

Opposition to Mandatory Spay/Neuter & Breeder Licensing Legislation from the Rabbit Education Society

<http://rabbited.0catch.com>

Mandatory spay/neuter or “Pay or Spay” legislation does not correct problems in the community. This type of legislation also includes breeder licensing which again does nothing except hurt responsible animal breeders. Mandatory spay/neuter legislation is nothing more than a radical animal rights tactic to do away with not only breeding but eventually pet ownership. This report documents how and why mandatory spay/neuter laws are a failure. It also discusses what does work and what should be done instead of enacting restrictive breeding ordinances.

Rabbit Education Society Position Statement

The RES opposes legislation that is designed to restrict the rights of responsible breeders, such legislation includes breeding licenses or permits, bans on breeding, number limits, mandatory spay/neuter laws, livestock classification for zoning, and licensing or differential fees. This sort of legislation has been proven to be ineffective in preventing pet abandonment and therefore unnecessary. We believe it is a violation of our Constitutional Rights as American citizens. It also hurts the show breeder community, not just where such legislation is enacted but nationwide as gene pools are lessened and breeders are forced out or underground.

Table of Contents	
Rabbit Specific Problems with Mandatory S/n Laws	pg 2
Rabbit Statistics	pg 3
Pet Rabbit Information	pg 4
Types of Rabbit Breeders	pg 7
Unique Characteristics of Rabbits	pg 8
Comparing Rabbits to Dogs & Cats	pg 10
True Agenda Behind MSN	pg 12
Position Statements From Various Organizations	pg 11
Is There Really an Overpopulation?	pg 14
MSN Law Failures	pg 16
Better Solutions	pg 22
More Population Information	pg 23
Rabbits & Zoning Issues	pg 26
References	pg 28

Summary Points:

- Mandatory spay/neuter laws and breeder licensing are tactics of the animal rights movement to end breeding of animals and pet ownership
- There is no “overpopulation crisis” of animals. Numbers of animals euthanized at shelters is at an all time low and the animals who make up the majority of euthanized animals are older less adoptable animals and feral cats. A significant number of owner requested euthanasia are also added to total figures by shelters artificially inflating numbers.
- Animal abandonment is the result of the severance of the owner animal bond and not because people are breeding animals, based on scientific studies
- This type of legislation does not reduce the number of animals entering shelters or animals being euthanized
- From the CFA studies show 87% of owned cats are already spayed/neutered

- Excess cats in shelters are due to reproduction of unowned/free roaming/feral cats¹
- Areas which have passed this type of legislation have failed to see success in lessening animal abandonment
- Costs for animal control have greatly increased in areas that pass this type of legislation
- This legislation punishes responsible pet owners and breeders while ignoring irresponsible animal owners
- Negatively impacts those trying to care for feral or stray cats
- Breeding Restriction legislation hurts almost everyone in the community
- This legislation negatively impacts the quality of the dog, cat, & rabbit supply
- This type of legislation is considered an unfair business practice which allows the animal shelter to become a monopoly. Note according to HSUS² the public acquires 14% of their pets from shelters while 38% acquire them from breeders or pet stores. With so many shelters operating more like a pet store it is easy to see why they would like to eliminate the competition
- Breeding Restriction legislation is an inefficient use of government resources
- This legislation will have little or no impact on claims of public health and safety problems caused by unwanted animals which can be better dealt with by enforcing existing laws
- Mandatory s/n laws punish low income families who can't afford spay/neuter to begin with. This is a reason why low cost spay/neuter programs are much more effective
- Those violating animal control laws tend to be unowned animals or animals whose owners cannot afford the fees
- There exist better methods to reduce animal abandonment and euthanasia
- Breeder licensing creates a catch-22 for hobby breeders who would require a business license to breed but at the same time be prohibited from obtaining one due to zoning
- Mandatory s/n laws unfairly target pet owners and breeders, the majority are not responsible for shelter animals

The Problems With Regulating Rabbit Breeding

Specific Problems with Adding Rabbits to Mandatory S/N Laws:

- Because rabbits are a caged pet it is unlikely they will wander like cats or dogs so MSN laws don't impact shelter population due to roaming animals reproducing.
- Few Veterinarians can safely perform spay/neuters on rabbits and the cost is prohibitive for owners. The cost to spay or neuter a rabbit varies but on average seems to run \$100-more than \$250³. In the article Bunny Birth Control by Michelle Kelly Mar 2007 she states the average price to neuter a buck in the LA CA area is \$120-\$200 and the average spay cost is \$150-\$250 and you can pay as much as \$500 extra for a complete blood panel, pre-op exam, and other charges. Consider the average price of a pet rabbit is \$19-\$35. Most rabbit owners opt not to alter their rabbits. It is unlikely that a MSN law would have any effect on their decision.
- There have not been in depth studies on early s/n of rabbits. While the age for mandatory s/n of dogs and cats is usually set at 4 months of age this is too early for rabbits. Veterinarians say they can neuter a buck as soon as the testicles descend. For many breeds of rabbits and individual rabbits, the testicles have not descended by four months of age. The age to spay a doe is recommended to be 6 months old.

