



**celtic
kennels**

home of the clumbersome clumbers

Kathryn Kennedy McGriff

~~2007-2008~~
~~2008-2009~~
~~info@clumbersome.com~~
www.clumbersome.com

CELTIC CLUMBER SPANIELS PUPPY CONTRACT

This agreement is made this ___ day of ___, 2007 by and between Kathy McGriff (Breeder/Seller), and _____ (Buyers), for the purpose of setting forth the terms and conditions of purchase by the Buyers of a purebred Clumber Spaniel dog, _____, Microchip number _____ AKC Registration number _____ from the litter whelped on _____.

1. The Breeder/Seller guarantees the puppy to be healthy at the time of the sale. The Breeder/Seller does not assume any liability for any injury to the puppy after delivery. The Buyer agrees to have this puppy examined by a licensed Veterinarian within one week of delivery. If the puppy is found to be other than healthy by the Veterinarian, at the Buyer's discretion, the puppy shall be returned to the Breeder/Seller immediately and the purchase price will be refunded. All action taken to return the puppy shall be done with the best interest of the puppy in mind.

There are factors that can influence growth and development, such as diet, exercise, weight gain, etc. The Buyer assumes the responsibility to carry on with the appropriate vaccinations, heartworm medications & testing, tick & flea protection, exercise and feeding schedule as supplied by the Breeder. The Breeder can offer no further guarantees once the care of the puppy is no longer under her control.

2. The Buyer agrees that neither he/she nor the Buyer's estate/executors may sell this dog or transfer ownership of this dog without the Breeder/Seller's knowledge.

3. The Buyer agrees that if at any time the Buyer cannot take proper care of the dog, the Buyer must contact the Breeder/Seller and the Breeder/Seller will have first choice to either: (a) take the dog back or (b) assist the Buyer in finding a suitable home for the dog.

4. The Buyer agrees to notify the Breeder/Seller of any changes of address during the dog's lifetime.

5. The Buyer agrees to notify the Breeder/Seller (and provide copies of medical records if necessary) regarding any health problems, specifically: conditions of the heart or eye, neurological conditions, auto-immune disorders, conditions affecting the spine, elbows, knees or hips.

6. The Buyer agrees to have the dog checked annually by a veterinarian certified with the Canine Eye Registration Foundation (CERF) and, when the dog is two, to have its hips evaluated by the Orthopedic Foundation for Animals (OFA,) or by PennHip.

7. The Buyer agrees that this dog will reside in his/her home and have access to a safe fenced yard, and never be chained or tethered.

8. The Buyer agrees to list the Breeder/Seller as a back-up contact for the Home Again animal recovery service, so the breeder may serve as guardian and shelter for _____ until the Buyers can be located and can resume custody.

9. The Buyer agrees that _____ is sold as a pet-quality dog and is not to be used in breeding.

10. The Buyer agrees that the Breeder/Seller shall be listed as a co-owner on AKC Registration papers until such time as the dog is spayed or neutered.

This document constitutes the agreement between the Breeder/Seller and Buyer with respect to this sale. The Buyer's signature below indicates that he/she has read, agrees and does understand all the conditions of the agreement/contract.

Signature of Buyers _____ *Date*

Signature of Buyers _____ *Date*

Street Address _____ *City, State, Zip*

Phone _____ *Email*

Signature of Breeder/Seller _____ *Date*



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Kathryn Kennedy McGriff

~~XXXXXXXXXX~~
~~XXXXXXXXXX~~
~~XXXXXXXXXX~~
www.clumbersome.com

CELTIC CLUMBER SPANIELS PUPPY CARE GUIDE

FEEDING

Your puppy should be fed three times a day to guard against disorders like gastric torsion or bloat. Water should be available at all times. If you crate your dog in your absence, use a water bucket or water bottle, which clips on the crate grill.

Your puppy has been given a diet of Nutrisca Lamb & Chickpea which is grain-free and potato-free (<http://nutrisca.dogswell.com/find.php>) softened in goat's milk, about a 1/2 C. four times daily. You may substitute warm water for the goat's milk. At the age of about 20-weeks, you will want to slowly boost your puppy's food intake to 1 C. three times per day, but keep the puppy lean to preserve hip and joint health. It's always advisable to top the kibble with fresh raw vegetables, which are low in sugar (broccoli, green beans.) Occasional raw carrots and fresh apples are excellent too. Remember: Grapes, Raisins, Garlic and Onions are toxic to dogs.

PROPHYLATIC GLUCOSAMINE

Your puppy has been given daily 2.5 ml/500mg doses of a good liquid Glucosamine-HCL. Once he or she reaches about 50-pounds in body weight, you should increase the dosage to about 5.0-mls.

LACTOBACILLUS

Your puppy has been given a Lactobacillus capsule (with 18 billion live organisms) each day. This boosts the immune system and aides in digestion. Remember that Lactobacillus degrades very quickly. You should look for a capsule or granules which require refrigeration to keep the cultures fresh.

HEART WORM PREVENTATIVE

We use HeartGuard with our dogs. Consult your vet for his/her recommendations.

FLEA AND TICK PREVENTATIVE

We use Frontline Plus with our dogs, because we live in a part of the country prone to deer ticks and this product offers a little better protection. Frontline Plus is not a systemic and therefore does not migrate to the organs or to the circulatory system. It remains in the fatty layer of the skin.

Consult your veterinarian for a recommendation appropriate to your climate, vegetation.

