy Jesse

Public Policy Director, Puppy Mills

ajesse@humanesociety.org

t 301-721-6448 c 240-753-2428

humanesociety.org



³ <https://www.cdc.gov/campylobacter/outbreaks/puppies-9-17/index.html>