¹ Opposition to Breeder/Cattery Licensing CFA website

² Spay/Neuter Fact Sheet March 1999 Coalition for NYC Animals Inc

³ Consider Commitment Before Buying an Easter Bunny Cinde Fisher Start Bulletin Mar 2002

Larger breeds mature later than smaller breeds, how will s/n by 4 months of age impact their lives and health? By requiring mandatory s/n of rabbits by four months of age politicians are endangering the lives of rabbits.

- In addition breeders would not know by 4 months of age if a rabbit will be useful in a breeding program. Mandatory s/n of rabbits will lead to problems with gene pools and negatively impact the show breeding community. While many rabbits could be shown starting at 3 months of age, most breeds will not be matured enough to be competitive by 4 months of age.
- While pet rabbits do end up in animal shelters there is no indication that it is a serious problem. There is no indication that we need to require mandatory s/n of rabbits. More on rabbit populations later in this document. Also since rabbits are used for food and demand always outpaces supply shelter rabbits if one can't find a pet home should be utilized as meat, thereby saving animal control money and solving the abandonment problem. Actually AC could slaughter and feed the rabbits to the dog and cat population thereby saving more money to government and taxpayers.
- Passing MSN legislation causes an undue hardship for rabbit breeders who have no role in rabbits ending up in shelters. PET OWNERS ABANDON PETS NOT BREEDERS. The breeding community is tired of being blamed for the minority of pet owners who purchase and then surrender a pet. All animals including rabbits are also "adopted" from shelters and rescue groups and returned, yet nobody blames these entities for unwanted animals, why blame breeders. It is an unfair double standard to regulate breeders and exempt shelters and rescues from all regulation. An open letter to Petsmart from the House Rabbit Society (2007), states:

"Although spaying /neutering does indeed prevent further reproduction, it does not prevent-or even acknowledge-the myriad other reasons why so many rabbits end up in shelters." So obviously requiring MSN of rabbits will NOT prevent owners from sending them to animal shelters.

- Regulating any animal breeding has proven to be a failure. It forces hobby breeders who can't afford the added expense to become illegal breeders and go "underground". Historically rabbit breeders have been quite adept at ducking regulation such as number limits, bans on rabbits, etc it is likely any sort of MSN laws would be ignored as well. Same with pet rabbit owners since rabbits don't need veterinary check ups like cats and dogs and are easily hidden from authorities. To create laws that force law abiding citizens to become criminals is contrary to public interest.
- It has been proven that MSN laws fail to reduce shelter population. It's pretty obvious why, MSN targets breeders and responsible pet owners while doing nothing about irresponsible owners. If one is allowing their animals to breed indiscriminately does any government official really think they will get a license or s/n the animal? Those who contribute to the shelter population continue to under MSN laws. Also studies are showing that it isn't a problem with baby animals and breeding indiscriminately, the shelter problem is about pet owners deciding to get rid of adult animals because they don't have time for them. MSN laws do nothing to address these issues. In rabbits the reasons cited for pet owners relinquishing to shelters include too much work, moving, got tired of, pretty close to the same reasons dog and cat owners give. MSN laws do not address these issues.
- Another serious issue is rabbits are multi-purpose being used as both food and pet. As an agricultural animal MSN laws will only cause enforcement problems. The average hobby breeder sells culls (rabbits not needed in the breeding program) as pets, show/breeding stock, and food. This is unique to rabbits, dogs and cats do not have this same issue so how will MSN laws including rabbits actually work?
- Rabbits have never been considered in MSN legislation, likely due to the unique problems and hardships it would create. Very few communities have any breeder licensing laws for rabbits because it is too difficult to implement due to their multi-purpose status. NYS introduced legislation in 2004 but withdrew it. WI also withdrew legislation requiring licenses. Louisville KY passed legislation last year but it treats rabbit breeders unfairly and there is not any standard enforcement or interpretation. The result was hobby show breeders and those raising rabbits for meat were required to obtain a pet dealer license which cost more than the dog or cat breeders license. It was recently announced that the city council changed the rabbit classification because of the problems in the law. Rabbits are not dogs or cats and cannot be treated the same in legislation.
- MSN laws coupled with breeder licensing often require hobby breeders to collect sales tax. This creates a catch-22, an insurmountable obstacle for the vast majority of hobby breeders. Most hobby rabbit breeders live in residential neighborhoods where zoning prohibits running a business. When required to collect sales tax government often requires you to obtain a business permit or other requirements that qualify one as a business per zoning law. So if a governmental body requires hobby breeders to collect sales tax or hold a business permit the breeder automatically is prohibited from participating as a hobby breeder per zoning. Because rabbits have such low demand as pets, the price for a pet rabbit is very