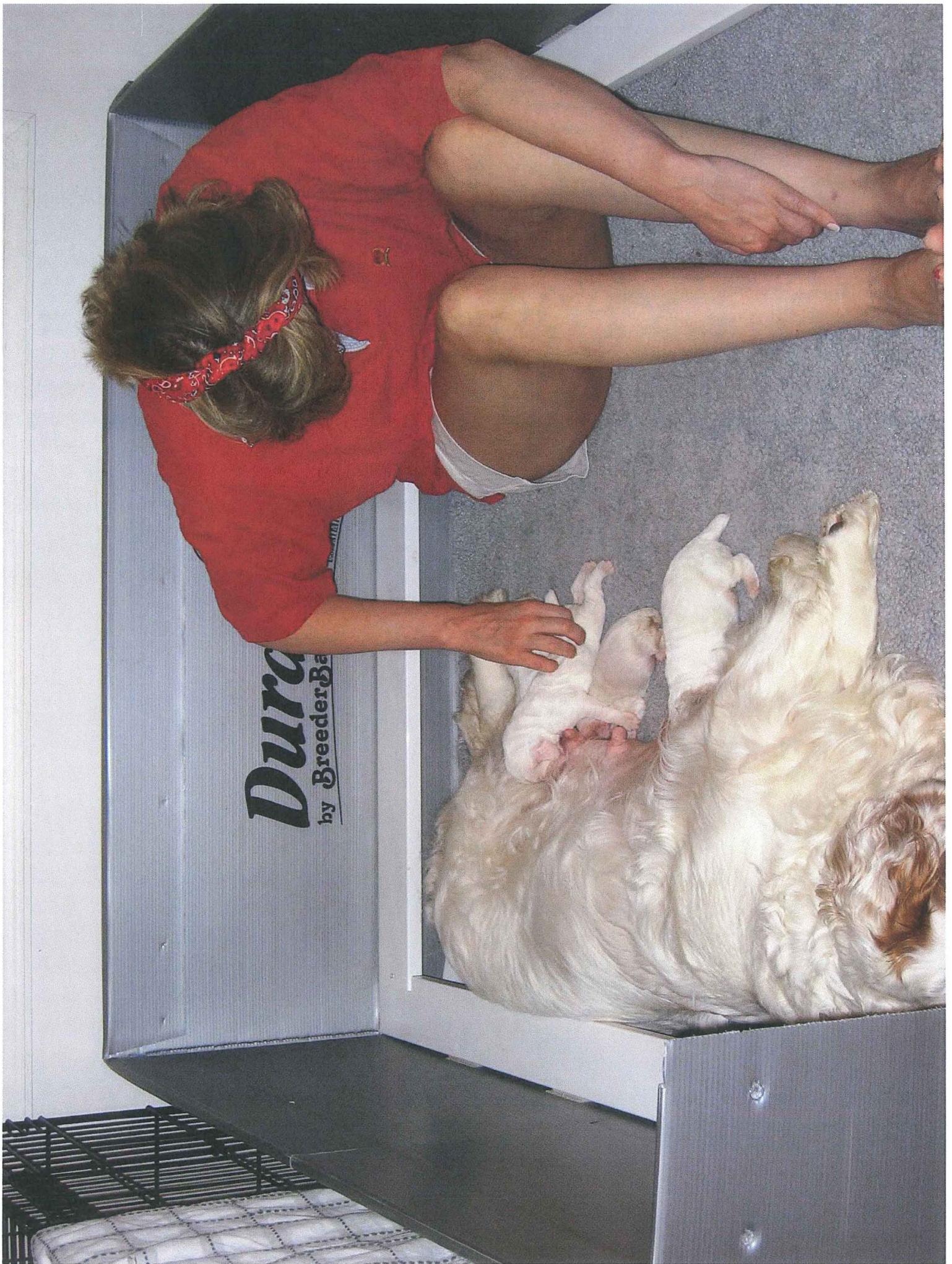
VACCINES

Your puppy has had a thorough Veterinary evaluation and worming. We have administered a schedule of Distemper and Parvovirus vaccine. Rabies vaccine should be given at the age required by your local government, but preferably not earlier than the age of six months.

Because Clumbers are a breed, which appears to be genetically predisposed to heartbreaking Auto-Immune disorders, we highly recommended vaccine antibody titres and we are very conservative about other vaccine interventions. If you live in an area prone to Lyme Disease, do offer the vaccine. But do not give the vaccine in conjunction with other immunizations. Make a separate vet visit. If you plan to board or show your puppy, consider the nasal bordetella vaccine, but remember it is like a flu shot; it does not immunize against all forms of canine bordetella.

We welcome a healthy situational dialogue about vaccine schedules throughout your dog's life.





April 11, 2012

The Honorable Cass Sunstein - Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
Executive Office of the President
Eisenhower Executive Office Building
1650 Pennsylvania Ave, NW, Room 262
Washington, D.C. 20503

Re: Puppy Mill Direct Sales Rule

Dear Administrator Sunstein:

On behalf of responsible breeders everywhere, who care about the health and safety of dogs in our country, I encourage you to support a change to close the retail loophole that currently exists in the Animal Welfare Act (AWA) regulations that allow large-scale commercial breeders to evade licensing and regulations if they sell over the internet or directly to the public.

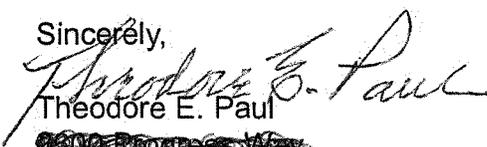
My request comes after many years of service to responsible breeders and the AKC. Over 60 years ago, my wife and I entered the world of purebred dogs. As a Past-President of the World's Largest Single-Breed Club, **The Collie Club of America**, and as an active AKC licensed dog judge, my life has been one of dedication to Animal Welfare.

As a member of The Breeders Advisory and Resource Council (BARC) formed in June, 2011, I am pleased to see our group of responsible breeders strive to educate the public regarding the difference between small-scale responsible breeders and puppy mill operators. It was my pleasure to spearhead the Puppy Mill Bill a few years ago, here in the state of Oregon!

We encourage you to propose a rule that requires large commercial businesses that sell more than fifty (50) puppies a year, to meet the same standards as wholesale breeders that sell to pet stores. Our members, like countless other hobby breeders throughout the country, will not be affected by the rule in any significant way. Responsible breeders adhere to standards well beyond the very basic standards mandated by AWA. In my opinion, any breeder who cannot or will not provide dogs with minimum care prescribed by AWA, are not fit to be breeders

Again, we thank you for your action and encourage you to put this rule into effect as soon as possible for both dogs and responsible breeders everywhere.

Sincerely,


Theodore E. Paul

~~2600 Progress Way~~
~~Woodburn, OR 97071~~

March 21, 2012

The Honorable Cass Sunstein
Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
Executive Office of the President
Eisenhower Executive Office Building
1650 Pennsylvania Ave, NW, Room 262
Washington, DC 20503

Dear Administrator Sunstein:

I am writing to ask you to support a rule requiring all large-scale dog breeders who sell puppies over the internet or directly to their customers to be regulated by USDA. As both a sighthound breeder in St. Charles, Illinois and someone who is active in dog rescue, I have seen both the good and the ugly sides of this business. Also, as a former student of yours from the University of Chicago Law School (J.D. class of 2002), I have fond memories of you and your Rhodesian ridgeback in your office at the Law School every day and Professor Epstein's animated opposition to your dog's presence there.

As a responsible breeder, I support rules that would bring large-scale internet and other direct-to-the-public dog sellers under the regulations of the Animal Welfare Act (AWA). I advertise my dogs through my own web site, and while the web can be a valuable way to begin researching various dog breeds and breeders, it has also become a highly effective, mass-marketing tool for many irresponsible breeders, commonly referred to as puppy mills. Internet sellers are some of the worst offenders, operating cruel and exploitive businesses under the radar of both consumers and government. The internet provides a nearly endless market for unethical breeders who can sell dogs without customers or government inspectors ever laying eyes on their facilities. Breeders raising and selling large numbers of animals over the internet should be subject to USDA inspection and the requirements of the AWA, just as wholesalers are currently. In fact, as a breeder, I believe that the AWA standards are inadequate and should be significantly strengthened to prevent animal suffering. Regardless of any shortcomings in the standards themselves, it is nonsensical for USDA to regulate some large-scale sellers and not others. Uniformly holding all large-scale breeders to the same standards is good for business, ease of enforcement, and ultimately better for the welfare of the dogs.

Just as I believe that all large-scale breeders should be brought under USDA regulation, I do not think it is necessary to regulate small, hobby breeders. Truly responsible breeders typically raise only a few puppies a year in a manner that far surpasses the lax standards of the AWA. Responsible breeders, including small, hobby breeders like myself, raise our animals as if they were part of the family. They live in our homes and are raised as cherished pets before we carefully screen owners and adopt them out. I have networked extensively with such breeders, and I cannot think of a single responsible, hobby breeder who sells close to 50 puppies over the course of a year. In fact, most breed only one or two litters a year (or less) in order to allow their

breeding females an opportunity to rest between litters and do not breed a female more than three times in her entire lifespan. In fact, the Code of Ethics for most AKC National Parent Clubs discourages breeding a female on successive heats or more than three times in her lifetime.

I would support exempting small, hobby breeders from regulation under the Animal Welfare Act. Regulating breeders who sell more than 50 dogs a year would provide a safe margin for targeting large-scale breeders and exempting smaller, responsible breeders.

I raise dogs under the highest standards possible because it is an ethical obligation, and because it's good for the dogs. As a responsible breeder, I would never sell a dog to someone I have never met, let alone ship a puppy to a stranger who purchased the puppy over the internet. In fact, my own standards are far more stringent. I have a rare breed of North African sighthound known as the Sloughi. I require a Puppy Buyer Questionnaire with references (which I check). I do not ship puppies at all to people whom I do not know personally. My Puppy Buyer Contract guarantees the puppy for its life. Any puppy that I have bred can be returned to me at any point in its life for any reason or no reason at all for a full refund. The welfare of the puppy guides this policy. My dogs are all DNA certified against progressive retinal atrophy (the only known genetic disease in my breed for which a test is available). I do not sell puppies to homes without fenced yards. All of my puppies come with a written contract, 4 generation pedigree, and full health records. They are raised lovingly under foot and each puppy is extensively socialized with other dogs, other people and new places before they leave my home with their new owners. I am frank with prospective buyers about the pros and cons of my breed and I turn away more interested parties than I accept.

