



AMERICAN  
KENNEL CLUB®

November 20, 2014

**Re. Files 136, 55, 73, 146  
AKC Appreciates Changes, Requests Additional Amendments**

Dear Chairman Johnson and Members of the New York City Council Committee on Health:

On behalf of the American Kennel Club and our local New York City dog clubs, we wish to thank you for your consideration of our concerns regarding the initial versions of Files 136, 55, 73, and 146. We greatly appreciate the revisions you have made to these measures to protect the wellbeing of dogs and the rights of responsible dog enthusiasts, breeders, and pet owners to act in the best interest of their dogs.

We respectfully ask for several additional changes/clarifications to ensure the best interest of dogs is protected in these proposals:

**Introduction 136-A: This measure mandates the sterilization of pets prior to transfer.** Government mandated spay/neuter laws have been found ineffective throughout the country in addressing animal population concerns. *Furthermore, increasing scientific evidence demonstrates that radical sterilization surgeries such as spay/neuter—particularly when conducted on puppies as young as 8 weeks of age—are harmful to the long-term health of a dog.* The decision to spay or neuter a dog is a decision that should be made by the pet's owner after careful discussion with a veterinarian.

**We respectfully ask that this requirement be removed from the proposal, and that dog owners be allowed to choose in conjunction with their veterinarian the best health care decisions for their pets.**

The American Kennel Club joins a broad range of other animal advocates including the American Veterinary Medical Association, the ASPCA, No-Kill Advocacy Center, the American College of Theriogenologists, and the National Animal Interest Alliance in opposing the concept of government-mandated spay/neuter. These position statements are included as Addendum 1 to this letter.

**Harmful impacts of juvenile sterilization:** New scientific studies increasingly demonstrate that juvenile sterilization has long-term harmful impacts on the health of the animal.

- The American College of Theriogenologists, for example, states that spaying and neutering “prior to puberty or sexual maturity may make the risks of some diseases higher in certain breeds or individual [dogs; therefore], the option to leave an animal intact must be available to the pet owner.”<sup>1</sup>
- A study conducted by Rutgers University indicates that sterilizing a dog before 1 year of age “significantly increases the risk of osteosarcoma (bone cancer)...” In the introduction to this study, Larry S. Katz, Chair of the Animal Sciences department at the university, states that “The decision of females may be more complex, further

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<sup>1</sup> American College of Theriogenologists. “Basis for Position on Mandatory Spay-Neuter in the Canine and Feline.” [http://c.ymcdn.com/sites/www.therio.org/resource/resmgr/docs/spay-neuter\\_basis.pdf](http://c.ymcdn.com/sites/www.therio.org/resource/resmgr/docs/spay-neuter_basis.pdf)

emphasizing the need for individualized veterinary medical decisions, not standard operating procedures for all patients.”<sup>2</sup>

- Some studies have shown that specific breeds are significantly impacted by the effects of juvenile spay/neuter. A study conducted by the Center for Exceptional Longevity Studies at Purdue University found, for example, that Rottweilers spayed after they were six years old were 4.6 times more likely to reach 13 years of age than those sterilized at a younger age.<sup>3</sup>
- Another study conducted by the UC-Davis School of Veterinary Medicine, published by the online scientific journal PLOS ONE, and highlighted by the Journal of the American Veterinary Medical Association (JAVMA) in 2013, highlights other concerns. This study, focused on Golden Retrievers, found that “...early neutering was associated with an increase in the occurrence of hip dysplasia, cranial cruciate ligament tear, lymphosarcoma, hemangiosarcoma, and mast cell tumor.”<sup>4</sup>
- Additional information and studies discussing the health dangers associated with mandatory sterilization are attached as Addendum 2 to this letter.

**Better Alternatives are Available:** A better alternative is to focus on encouraging affordable spay-neuter and responsible dog ownership programs. Low cost spay/neuter clinics and responsible dog ownership programs designed to help citizens make responsible decisions before acquiring a pet and to help them care for those they own are a much more effective solution for addressing pet ownership issues. The AKC and our local New York City dog clubs would be pleased to work with you on public education programs that promote responsible dog ownership in our city.