low, & the breeder is unable to make any profit breeding rabbits, they are unable to find a secondary piece of property to conduct their hobby on that complies with zoning or move to one. I would like to know what the government intends to do for the hobby breeding community? According to IRS test rules rabbit breeding for show would be classified as a hobby not a business. The amount of sales tax collected would probably be far less than the cost to government to require hobby breeders to collect sales tax. Plus with zoning restrictions the breeder would either have to stop all breeding or become an illegal breeder. Is there any logic in regulating breeders?

- And why are all shelters and rescues exempt from regulations? They act as pet dealers-providing pets to pet owners. The pet owner is given no protection when purchasing animals from a shelter or rescue, they come as is and if the animal has a disease or deformity it's the buyers responsibility. Why are shelters exempt from lemon laws and even the most basic of regulation that is mandated on breeders and pet stores? If there is no regulation of their activities how does anyone know they are taking proper care of the animals? It is not fair to stack regulations upon breeders and pet stores and exempt shelters and rescues.
- It also makes no sense to get legislative input on breeding laws from shelters, rescuers, animal rights organizations, and veterinary groups. All these entities do not participate in breeding, they don't understand it and most are philosophically opposed to any breeding. Is it any wonder these entities come up with legislation that places burdens on breeders while exempting themselves. Veterinary organizations exist to serve the interests of veterinarians...not breeders. They have a financial interest in mandatory s/n laws as it will increase their gross profit. If hobby breeders are eliminated it gives shelters an increased percentage of market share. This is NOT how a democracy is suppose to work. What about the rights of US citizens to participate in the breeding of animals for a hobby or commercially free of undue hardship and regulation? Why are the rights of animals more important than our rights?

In order to understand the flaws in regulating rabbit breeding one must first understand the rabbit world. Rabbits are geared for reproduction as well as being a multi-purpose animal. Rabbits throughout history have been used as both food and pet. The American Rabbit Breeders Assoc motto is "Food, Fur, and Fancy". Rabbits are probably the only species that are raised as both pet and food source. This can create problems if legislators do not understand, consider, and legislate the rabbit's unique position in society. They cannot be lumped in just companion animal or just farm animal or livestock. Nor can rabbit breeders and rabbits be regulated exactly the same as dogs or other species.

Rabbits Statistics:

35,000 members of the American Rabbit Breeders Assoc. and represent show breeders (USDA)
4,000 ARBA sanctioned shows per year (USDA/APHIS Impact statement on RHD)
About 20,000 rabbits entered at annual ARBA convention (USDA/APHIS Impact statement on RHD)
Perhaps 930,000 show rabbits exist in the US (USDA/APHIS Impact statement on RHD)
8.5 million raised for food in the US (USDA)
800 million used for food worldwide 1998 (USDA)
300,000 rabbits were used for research in 735 facilities during 1999 (USDA)
2 million for fur worldwide
136 USDA inspected dealers or breeders with approximately 84,000 rabbits* (USDA)
2,500 rabbits owned by 351 USDA licensed exhibitors (not breeders)* (USDA)
5.3 million kept as pets (American Pet Products Manufacturing Assoc. 2002)
43,000 rabbit in US shelters (RES)
9 million total estimated domestic rabbit population in the US in 2000 (USDA)
10,073 rabbit farms with 405,241 rabbits 2002 USDA Census of Agriculture
95,892 youth enrolled in 4-H rabbit & Cay project in 2000 (USDA/APHIS Impact statement on RHD)

*Hobby breeders are not required to be licensed by the USDA, the above noted as USDA license holders would be considered commercial pet breeders or animal exhibitors. According to the USDA only about 1 in 10 people who raise rabbits are ARBA members (ARBA has about 35,000 members).

"The value of the rabbit industry in the US is estimated at \$25 million a year. This includes a \$15 million value for rabbits raised for research purposes and \$10 million a year from the sale of rabbit meat and pelts. These estimates do not include rabbits which are pets or show rabbits." USDA
<http://www.aphis.usda.gov/vs/ceah/cei/rabbitcal.htm>

Pet Rabbits in Animal Shelters

There is no centralized reporting agency for animal shelters. There is no standardized population reporting guidelines or requirements. There is no auditing process to ensure animal shelters are accurately keeping or publicly reporting numbers. While there is information available on dogs and cats in shelters which has some degree of accuracy the same cannot be said of rabbits. In the late 1990's the Rabbit Education Society was formed to primarily research rabbit information and publicize accurate information. The RES is the only source at this point of accurate rabbit information regarding their population in animal shelters. Most "rescue" rabbit groups will lie and inflate numbers to mislead people into believing there is an "overpopulation crisis" (RES has found numerous examples of "rescue" making up information and statistics). One by which their only "Solution" is to ban or restrict breeding. Rabbit "rescue" is fundamentally opposed to all rabbit breeding especially show breeding and their use for meat. Ample evidence exists showing their anti-breeder mentality, please contact RES for supporting evidence as it is too numerous to include in this document.