Because my breeding program is geared toward quality and improvement of my breed, I breed only rarely and only when a particular mating appears to me to be likely to improve the quality of our gene pool. As such, I never have had so many females that I have been required to be licensed. Nonetheless, I am an active officer in the AKC National Parent Club for my breed as well as the UKC Sloughi specialty club. I adhere to both clubs' codes of ethics and I participate extensively in Meet the Breeds events to provide education.

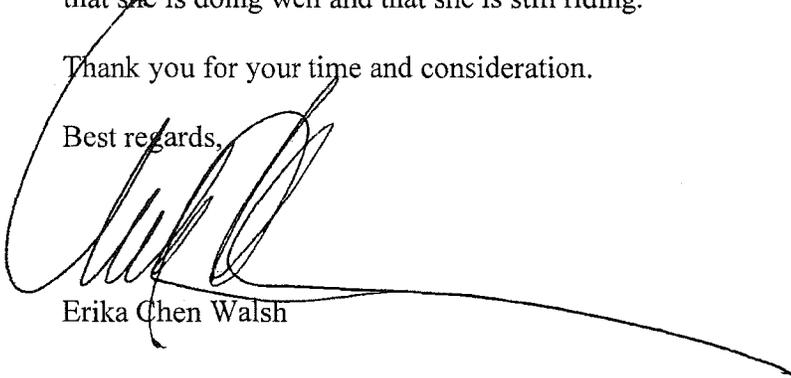
I am also quite involved in rescue. I work with a local greyhound rescue as well as a local rescue group that helps to transport rescue dogs to new homes across the country. Many of the dogs in the transport system are the result of puppy mill breeders. Many are "designer" dogs such as "goldendoodles" and "labradoodles." These dogs are almost without exception drastically unsocialized. Many are covered in parasites or are heartworm positive. We have moved dogs with open sores and fresh wounds as well. The minority of dogs who enter rescue will be rehomed. Most are humanely euthanized because they are suffering or unadoptable due to medical or behavioral problems or simply because there are not enough homes.

As a long-standing member of the dog breeding community, I am heartened to know that USDA is taking regulation of this industry seriously, and I look forward to working with you to help make the new regulations as effective as possible. Please do not hesitate to contact me with any questions or concerns you may have.

On a personal note, I remember well seeing you with Ellyn at the Lab School (where my daughter was also in attendance) and at Perfecta Farm. She must be in college by now. I hope that she is doing well and that she is still riding.

Thank you for your time and consideration.

Best regards,



Erika Chen Walsh

The Costs of Puppy Mill Raids: ASPCA 2011

Rowan County, Kentucky—October 2011

The Case



In October 2011, the ASPCA Field Investigations and Response (FIR) Team headed to Rowan County, Kentucky, to help care for 118 small-breed dogs including Chihuahuas, Dachshunds, Papillons, Min Pins and Poodles—several pregnant and some just a few weeks old—who were removed from filthy, cramped cages on October 6.

The dogs were discovered after the Rowan County Attorney's Office received complaints about the facility.

The dogs finally received the care they desperately needed; many of them were found covered in mold and matted fur, suffering from infection, dental disease and various other ailments.

An ASPCA emergency sheltering team and other veterinary experts helped care for and assess the dogs at the Rowan County Animal Shelter. ASPCA responders also completed thorough evaluations of the rescued animals and helped local authorities collect evidence to support criminal charges against the mill's owner.

In order to house the puppy mill rescues at the Rowan County Animal Shelter in Morehead, Kentucky, responders needed to create space at the facility.

So, working with our Shelter Response Partnership network, we transported 27 dogs to the Capital Area Humane Society in Columbus, Ohio, and St. Hubert's Animal Welfare Center in Madison, New Jersey.

The ASPCA's Shelter Response Partnership network is a coalition of national and local agencies that provide a second chance for animals rescued from overcrowded facilities and cruelty investigations.

Expenses

Operation	Month/Year	Days	# of animals	Shelter Supplies	Vet. Care	Staffing	Travel	Total Expenses	Grants	Cost per animal	Cost per day	Cost per animal, per day
Kentucky	Oct. 2011	140	138	\$ 26,510.70	\$ 56,359.27	\$ 116,307.74	\$ 195,892.16	\$ 395,069.87	\$ 7,650.00	\$ 2,862.83	\$ 2,821.93	\$ 20.45

Garland County, Arkansas—November 2011

The Case

On November 7, 2011, the ASPCA and IFAW (International Fund for Animal Welfare) responders helped local law enforcement raid a Hot Springs, Arkansas, puppy mill, rescuing roughly 175 Westies, Boston Terriers, Pomeranians and other small dogs and helping collect evidence to build a case against the owner.

The breeding dogs, some with tiny, unweaned puppies, had been living in sheds outside a mobile home. Responders found them suffering from various eye diseases, dental disease, skin diseases, fleas, mites and heartworm.

The raid stemmed from a two-year investigation led by Corporal Angela Graybeal, a Garland County sheriff's investigator who received numerous complaints about the living conditions and mistreatment of the puppy mill dogs. The investigation culminated in the arrest of mill owner Pam Thomas on three felony counts of animal cruelty.



Soon after the arrest, our veterinary forensics team and responders from IFAW began combing the property to collect evidence, including several deceased dogs. At the same time, the ASPCA FIR Team began removing dogs from the puppy mill. The team transported the dogs to a temporary shelter using the ASPCA's custom animal transport trailer.

Once the dogs arrived at the temporary shelter, a veterinary team led by FIR Medical Director Dr. Rhonda Windham began assessing and treating the dogs' medical conditions. The dogs then received toys, affection and healthy food from a sheltering team of roughly 30 people, using supplies donated by PetSmart Charities, Inc.

On November 23, 2011, mill owner Pam Thomas pleaded not guilty to all charges against her, but also relinquished all dogs—including eight puppies born between the raid and her court appearance—to the ASPCA.

Expenses

Operation	Month/Year	Days	# of animals	Shelter Supplies	Vet. Care	Staffing	Travel	Total Expenses	Grants	Cost per animal	Cost per day	Cost per animal, per day
Arkansas	Nov. 2011	42	184	\$ 31,402.16	\$ 54,654.70	\$ 70,125.08	\$ 100,225.29	\$ 256,407.23	\$ 8,808.00	\$ 1,393.52	\$ 6,104.93	\$ 33.18

Summary of 2011 Puppy Mill Raid Expenses

Operation	Month/Year	Days	# of animals	Shelter Supplies	Vet. Care	Staffing	Travel	Total Expenses	Grants	Cost per animal	Cost per day	Cost per animal, per day
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Arkansas	Nov. 2011	42	184	\$ 31,402.16	\$ 54,654.70	\$ 70,125.08	\$ 100,225.29	\$ 256,407.23	\$ 8,808.00	\$ 1,393.52	\$ 6,104.93	\$ 33.18
Total				\$ 57,912.86	\$ 111,013.97	\$ 186,432.82	\$ 296,117.45	\$ 651,477.10	\$ 16,458.00			

Explanation of expenses:

- o Shelter Supplies: includes supplies for animals (food, enrichment, cleaning, equipment for daily care) and operational supplies (office, facility rentals, electricity, sanitation, infrastructure).
- o Staffing: Independent contractor and temporary worker fees
- o Travel: Airfare, lodging, car rentals, meals, mileage, parking
- o Veterinary Care: medical supplies and care at local veterinary clinics

Breakdown:

1. Average cost/animal/day for seizure = \$26.81
2. Sheltering supplies ~ 8.8% (\$2.38/animal/day)
3. Veterinary Care ~ 17% (\$4.57/animal/day)
4. Staffing ~ 28.6% (\$7.67/animal/day)
5. Travel ~ 45.4% (\$11.18/animal/day)



THE HUMANE SOCIETY
OF THE UNITED STATES

DECEMBER 30, 2011

White House Responds to Petition to Stop Puppy Mills

National Animal Welfare Groups Call for Accelerated Action by President Obama to Crack Down on Puppy Mills

Humane Society Legislative Fund, ASPCA®

The Humane Society of the United States, the Humane Society Legislative Fund and the ASPCA® (The American Society for the Prevention of Cruelty to Animals®) have announced that the White House has responded to a petition submitted by the organizations in November asking President Obama to crack down on puppy mills. The official response to the online petition, which was signed by more than 32,000 people, outlines the United States Department of Agriculture's plans to improve oversight of commercial dog breeders by issuing rules to regulate those breeders who sell over the Internet. The animal welfare groups were encouraged by the news, but urged the White House to accelerate the time frame, and adopt the puppy mill rule without further delay.