**Introduction 55-A:** The AKC appreciates the many changes made to this proposal and thanks the committee for your willingness to consider our concerns, as well as those of many responsible breeders, hobbyists, and dog owners in the city. We respectfully ask for the following clarifications:

**Conditions under which pet stores may obtain pets from both Class A and Class B USDA licensed dealers/brokers not in violation of USDA welfare requirements.** §17-1702, 3(a) references circumstances under which pet stores may source pets from USDA licensed brokers and dealers as long as they are not in violation of USDA animal welfare regulations. The text references both dealers (class A) and brokers (class B) as “class A” licensees. We ask that this be clarified to allow pet stores to obtain pets from qualified USDA Class B brokers, as long as they meet the requirements set out in this proposal. We further ask that this proposal and any subsequent regulations adopted ensure that pet sellers are not overregulated to such an extent that they are unable to continue to offer healthy, purpose-bred dogs to New York City customers.

**Opportunity for correction should be permitted prior to dog seizures.** §17-380 allows for dogs to be seized if pet shops are operating without a permit. We respectfully ask for a clarification to ensure the pet

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<sup>2</sup> Sanborn, Laura J., M.S. “Long-Term Health Risks and Benefits Associated with Spay/Neuter in Dogs.” May 2007.

<sup>3</sup> “Rottweiler study links ovaries with exceptional longevity.” JAVMA News. February 18, 2010. <https://www.avma.org/News/JAVMANews/Pages/100301g.aspx?PF=1>

<sup>4</sup> “Study finds neutering-disease link in Golden Retrievers.” JAVMA news. March 20, 2013. <https://www.avma.org/news/JAVMANews/Pages/130401s.aspx?PF=1>

shops are allowed an opportunity to come into compliance prior to dogs being seized, assuming the dogs are being treated in a safe and humane manner.

**Clarification on which entities must obtain a permit.** §17-372a indicates that those who meet the definition of “pet shop” must obtain a permit. In the next subparagraph, the proposal states that no person may operate a business or conduct an activity regulated by this subchapter without the permit. We presume this also refers to pet shops, and does not refer to breeders and others defined in Subchapter 9.

**Clarification that not all who meet the definition of pet shop will be USDA-regulated.** This proposal requires all pet shops to make their USDA inspection reports available upon request. As the definition applies to all who sell at least 25 dogs in a year, it is conceivable that someone could meet the definition and not be USDA-licensed. We respectfully ask for a clarification that they provide USDA inspection reports if available.

We thank you in advance for these clarifications.

**Introduction 146-A:** AKC Reunite, an affiliate of the American Kennel Club, is the largest not-for-profit pet identification and recovery service in North America. We agree that pet identification is an essential part of responsible dog ownership.

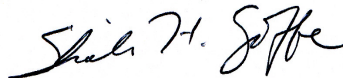
This proposal would mandate that all microchips be implanted by a licensed veterinarian. Microchips are a powerful tool to ensure unique identification of pets and return lost pets to their owners. To ensure compliance with USDA and other rules and regulations, most dogs sold in pet stores are microchipped before they leave their state of origin. In most states, the microchip may be lawfully implanted by the breeder or distributor. Therefore, most of the microchips are not inserted by a veterinarian. To require a microchip implanted by a licensed veterinarian would result in a duplicative procedure to implant a second microchip in order to be in compliance with this requirement. While we understand that this provision is based in part on state law, we respectfully ask that it be clarified to address this concern.

The American Kennel Club and our local New York City dog clubs and owners greatly appreciate the significant work that has gone into the amended version of these measures, we support many of the changes included. AKC would welcome the opportunity to work with you to address these additional concerns.

We look forward to working with you to protect the health of dogs and the rights of responsible New York City dog enthusiasts. Please do not hesitate to contact me or the AKC Government Relations team at 212-696-8200 ext.3720 if you have questions or we may be of assistance in developing alternative solutions.

Thank you for your consideration.

Sincerely,



Sheila Goffe  
Director, Government Relations