From a shelter survey the Rabbit Education Society estimates 43,000 rabbits are abandoned per year in shelters nationwide. The majority of animal shelters that accept rabbits, take in a small percentage of pet rabbits per year.

Pet Rabbit Information

According to an USDA/APHIS report on the Impact of RHD, the average purchase price of a pet rabbit was between \$20-\$35. From information they obtained in an APPMA report, of the 5.28 million pet rabbits in the US 33% were brought at a pet store or pet superstore, 13% from a friend or relative, 13% obtained from a previous owner, 6% were bred at home, and 6 % were obtained from a Humane Society. That leaves 29% presumably obtained from a breeder although the USDA report did not specify what percentage were purchased from a breeder and indicated there were other choices as to where the pet was obtained. The APPMA estimates pet rabbit owners spend \$116 per year on rabbits while the estimate of the annual cost of maintaining a rabbitry is \$942 (specific size of rabbitry not specified).

From 1999 RES Pet Owner Survey:

<u>Where did you get your rabbits:</u>		<u>Where would you get your next rabbit?</u>
32%	a pet store	33% Animal Shelter
27%	a breeder	42% Breeder
15%	Animal Shelter	10% Rescue Group
6%	Rescue group	7% Pet Store
15%	Gift or other	7% Other
4%	Stray	

According to the USDA/APHIS Impact statement on RHD (2002) estimates from the APPMA are the total pet population in the US was 353 million (cats. Dogs, birds, fish, reptiles, and small animals). The small animal population was 19 million. Of that the rabbit population was 5.28 million (40% of the small animal population and only 1.5% of the total pet population). From the report cats number 73 million and dogs number 68 million.

The USDA/APHIS table from their report:

Table 4: Pet Ownership in the U.S.

Animal	Number of Households in Millions	Percent of Total U.S. Households	Number of Animals Owned in Millions	Number of Animals Owned Per Household
Dogs	40	60	68	1.7
Cats	34.7	34	73	2.1
Freshwater Fish	12.2	12	12.2	13
Birds	6.9	7	19	2.7
Small Animals	5.5	4	19	3.4
Reptiles	4	<.1	9	2.2

Source: 2001/2002 APPMA National Pet Owners Survey

Table 5: Household Ownership of Small Animals

Type of Small Animal	Percent of Total Small Animal Population	Number of Each Small Animal Owned	Total U.S. Population of Small Animals
Total Households Owning Small Animals in 2000 = 5.5 million			
Rabbit	40	2.4	5,280,000
Hamster	29	2.3	3,668,500
Guinea Pig	18	1.4	1,386,000
Ferret	10	1.8	990,000
Mouse/Rat	10	2.9	1,595,000
Gerbil	8	2.4	1,056,000
Chinchilla	3	1.4	231,000
Hermit Crabs	2	2	220,000
Pot-Bellied Pig	2	2.7	297,000
Hedgehog	1	1	55,000
Other	15	4.9	4,042,500
Total Small Animal Pet Population			18,821,000

Source: 2001/2002 APPMA National Pet Owners Survey

Third Most Common in Shelters...Myth or Fact?

Again based on a RES shelter survey there is an estimated 43,000 rabbits abandoned per year in animal shelters nationwide. When looking at shelter intake reports online and comparing the number of dogs and cats to the number in the "other" category reveals that all animals in "other" constitutes only a small percentage of animals abandoned. In the continuing search for accurate shelter data we have found:

Petfinder.org data from 2002-2006 shows an average of 2,352 rabbits listed nationwide and that is only an average of 1.7% of the total number of animals listed on petfinder.

According to a 2002 report from North Carolina a total of 446 rabbits were in NC shelters, 46% were euthanized. Also only 25% of NC shelters in that report took rabbits.