The White House response also highlighted the USDA's commitment to increase enforcement under the Animal Welfare Act and referenced the agency's recent proposed rule to prevent young, and often sick, puppies from being imported into the United States.

"The Humane Society of the United States thanks the more than 32,000 animal lovers across the country who signed this petition and brought the issue of puppy mills directly to the President's attention," said Melanie Kahn, senior director of the Puppy Mills Campaign for The HSUS. "The changes outlined in President Obama's response are a positive step toward closing the loophole that has allowed thousands of puppies to suffer for so long in unlicensed mass-breeding facilities. Much work needs to be done, since the draft rule has not yet been proposed, and we urge the Obama Administration to complete the process to crack down on abusive puppy mills and to allow no further delays in this process."

The petition was submitted in October 2011 by The HSUS, The HSLF and the ASPCA® asking President Obama to help close a loophole in the Animal Welfare Act regulations that permits large-scale, commercial breeders who sell puppies online and directly to the public to escape basic oversight and minimal animal care standards. The petition quickly gathered more than 10,600 signatures in its first 30 days – doubling the threshold needed to assure an official response. It eventually became one of the most popular petitions on the White House website, and was the top active petition for several weeks in November.

"We applaud the USDA for taking this step," said Sara Amundson, executive director of the Humane Society Legislative Fund, "For too long, the USDA has avoided regulating and inspecting commercial breeders selling puppies over the Internet to unsuspecting consumers."

"The existing regulatory loophole currently allows many commercial breeders to operate without a license and without any inspection—meaning they are not accountable to anyone for their breeding and care standards," added Cori Menkin, senior director of the puppy mills campaign at the ASPCA. "The ASPCA is encouraged that the USDA has committed to help end the suffering of millions of breeding dogs and protect consumers by finally closing this loophole."

On December 7, The "Today" show aired The HSUS' expose of Purebred Breeders LLC, thought to be the nation's largest online seller of puppies. The investigation highlighted the connection between Purebred Breeders and inhumane commercial-breeding facilities known as puppy mills, where dogs are often confined in small, stacked wire cages, with no exercise, veterinary care, socialization, or human companionship. HSUS attorneys, in partnership with Florida firm Leopold Law, have also filed suit in Florida state court on behalf of HSUS members and other consumers who received sick or dying dogs from Purebred Breeders. Anyone who has bought a sick dog online is urged to fill out The HSUS' official complaint form.

Media Contacts: Jordan Crump: 301-548-7793, jcrump@humanesociety.org

Rebecca Goldrick: 646-291-4582, rebecca.goldrick@aspca.org

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The Humane Society of the United States is registered as a 501(c)(3) non-profit organization. Contributions to The Humane Society of the United States are tax-deductible to the extent permitted by law. The HSUS's tax identification number is 53-0225390.

Congress of the United States
Washington, DC 20515

March 1, 2012

The Honorable Tom Vilsack
Secretary
United States Department of Agriculture
1400 Independence Avenue SW
STOP 0101
Washington, DC 20250

Mr. Cass Sunstein
Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
Executive Office of the President
Eisenhower Executive Office Building
1650 Pennsylvania Ave, NW, Room 262
Washington, DC 20503

Dear Secretary Vilsack and Administrator Sunstein:

As sponsors of legislation in the House of Representatives that would close a loophole in the Animal Welfare Act (AWA) that currently allows large, commercial breeders who sell puppies online and directly to the public to escape licensing and regulation (H.R. 835, the Puppy Uniform Protection and Safety (PUPS) Act), we write to ask that you act quickly to promulgate regulations to achieve this goal as well.

As you know, in May of 2010, the Office of Inspector General (OIG) of the U.S. Department of Agriculture (USDA) released an audit of the Animal Care (AC) program within USDA's Animal Plant Health Inspection Service (APHIS). The audit found that AC's investigations of large-scale dog dealers (i.e., breeders and brokers) failed to expose and highlight inhumane treatment of animals. In addition, the audit determined that some large breeders circumvented AWA by selling animals over the Internet. APHIS concurred with the OIG's findings.

We believe that enacting H.R. 835 is especially necessary due to the fact that many commercial size breeders now sell directly to the public and remain exempt from the scope of the AWA. This enormous loophole allows a large segment of commercial breeders to avoid any federal licensing or inspection requirements whatsoever. While we are working in Congress to enact legislation that would close this loophole, the bill is before the House Agriculture Committee and it has not been scheduled for consideration at this time.

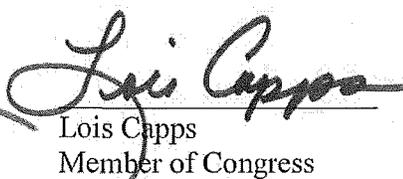
We understand that the Department has already begun to make administrative changes at APHIS to address the concerns outlined in the OIG report and are grateful by the steps that the Department has taken to ensure the proper treatment of puppies and breeding dogs. Public awareness about puppy mills is at an all-time high and it is clear that the status quo is unacceptable. The American public is ready for the federal government to act on this issue and, as such, we request that you work within your regulatory capacity as quickly as possible on new rules to address this Internet loophole.

We look forward to hearing from you shortly and thank you very much for your consideration of this request.

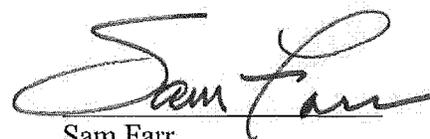
Sincerely,



Jim Gerlach
Member of Congress



Lois Capps
Member of Congress



Sam Farr
Member of Congress

RICHARD J. DURBIN

ILLINOIS

ASSISTANT MAJORITY LEADER

United States Senate
Washington, DC 20510-1304

October 20th, 2011

COMMITTEE ON APPROPRIATIONS

COMMITTEE ON FOREIGN RELATIONS

COMMITTEE ON THE JUDICIARY

COMMITTEE ON RULES
AND ADMINISTRATION

Secretary Tom Vilsack
United States Department of Agriculture
1400 Independence Ave. S.W.
Washington, DC 20250

Dear Secretary Vilsack:

We encourage you to take action as quickly as possible to close a loophole that currently prevents the U.S. Department of Agriculture (USDA) from regulating commercial breeders that sell puppies directly to consumers, including over the Internet. We thank you for your work to promulgate rules (Docket No. APHIS-2009-0053) implementing the 2008 farm bill provision regarding humane treatment of imported puppies, and we urge your continued diligence to address similar loopholes domestically.

In the 2008 Farm Bill, Congress included language directing USDA to limit the importation of puppies from questionable foreign breeders in an attempt to address the problem of inhumane foreign puppy mills inundating the U.S. market with unhealthy or injured puppies. Far too often, foreign breeders were shipping puppies to the United States that had critical health problems or even suffering from terrible injuries. Further, these imports were seriously undermining the ability of legitimate U.S. breeders following humane practices to compete and remain profitable. The recent rules promulgated by USDA will help resolve this issue and help ensure puppies sold in the United States are bred under humane conditions and transported accordingly.

At the same time, a serious loophole in current regulation of domestic commercial breeders remains. This gap in the law has unfortunately allowed puppy mills to continue doing business through direct sales to consumers, including over the Internet, in the United States. As highlighted in the May 2010 Office of the Inspector General report, the current Animal and Plant Inspection Service's (APHIS) definition of retail commercial sales only includes sales taking place at brick and mortar locations, leaving a significant gap in regulation regarding commercial breeders that sell puppies directly to consumers, including over the Internet.

To address this issue, we joined together, now along with 17 additional cosponsors, to introduce the Puppy Uniform Protections and Safety (PUPS) Act (S. 707) that would clarify standards and ensure we close this unnecessary loophole. We are heartened to learn that you are preparing to act to close this loophole through regulatory action, without requiring additional

711 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510-1304
(202) 224-2152
TTY (202) 224-8180

230 SOUTH DEARBORN, 38TH FLOOR
CHICAGO, IL 60604
(312) 353-4952

526 SOUTH EIGHTH STREET
SPRINGFIELD, IL 62703
(217) 492-4062

1504 THIRD AVENUE
SUITE 227
ROCK ISLAND, IL 61201
(309) 786-5173

PAUL SIMON FEDERAL BUILDING
250 W. CHERRY STREET
SUITE 115 D
CARBONDALE, IL 62901
(618) 351-1122

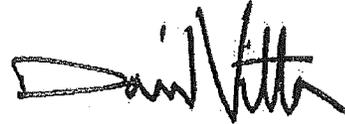
congressional action. Just last week, more than 160 dogs and puppies were rescued from terrible conditions in a domestic puppy mill. It's time to take action. We ask that you move as quickly as possible with new rules to close the domestic Internet direct sales loophole and ensure that dogs and puppies are treated more humanely.

Thank you in advance for your attention to this matter.

Respectfully,



Richard J. Durbin
United States Senator



David Vitter
United States Senator

Consumer Complaints – Unlicensed breeders

Purebred Breeders, LLC

In December 2011, The Humane Society of the United States released the results of a 3-month-long investigation into an Internet seller called Purebred Breeders LLC, thought to be the nation's largest online seller of puppies. The investigation was featured on NBC's Today show and highlighted the connection between online sellers such as Purebred Breeders and puppy mills. The expose revealed that Purebred Breeders owns nearly 800 Web domains designed to mislead consumers into believing that they are dealing with local breeders when they shop online for a puppy. Whistleblowers working for the company told HSUS investigators that the company sells approximately 20,000 puppies every year, using hard-sell, deceptive tactics encouraged by company executives.

HSUS investigators obtained photographs and video footage of several large-scale commercial puppy mills that supply dogs through Purebred Breeders. This footage reveals dogs in stacked wire cages, empty water bowls, excessive build-up of feces under cages, and other unsanitary conditions typical of puppy mills. Most of the breeders were not USDA-licensed.



Several Poodles are crowded into wire cages at an unlicensed dog breeding facility known to sell to Purebred Breeders, LLC. Photo credit: HSUS 2011; Durant, Oklahoma

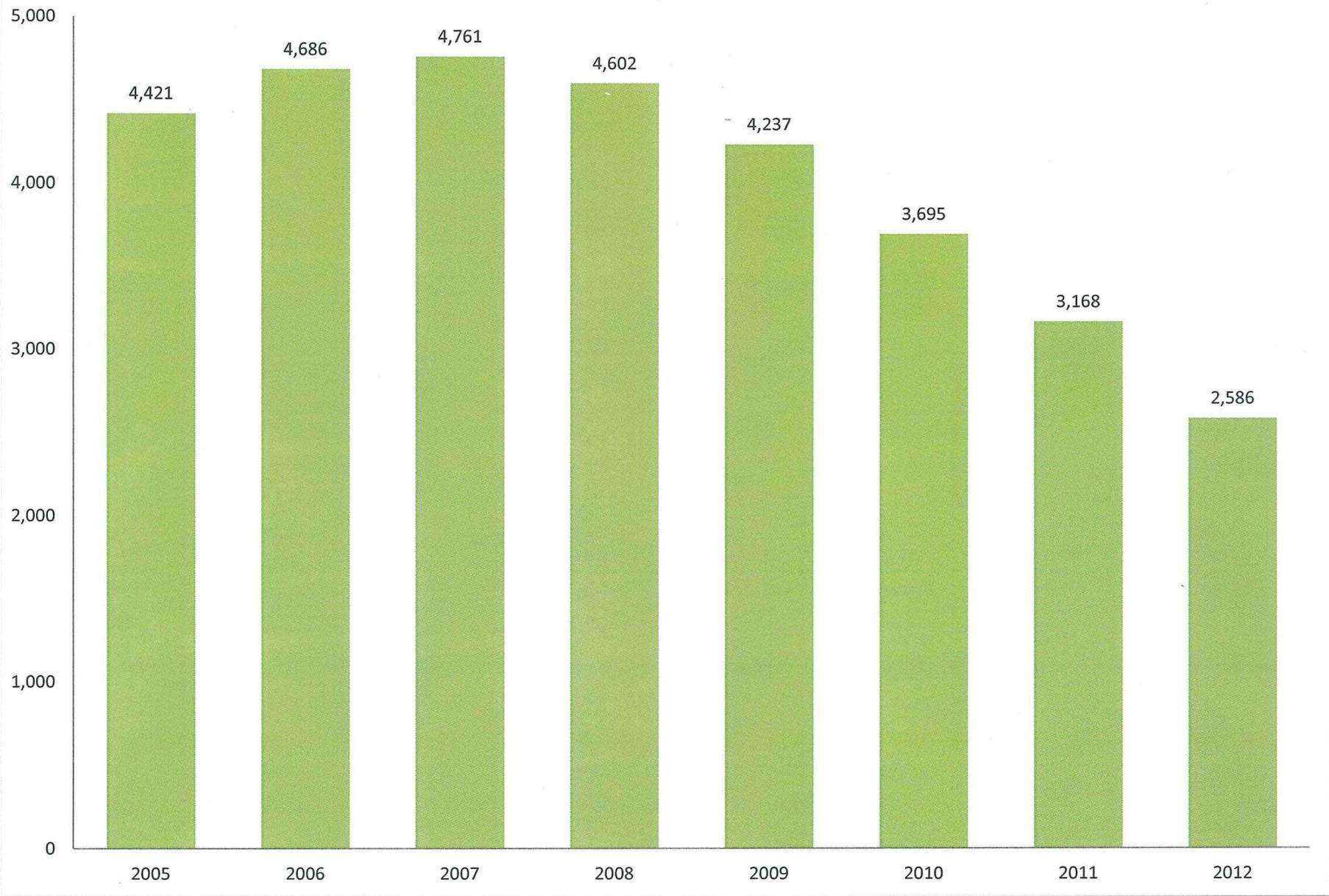
HSUS has received over 75 complaints regarding puppies that were purchased through this online puppy broker. Consumers pay anywhere from \$2,000-\$4,000 for puppies that are usually shipped via airline from unlicensed breeders all over the country. These puppies arrive sick or nearly dead, and cost consumers additional thousands of dollars in vet bills and tremendous amounts of heartache. The complaints below are just a sampling of these cases.

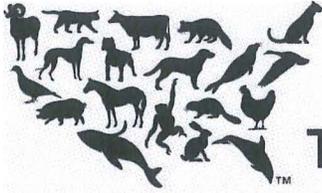
- **Cornelia I., College Point NY** – Purchased a Cavalier King Charles puppy in November 2011 via the internet from a non USDA licensed breeder in Nevada for nearly \$2,000. The puppy was shipped via airline and arrived with coccidia, fleas, ear mites, and a bladder infection. Consumer has bonded with the dog and will not return her, but she is concerned that there may be additional illnesses and vet bills that she will not be able to afford.