ACC in NYC (no MSN laws in NYC note the decrease in intake without punitive laws):

Year	Other	Total Dog& Cat
2002	6,506	40,513
2003	5,236	42,945
2004	2,567	42,381
2005	3,175	41,386
2006	3,197	40,340

Hillsborough County Animal Services 10/03-9/04

Dogs impounded: 14,571

Cats impounded 18,077

"other" impounded 1,137

Data from the years 1996-2002 show "other" only made up 2% of the total animal intakes

The reality is the third most common animal in shelters is "other", the catch all category for anything not a cat or dog. Within this category you find not only domestic pets but wildlife as well. When researching shelter data RES discovered that some shelters add wild cottontails into the domestic rabbit totals thereby skewing the numbers of truly unwanted pet rabbits. Most shelters do not separate animals other than cats and dogs. Upon further research we discovered that rabbits only make up a small percentage of the "other" category. One example a NJ shelter reported of the 1,220 animals in "other" only 44 were rabbits (4%). Given that it is a false statement to declare rabbits are the 3rd most common animal in shelters. To base legislation upon faulty information is illogical.

If they are the 3rd most abandoned animal in the US it is at a rate so far behind cats and dogs to be insignificant and certainly doesn't warrant being added to mandatory s/n laws. In addition it isn't just cats, dogs, and rabbits abandoned in shelters. Every other type of animal is abandoned as well, so why are dog, cat, and rabbit breeders being targeted? Plus factor in pet owners put animals in shelters not animal breeders!

Rabbit Classification Livestock Companion Animal Or What?

Rabbit Classification: Rabbits cannot be defined as solely livestock or companion animal as they are unique and multi-purpose with any single breeder utilizing their herd for more than one purpose. Purpose or uses for rabbits include meat (human and other animal), fur production, wool production, laboratory use, pets, & show. Therefore rabbits should have their own unique classification as a multi-purpose animal. Zoning laws and any other legislation applied to rabbits need to address this unique and special characteristic which is not found in any other species. If their multi-purpose utilization is not recognized it places an undue hardship on the many rabbit raisers in the United States.

The domestic rabbit is the only truly "multi-purpose" animal and as such any single breeder's use may overlap into several very different areas. For example many show breeders are breeding to improve their herd as per a show standard. Those not needed in the breeding program may be sold as pets or breeding/show stock, or used by the breeder for (or sold to others for) consumption by humans or other animals.

How any government entity classifies the domestic rabbit affects many people, breeders, pet owners, commercial producers, pet stores, and others. Most of the time legislators are not aware of the effect of how they classify rabbits. Rabbits are unlike dogs, cats, or other types of animals because their use often overlaps as show animal, food, and pets. You just don't see other animal breeders crossing over into so many varied purposes.

The USDA does not currently classify rabbits as livestock. The livestock classification is helpful to those breeding commercially for food or fiber use (assistance to farmers, etc). It negatively affects show breeders, 4-Hers, and pet owners if zoning law prohibits or restricts livestock on their property. A livestock classification also protects those raising rabbits for meat as well as other uses from being prohibited from using rabbits for food or accused of animal cruelty.

A companion animal classification would in some cases make raising rabbits for food an act of animal cruelty. It all depends on how the existing laws are worded or even new laws. This is inappropriate because rabbits have always been a traditional and legitimate source of meat for both humans and other animals. Rabbit meat is actually healthier than chicken. Since it is inexpensive to raise rabbits this also makes an excellent source of food for anyone especially low income Americans.

Let's discuss the types of breeders that form the rabbit industry.

Hobby or Show Breeder: There exists an organized system for judging and shows for those who wish to breed rabbits to a standard and compete with other breeders. The American Rabbit Breeders Assoc. 8 Westport Court, Bloomington, IL, 61704 www.arba.net is the organization responsible for overseeing a system for organized competition among rabbit show breeders. They also are the organization that administers the system by which breeders can register their rabbits and grand champion them. The ARBA is to the rabbit world what the AKC is to the dog world or the CFA is to the cat world. In order for a rabbit to be registered with the ARBA the animal must be brought in front of a licensed registrar and represent the breed standard and be free of any disqualifications, plus have a 3 generation pedigree. This system ensures only quality animals are registered. Unlike other animals species offspring are not automatically registered, only adult rabbits who meet the breed standard. However it is crucial for outsiders to understand that unregistered rabbits serve an important role in breeding programs. Additionally many rabbit breeders don't register their rabbits, it isn't a requirement to show or breed to have them all registered. Factors such as time, money, availability (or lack) of registrars all play a role in the decision whether or not to register a rabbit. A breeder using unregistered rabbits should not have any negative connotation placed upon their practices.

Individuals whose primary purpose in breeding rabbits is for exhibition at organized rabbit shows, or personal food and fiber use, or to improve an existing breed or create a new breed are hobby breeders. Herd number can vary widely from 30-500 rabbits depending on the number of different breeds raised and/or color varieties. 85-90% of breeders breed rabbits as a hobby. The majority of hobby rabbitries are exempt from USDA/APHIS licensing requirements.

Breeders whose primary goal in breeding rabbits is for show are specifically show rabbit breeders. In general show rabbit breeders belong to the American Rabbit Breeders Association and or local and state rabbit clubs, attend several shows per year, own registered rabbits, sell rabbits as pets, show/breeding stock, or food.