- **Victoria M., PA** – Purchased a Chihuahua puppy in 2009 via the internet from a breeder in Texas for nearly \$2,000. The puppy was shipped via airline and arrived with a cough. Two days later the puppy was lethargic, refusing food and water, and still coughing. Buyer took the puppy to vet where she was diagnosed with pneumonia. Consumer and her husband had to feed the puppy by hand with a syringe multiple times a day and also spent nearly \$1,000 in vet bills to keep the puppy alive.
- **Justin M., Fort Collins CO** – Purchased a Great Dane puppy in July 2010 via the internet from a breeder in Alabama for \$2,400. The puppy was shipped via airline and started vomiting that night. The puppy continued to vomit on average about eight times a day. After extensive testing, the puppy was finally diagnosed with a congenital condition called Mega esophagus, which requires that the puppy be fed a liquid diet four times a day, in an up-right position, and then kept up-right for 15 minutes after eating, for the rest of his life. Due to this condition, the puppy is also at a higher risk of contracting pneumonia, which he did come down with at six months of age. When the puppy was 1 year old they discovered a lesion in his shoulder which required arthroscopic surgery. The puppy is not even 2 years old yet and the consumer has already spent over \$7,000 in vet bills. He stated that he will not be able to afford additional vet bills if the puppy continues to have health issues.
- **Ryan O., Austin TX** – Purchased an English bulldog puppy from an unknown breeder via the internet for \$3,000. In just 2 years, the puppy has been diagnosed with a genetic mite disorder, pneumonia, constant vomiting, and cancer. Consumer has spent over \$6,000 in vet bills.
- **Kimberly O., Melbourne FL** – Purchased two Yorkie puppies in August 2011 via the internet from an unknown breeder. Both puppies arrived with intestinal parasites, and one was also diagnosed with kennel cough, a double ear infection, and giardia. The cough has never subsided despite multiple rounds of antibiotics; the veterinarian suspects an unknown strain of bacteria.
- **Nancy B., Woodstock GA** – Purchased a Labrador puppy in July 2011 from an unlicensed breeder in Arkansas via the internet for \$1800. The puppy was shipped via airline and arrived with fleas, an ear infection, kennel cough, and a Urinary Tract Infection (UTI). The UTI persisted and was eventually diagnosed as a structural deformity of the urinary tract. The consumer is a single mother with a special needs child and is unsure how she is going to be able to afford treatment for the puppy.
- **Shirley B., Novato CA** – Purchased a Labrador puppy in July 2009 via the internet from an unlicensed breeder in North Carolina. At eight months old, the puppy was diagnosed with a congenital condition known as severe bilateral elbow dysplasia, which cost nearly \$12,000 to correct. Purebred Breeders would not reimburse any veterinary bills, however they sent the consumer a “replacement” Labrador puppy from an unlicensed breeder in Arkansas. At 11 months of age, the “replacement” puppy was diagnosed with a congenital condition known as severe bilateral hip dysplasia, which will cost nearly \$8,000 to correct.

- **Jennifer B., New York, NY** – Purchased a Maltipoo puppy in June 2008 via the internet from an unlicensed breeder in Texas. The puppy was shipped via airline and arrived covered in urine and feces. The next morning, the puppy would not eat or drink, was lethargic, was diagnosed with both Giardia and Parvo, and required treatment at an Emergency veterinary clinic.

Total USDA Class A Licensees





THE HUMANE SOCIETY OF THE UNITED STATES

THE PROBLEM OF UNREGULATED PUPPY MILLS

Currently the United States Department of Agriculture (USDA) does not license or inspect large-scale puppy producers who sell puppies over the Internet or directly to the public. Most of these “direct” sellers have taken advantage of the pre-Internet language of the Animal Welfare Act (AWA) regulations (otherwise known as the “retail loophole”) to operate without any federal oversight or inspections. As a result, an increasing number of large-scale unlicensed breeders are not monitored for their animals’ overall health or for any humane treatment standards.

PART ONE: ONLINE SELLERS

INTERNET SELLER: PINEBLUFF PUPPIES



The website

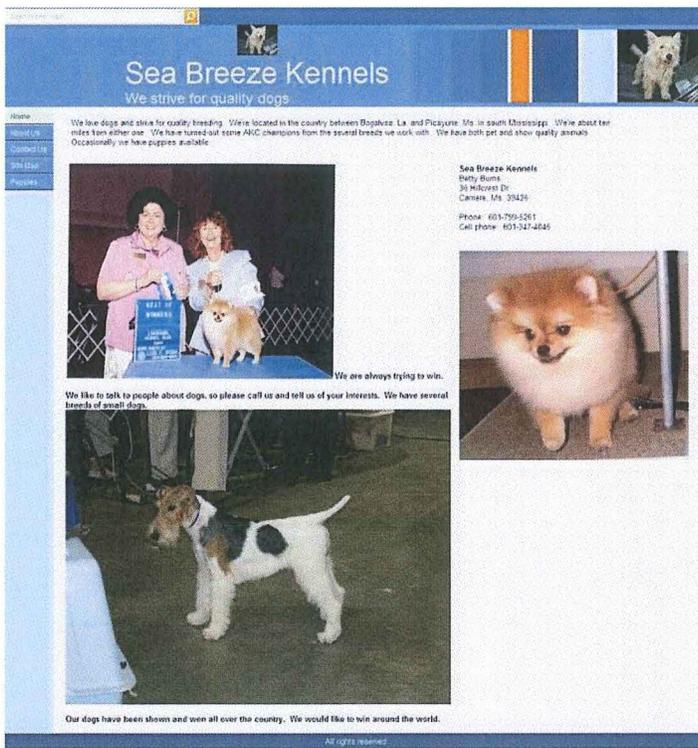
The reality

Facility: Patricia Atkisson, “Pine Bluff Puppies,” Lyles, Tennessee
Mode of sale: Internet and classified ads – unlicensed.

Details: The HSUS assisted in removing more than 700 animals from the property in 2008 due to substandard care and conditions. Ill, dead and dying animals were found on the property. The owner had been in business for decades but local laws were inadequate to address the problem until the situation had spiraled out of control and hundreds of animals were suffering.

The animals were removed and treated over a period of six days at a cost of approximately \$120,000 to The HSUS – not including the financial costs incurred by many other groups working with us, the local community government or the costs associated with investigating the facility, filing charges and the upcoming long judicial process, nor of the many local animal shelters who received dogs from this facility, processed them, spayed/neutered and continued to handle medical problems, and found good homes. Approximately 50 people a day (experts and volunteers), numerous local, state and national humane organizations participated, and local law enforcement officials handled criminal aspects of the case as well as the increased traffic and security problems. HSUS also incurred costs for renting a large building for the temporary shelter and all the expenses involved with the rental, medical issues, and housing and meals for humans in this rural area in addition to the direct costs for caring for the animals. The owner was charged with animal cruelty.

INTERNET SELLER: SEA BREEZE KENNELS



The website



The reality

Facility: Sea Breeze Kennels, Carriere, Mississippi

Mode of sale: Internet and classified ads– unlicensed.

Details: On July 13, 2010, The HSUS's Puppy Mills Task Force assisted in removing more than 100 dogs from the property of an Internet-based puppy seller who was not locally or federally licensed. The seller was not required to be licensed because she lives in a state with no kennel laws and was selling directly to

the public. The animals were found in shockingly poor condition, many of them standing on floors where more feces than flooring were visible. The dogs were crowded inside a home that reeked of urine and rescuers were forced to wear ventilators to enter the facility. Ill, injured and dead animals were found on the property, parts of which were infested with flies, fleas, maggots and rats. The owner had been in business for decades but local laws were inadequate to address the problem until the situation had spiraled out of control. The owner was charged with animal neglect.

INTERNET SELLER: WHISPERING OAKS KENNEL



The website

The reality

Facility: Sharon and Edwin Roberts, Whispering Oaks Kennel, Parkersburg, WV

Mode of sale: Internet and direct to public (classifieds). Not USDA licensed.

Details: HSUS Emergency Services team assisted in removing more than 900 animals from overcrowded and substandard conditions in 2008. The Environmental Protection Agency had determined that wastes from the facility were polluting local waterways. In exchange for agreeing to relinquish the animals, the owners were not charged.

INTERNET SELLER: J’AIME KENNELS

Facility: John and Heidi Frasca , J’Aime Kennels, Buxton, Maine

Mode of sale: Internet and direct. Not USDA licensed.

Details: In 2007, Maine experienced the largest known puppy mill case in the state’s history when local authorities seized 249 animals from a substandard kennel. In addition, 102 more puppies were born during the duration of the resulting cruelty case. Many of the animals were suffering from mange and severe skin infections. One of the websites the couples used to market their puppies stated, “Our puppies are born in our home and are exposed to household noises, other dogs, livestock, cats, parrots and a various

assortment of other creatures from an early age.” The site mentions the kennel’s guarantee, dedication to breeding for temperament and confirmation for the show ring. But what authorities found upon arriving on the scene were sick, unkempt animals living in fetid enclosures.

Expenses piled up after 6-7 weeks of sheltering the animals on the kennel property with round the clock security. After being removed from the property, animals were transported to a temporary emergency shelter and spent another approximate 4-5 months there. The total cost to the state of Maine was approximately \$440,000. Two lead shelters, Animal Welfare Society and Animal Refuge League also fundraised for the effort and likely brought in around another \$30,000 that covered costs that would have otherwise been charged to the state.

The HSUS spent approximately \$40,000, which covered deployment of 5 to 6 volunteers per day for the first six weeks of the case. The Maine State Director spent approximately 8-10 weeks on site daily, and two other HSUS staff assisted as well. HSUS Emergency Services sent in a management team for a week long period and provided at least one responder for a few weeks following the full week. Emergency Services also provided a team to prepare for and execute the set-up of the temporary shelter and the transport of the animals to the new site. An HSUS large sheltering vehicle was used during the move. **Total costs: \$510,000.**

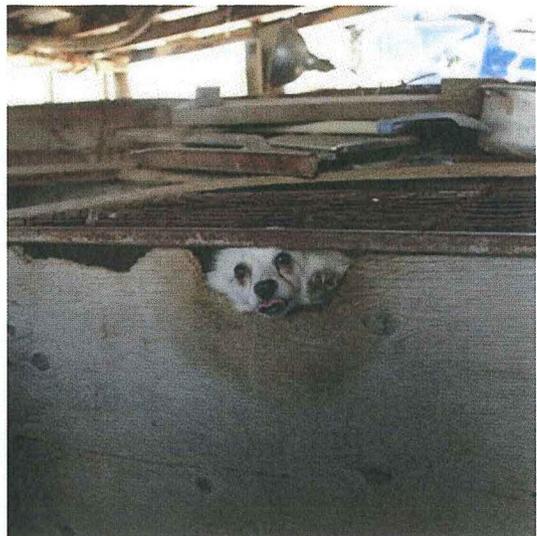
PART TWO: CLASSIFIED SALES AND OTHER DIRECT SALES FACILITIES

CLASSIFIED SELLER: SUN VALLEY KENNEL

Facility: Ella Stewart, Sun Valley Kennel, Kennewick, Washington

Mode of Sale: Classified ads in dog magazines and newspapers

Details: In June 2009 The HSUS, in cooperation with a local sheriff’s department, facilitated the removal, emergency sheltering, and initial veterinary care for 371 dogs from a puppy mill in Washington state after the owner was charged with animal cruelty. The owner had been harboring sick animals in dilapidated housing. Some of the animals were housed in old shopping carts.



It took more than 60 people two days to provide basic, essential care for the animals. Private citizens reportedly donated approximately \$12,000 to the local sheriff's department to help care for the dogs. However, law enforcement authorities reported that the estimated cost of the operation was approximately \$330,000, which included the direct costs of the value of services from local veterinarians and clinics for the first 30 days of animal care. Most of the services, however, were provided to the county at no charge by The Humane Society of the United States and other nonprofit organizations.

CLASSIFIED SELLER: HORTON'S PUPS



Facility: Horton's Pups, Hillsville, Virginia

Method of sale: Direct to public (classifieds) and back-door pet store sales. Not USDA licensed.

Details: An HSUS undercover investigation in 2007 found puppy mill owner Junior Horton with more than 1,000 dogs housed in substandard conditions. The HSUS assisted local authorities in removing most of the dogs from his property.

The small community in southwestern Virginia was suddenly confronted with the need to remove, care for and place the dogs. Gary Larrowe, County Administrator, said in a February 2008 letter sent to Delegate Robert Orrock of the state legislature, "*we declared a local emergency and took action in establishing Standard Operating Procedures (SOPs) in getting each animal documented, seen by a veterinarian, setting up phone lines, e-mail addresses, establishing a command post, developing media kits, conducting scores of interviews and dealing with satellite trucks from across the east coast. Not only were we experiencing pressure from the rest of the world, we had 1100 animals to make sure they were cared for in the best possible way. During the event, we had many births even in transit from the alleged Puppy Mill to the command center. The volunteer veterinarians from various regions came to our rescue through the call for help by the Commonwealth Emergency Operations Center in Richmond. Along with the professionals, we had assistance from animal rights volunteer groups such as VA PAWS and HSUS plus many Humane Society(s) and SPCAs from Florida to New York. The real work to get this project completed took more than two weeks of dedicated efforts by paid staff and volunteers. I bring the elements of the above real-life case to you because if Carroll County had to actually pay for the entire operation to deal with the alleged 'Puppy Mill,' I would estimate the cost at more than \$100,000.*"

Junior Horton was convicted of animal cruelty in 2008. After a bill was passed in Virginia that would limit the number of breeding dogs at any one facility and prevent persons convicted of animal cruelty

from holding a kennel license, Horton moved his breeding business to Ohio. He is still in the dog breeding business in 2012.

CLASSIFIED SELLER: IRENE MEUSER



Facility Owner: Irene Meuser, Beth Page, TN

Method of sale: Directly to public (classifieds). Not USDA licensed.

Details: HSUS assisted in the rescue of almost 300 dogs and cats found in cruelly overcrowded and filthy conditions in 2006. The facility owner had been in operation for decades and was known to be a problem seller, but laws were inadequate to address the problem until conditions had spiraled out of control and hundreds of animals were living in dire cruelty. The owner pleaded guilty to misdemeanor charges of animal cruelty and served no jail time.

DIRECT SELLER: MAPLES LABRADORS

Facility: Karen Maple, Bakersfield, VT

Mode of sale: Local classifieds. Not USDA licensed.

Details: In July 2011 local law enforcement, assisted by The HSUS Rescue Team, responded to a puppy mill complaint in Bakersfield, Vermont. When responders arrived they found approximately 68 Labrador retrievers and puppies living in filthy conditions. Many of the dogs were found confined to windowless wooden boxes in complete darkness. A number of the puppies and adult dogs were suffering from malnutrition and dehydration.