Due to a lack of demand for pet rabbits, conflicts with what pet stores desire to sell, and the goal of show breeding it is near impossible for a show breeder to break even let alone profit when breeding show rabbits. There is a wide spread misconception that show rabbit breeders make money doing it. Since most pet stores want very young rabbits and only pay \$5-\$10 per rabbit a show breeder rarely can use a pet store for culls from the herd. A show breeder tends to keep rabbits until they are 8-12 weeks old minimum and often will hold on to rabbits until they are 4-6 months old to determine their value in the breeding program. This also hurts sales to pet owners who also want very young rabbits. Few pet owners want adult rabbits so adults no longer needed in the breeding program will go as show or breeding stock to other breeders or used as food. When you add in the expenses of showing animals there simply is not enough to cover expenses.

Other types of hobby breeders may not be involved in showing rabbits. They may breed for fun and sell some to pet owners. They may raise rabbits for food for their own consumption. They should not be viewed in a negative manner. Many show breeders got their start as just pet owners, others bred for reasons other than show and eventually became show breeders.

Commercial Breeder: This individual is either a commercial meat breeder or a commercial pet breeder. Herd number can start at 500 and can easily go over 1,000 the purpose in breeding is primarily to raise rabbits for food and fiber as a business with the intent to profit. A commercial pet breeder involved in selling to pet stores has an average of 2,000 rabbits (based on numbers from USDA) and breed with the intent to make a profit. Commercial pet breeders or dealers are required to be licensed by the USDA. While some commercial meat breeders may also show it doesn't appear that commercial pet breeders show rabbits. However someone breeding as a business has as much right to exist as a hobby breeder. The commercial pet breeder is able to satisfy demand for pet rabbits from pet stores satisfying demand from consumers. They provide a service to the community as does any other type of breeder.

Unlicensed Commercial Breeder: Anyone selling rabbits to a pet store and grossing over \$500 per year are required by law to be licensed and inspected by the USDA/APHIS. Animal rights activists refer to all breeders as "mills" but this is incorrect. Those truly interested in animal welfare characterize a business where large numbers of rabbits are kept in filthy and unhealthy conditions and bred without regard to breed purity, genetic abnormalities, health, or their welfare in great quantities solely for the pet market for profit at ages too young to ensure their survivability as a substandard commercial breeding facility (3). Although these substandard facilities exist they likely do not exist in the number animal rights activists claim. Any state cruelty laws would address any neglect or mistreatment at one of these facilities. Regulating all breeders does not

decrease the existence of substandard breeding facilities. They will often ignore any licensing laws and continue unregulated. The best way to stop abuse and neglect at substandard facilities is to enforce existing cruelty laws. Substandard animal facilities also include “rescue” and even animal shelters. Most laws introduced by animal activists exempt all “rescues” and shelters from any type of regulation.

"Backyard" Breeder: This term is often used by animal shelter workers and others in the animal rights industry and more recently to refer to someone raising rabbits in their backyard. The term usually refers to an individual who is not breeding for exhibition at organized rabbit shows or for food/fiber, to improve a breed, or as a food/fiber business. This category includes pet owners who allow accidental litters. The primary purpose in breeding is usually to produce pet rabbits for sale or fun. Beware of those who use it to describe where the breeding takes place, they often mix up terms to confuse people in order to pass legislation restricting or banning all breeding.

Pet Dealer means a person who sells, offers to sell, exchanges, or offers for adoption pets they did not produce but have bought or otherwise obtained for compensation primarily for commercial purposes. Animal breeders do purchase animals from other breeders to improve their stock. Laws need to recognize that a hobby breeder is different from a commercial pet dealer. Laws must recognize that breeders will purchase stock to improve their herd and then sell it at a later date. This activity shouldn't be viewed as the same thing as a pet dealer buying and reselling animals for profit.

Some animal shelters are now importing animals from other countries or areas because they do not have enough animals to provide for sale to pet owners. These shelters are really no different than a commercial pet store and deserve no special treatment or exemption from laws.

Unique Characteristics of Rabbit Breeding

Many legislators do not understand that Rabbits are not the same as dogs or cats. Frankly even cats and dogs are very different regarding reproductive issues but laws seldom recognize that. We usually see a dog law created and then all other animals added without making changes to deal with the great differences among the species. This places undue hardships and impossible obstacles in front of breeders.

Due to the unique reproductive capabilities of the rabbit, breeders face issues much different than dog or cat breeders. For example not keeping a rabbit doe in regular production often leads to her not being able to produce a live litter. Most rabbit breeders breed a doe 2-3 times per year **minimum**⁴. Rabbits also have a shorter breeding life than other species. Smaller breeds need to start being bred between 6-8 mos. of age, if not bred prior to 12 mos. they likely will never produce a litter. Does peak in their reproductive life between 2-3 yrs of age, most cease producing by 5-6 yrs of age. Rabbits are also induced ovulators which means there is no heat season and they can be bred year round. The gestation period is 31 days. Rabbits just like their ancestors will re-mate immediately after giving birth with babies weaned by 4 weeks of age. Most breeders do not breed this intensively but you could. Most babies are removed from a doe at 6-8 weeks of age and then their development watched. This is all due to nature and part of the challenges for rabbit breeders. Hobby rabbit breeders often raise more than one breed and have more animals and more litters per year than what many say is the average for dog breeders.

Breeding for show is probably the most challenging goal for breeding. Dealing with what nature throws at you is not easy to begin with. Because they are geared towards reproduction as prey animals rabbits produce a lot of babies but also produce a lot of stillborns. No doubt nature's way of controlling population. Also in winter months rabbits will be less inclined to breed or produce live litters. The irony is more people are interested in rabbits in early Spring before Easter and in order to produce these babies you need to breed in the coldest time of year when they are less likely to produce live babies. Another reason why it is impossible to profit in breeding show rabbits.

In addition to dealing with keeping does in production, making sure they first breed within a reasonable time period, dealing with stillborns, dealing with a lack of demand for pets, show breeders must also work to produce animals who meet a physical standard and be free of disqualifications. Anyone who has ever had experience

⁴ Rabbit Education Society survey Jan 2000 Average number of times you breed a single doe in one year Once 7%, Twice 33%, Three times 39%, Four times 10%, 5 or more times 11%

breeding animals knows that one plans the best they can but even that isn't enough. You may find bloodlines that carry undesirable traits which must be bred out. You may need to bring in new bloodlines to improve traits, or just to widen the gene pool. All of this is work and can be difficult because lines don't mesh, or improvement isn't seen until linebreeding to the 2nd or even 3rd generation. Most animal laws place undue hardship upon show breeders because legislators lack the understanding of breeding issues. This in turn endangers the entire breeding community, not just the locale with anti-breeder laws.

And of course as a hobby show rabbit breeders do not have enough money to comply with regulations and requirements like a commercial entity would. Licensing fees or permits place an undue financial hardship on the hobby breeder. Number limits or limits on litters interfere with the ability to improve bloodlines. Many breeders cannot afford to move or own enough land in some areas with anti-breeder legislation. This forces many to become "illegal" breeding operations.

From the Rabbit Education Society (RES) Jan 2000 Breeder Survey:

4. How many different breeds do you raise? 1breed 38%, 2 breeds 24%, 3 breeds 15%, 4 breeds 8%, 5+ breeds 14%

5. Average herd size? I broke this down into averages based on the number of breeds

1 breed 27 rabbits
2 breeds 33 rabbits
3 breeds 49 rabbits
4 breeds 74 rabbits
5+ breeds 100 rabbits

6. Average number of litters produced per year

1 breed 14 litters
2 breeds 21 litters
3 breeds 25 litters
4 breeds 37 litters
5+ breeds 60 litters

The survey asked both how many breeds do you raise and the average total number of rabbits in your herd (keepers and juniors the breeder is watching not for sale animals). 45% of rabbit breeders responded that they raise 2-3 different breeds, 26% said they raise only one breed, 23% said they raise 4-5 different breeds, and 6% said they raise 5 or more different breeds. Regarding herd sizes 40% said they have 21-49 rabbits, 30% said 50-75. So 70% of rabbit breeders have average herd sizes at any given time of 21-75 animals. 15% said they have up to 20 rabbits, 8 % said 76-100, and 7% said they have over 100. Again because rabbits have a unique place as a multi-purpose animal many are used for food and this is why breeders tend to have much larger numbers in their rabbitries compared to dog or cat breeders.

Question 12 asked "The primary reason you breed rabbits is for? (show, meat, sell as pets, fur, wool, research, other)". Most breeders selected multiple answers. Ninety percent (90%) of respondents wrote show. Pets came in second with 23%, Meat third with 19%, for fun 6%, fur or wool 3%, and "4-H" .7%.

The major flaw with most legislation is that it picks an arbitrary number to define what a hobby breeder is vs a "pet dealer" or totally ignores the concept of hobby breeding. On the Federal level the USDA recognizes the difference between hobby breeders and those breeding as a business. Under the Animal Welfare Act (AWA) commercial pet rabbit breeders are required to have a license and be inspected if they gross \$500 or more in sales not direct to the pet owner. This is commonly sales to pet stores. Hobby breeders selling directly to the pet owner do not require a license. Sales to auctions are also exempted as they are viewed as direct. Those who only use their rabbits for meat or fur/wool are exempt from licensing.