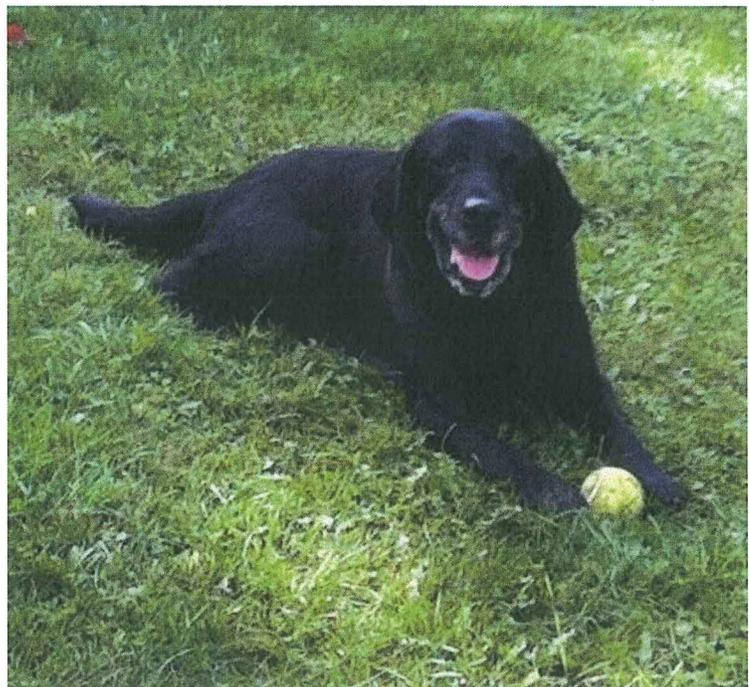
Veterinarian Janet Carini, DVM, who examined 28 of the animals after they had been removed, stated that they were "very thin with protruding ribs, prominent lumbar vertebrae and hip/pelvic bones, a pronounced waist with abdominal tuck and variable degrees of muscle loss." Some were severely dehydrated; some showed signs of decreased/delayed development, which she explained is consistent with poor nutrition provided to the mother during gestation and lactation periods, as well as by intestinal parasites and competition for food. "It is my professional opinion that all of these animals have suffered from inadequate nutrition for an extended period of time," she concluded.

The cost to The HSUS of deploying the Rescue Team, purchasing animal care supplies, transporting animals, travel and equipment to assist in the removal and initial treatment of the animals was \$52,675, or almost \$1,000 per animal rescued. This cost did not include the salaries of local law enforcement and security staff deployed to the scene, the cost of the legal proceedings, or the first 30 days of supervised, climate-controlled shelter, which was donated by a local horse farm and partially staffed by unpaid volunteers. The value of sheltering the animals at \$10 per animal per day would have added an additional \$17,400 to the costs, for a total of \$70,075, or more than \$1,200 per animal rescued. Extensive follow-up medical expenses for some of the animals, including some who required amputations and tumor removals, are not included in this estimate.

One of the nursing mother dogs was in such poor condition that almost every bone in her body was visible. Below are photos of this dog, Isabelle, both before and after she was removed and provided adequate care and nutrition.



Isabelle immediately after removal



Isabelle approx. four months after removal

PART THREE:

FORMERLY USDA LICENSED BREEDERS WHO CONTINUE TO SELL DIRECTLY TO THE PUBLIC

Facility Owner: Pam Sims – Pam’s Cockers and Schnauzers, Winnsboro, TX

Mode of sale: Internet (<http://www.pamscockers.com>) – not currently USDA licensed but still in business and offering dogs for sale online as of January 2012.

Details: In 2007, 61 adult dogs were removed from Sims’ property due to severe skin problems (see photo courtesy of USDA below). The USDA revoked her license in Nov. 2009 after years of animal welfare violations including a high concentration of ammonia (urine fumes), failure to provide adequate shelter or protection from inclement weather, failure to provide vet care to dogs with severe skin problems, animals with open wounds caused by biting and scratching at infected skin, and severe accumulations of feces.

The USDA revoked Sims’ license by court order in 2009. Yet Sims has remained in business to this day, and the current condition of her dogs is unknown. She continues to sell directly to the public without any regulatory oversight:



CLASSIFIED SELLER: KRUPCZNSKI KENNEL

Facility Owners: Leonard and Sandra Krupcznski, Paris, AR

Mode of sale: Directly to the public, classifieds and other

Details: Licensed by the USDA until 2006 (former USDA license # 71-A-0911). After dropping their USDA license in 2006, the couple continued to sell puppies directly to the public for several years. Arkansas has no state kennel licensing laws, so the facility was not held to any state or federal standards as conditions went from bad to worse.



In March 2009, with the help of the local law enforcement and several other animal welfare groups, The HSUS rescued over 300 animals from deplorable conditions at the facility. One of the dogs rescued is pictured at right. He is encrusted with feces and matted hair, and his condition is similar to that of many other dogs removed from the kennel. The expense to municipal agencies for the cost of removing and treating 300 dogs could have been avoided if the facility had been regularly inspected and compelled to comply with basic welfare standards.

CLASSIFIED SELLER: CLARA VOWELL



Facility Owner: Clara Vowell, Fairbanks, Indiana

Method of sale: Direct to public (classifieds) – not currently USDA licensed.

Details: Facility owner is a former USDA-licensed breeder who discontinued her license in 2007 after a history of reported problems, but continues to run a breeding facility. The HSUS assisted in removing more than 60 animals from her property in 2008 due to inadequate veterinary care. Some of the dogs were found with mites and open bleeding wounds. At least one dead dog was found at the facility (photo on left). Local authorities declined to file charges. Reportedly the facility continues to sell puppies directly to the public in 2012.

DIRECT SALES: LOUISE CLAPP

Facility Owner: Louise Clapp, Butler, MO

Mode of sale: Unknown but still state licensed in 2011 after losing USDA license in 2009. Former USDA license # 43-A-0893

Details: After accumulating more than 75 pages of severe and repeat Animal Welfare Act violations, Louise Clapp's USDA license was revoked in Nov. 2009. As of 2011, however, she was still licensed as a commercial breeder in the state of MO. A public records request is pending, but to the best of our knowledge she still holds a Missouri commercial breeder license in 2012.

On at least two occasions in 2007, some of Clapp's animals were in such poor condition that after a "negotiated reduction" was arranged with the Missouri Department of Agriculture (MDA), she surrendered some of her animals to the state. Louise Clapp surrendered 21 older dogs to the MDA's Animal Care Program on April 27, 2007. The dogs, many of them more than 10 years of age, were then turned over to animal shelters for placement, leaving nonprofit shelters with the problem of attempting to medically treat, house and care for the dogs.

On a previous occasion earlier that same month, Louise's relative and co-licensee at the time, Martin Clapp, surrendered an additional 17 dogs to the MDA as part of another irrevocable transfer of ownership. Those dogs were also transferred to local shelters, who assumed the burden and cost of their care.

The quote below is an example of just one of Louise Clapp's dozens of USDA violations:

"REPEAT DIRECT NCI. An unidentified adult, female Weimeraner, named 'Annie Oakley,' was observed to be excessively thin. She had prominent hip, vertebrae and rib bones with a tucked abdomen. An unidentified adult female Weimeraner named 'Suzie' was observed to be non weight-bearing on her left front leg. Upon closer observation, there was an area of swelling around her elbow, approximately twice the size of her right elbow. There was also a puncture wound in the center of the swollen area. Inside the same enclosure, housing the previously mentioned Weimeraners, there was a soft stool with a shiny yellowish colored mucus-like substance around and on top of the stool. [...] These items were also not in compliance on Feb 22, 2007; March 28, 2007; May 2, 2007; May 30 2007; July 10, 2007; Dec. 4, 2007; Jan 9, 2008; Feb 19, 2008; Oct 2, 2008 and Oct 30, 2008."

-USDA inspection, March 2009

The fact that the Clapp facility and many other commercial breeding facilities have lost their USDA licenses after accumulating dozens of repeat Animal Welfare Act violations, yet many remain in business simply because they have reportedly changed their mode of sale, is an example of the repercussions in the current gaping loophole in the Animal Welfare Act regulations that exempts "retail" dog sellers from federal oversight.

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