On the 2004 rabbit breeder survey respondents were asked to list the total number of rabbits they sell or move out of the herd per year. One has to realize that when someone is breeding for show you have many more factors that are figured into who you breed, when, and which animals are retained, and for how long.

A show breeder is breeding towards a specific standard which dictates what body type is desired, correct color, what are disqualifications for show, etc. The goal is always to move forward, to improve on what you have today with tomorrow's offspring. Therefore which rabbits are sold in any given year will include babies who do not meet our criteria for adding them to the breeding program, juniors who didn't turn out as well as we hoped, older animals no longer needed in the breeding program or who are being replaced with their offspring, as well as

animals who for various reasons are not desired in the breeding plan. The show breeder is breeding to preserve and improve breeds and it is a difficult goal to attain.

Someone breeding commercially for pets has a much easier time deciding who gets bred and who is for sale. The goal of a pet breeder is to produce a large number of rabbits to be sold as pets usually by selling them directly to pet stores. They are not trying to preserve a breed like show breeders are. They aren't breeding with regard to a breed standard so are not concerned about correct color or breeding out disqualifications. They are looking for cute socialized pets that are attractive to pet owners. This all makes it easier for the commercial pet breeder to decide which rabbits they will sell, replacement stock, etc.

The average number of rabbits sold per year by hobby rabbit breeders based on the 2004 RES survey responses is **68**. The responses listing number sold per year used to calculate these numbers were only hobbyists. Respondents listing themselves as businesses rather than hobby breeders were calculated separately. The average number sold for those who responded they were a business was 3,387 per year. I have been unable to find any other data on the numbers sold on average by commercial pet rabbit breeders. From personal experience I did meet one such breeder based in NYS. He supplied 3-4 area pet stores and told me he sells them 1,000-1,500 rabbits per year for resale to pet owners. A pet store near me told me they sell 600 rabbits per year from two stores and are supplied by one breeder. Based on this and it's the best available at this time it appears that those breeding and selling rabbits for pets as a business are dealing in numbers in the high hundreds or more.

A proposed bill in NYS requiring a license for breeders selling 25 or more rabbits would have caused 81% of NYS hobby rabbit breeders to be licensed as "pet dealers". After legislators learned of the negative impact to hobby rabbit breeders the bill was not re-introduced in the next legislative session. The RES survey revealed 89% of hobby rabbit breeders do NOT make a profit. Seven percent (7%) said they did make a profit selling rabbits while 3% broke even and .7% said they "rarely profit". While most breeders did not state how much they lost per year those that did listed numbers between several hundred to over a thousand dollars per year in losses. It is unclear where these hobbyists are expected to come up with licensing fees per year to be able to continue to engage in breeding show rabbits when nearly 90% do not profit from this hobby.

Comparing Rabbits to Dogs and Cats

One of the many problems with regulating rabbit breeders is that legislators wrongly assume they are exactly the same as dog breeders. The price a dog or cat breeder sells their animals for is a great deal higher than what a rabbit breeder can sell theirs for. I checked classified ads for dogs and cats in the NY Post, NY Newsday, and the Albany Times Union. I found only 2 ads for cats with prices listed, one was for \$150 per cat the other was for \$800 per cat. I calculated the average price for the dogs advertised with price and it came to \$496 ea. I saw a few ads for dogs for \$1,000 to \$1,200 as highs.

Now let's compare that with rabbit prices. Most pet stores will only pay between \$5 and \$15 per rabbit. According to the 1999 Rabbit Education Society breeder survey 53% of rabbit breeders don't even sell to pet stores. For those that do on average they sell 18 per year to the pet store. The average price for a pet rabbit sold directly to a pet owner is \$13-\$19 while the price for a show quality rabbit to another breeder was \$31-\$61. To put it graphically:

Species	Average Price for a pet
Cat	\$475
Dog	\$496
Rabbit	\$ 19

Survey Responses from Businesses:

Examining the survey responses for those listing themselves as a business yields some interesting results. First none of those breeders responding that they were a business listed pets as the primary reason they breed (question #12). Of those who say they are a business 75% listed meat in response to question #12, 56% show, 38% pets, 13% wool or fur, and 6% research. Only 65% of total business respondents said they make a profit,

the number was 20% for NYS. A couple of the respondents specified that they ran a farm although I did not ask people who selected "business" to specify if they were a farm or not. It appears that most of these rabbit businesses are primarily meat breeders who also sell some rabbits as something other than a meal. Many breeder licensing bills would require all these breeders to be licensed as "pet dealers", insane when their business is mainly providing food. It again points out the lack of understanding of the rabbit industry by legislators.

Position Statements from Various Organizations On MSN Legislation & Breeder Licensing:

National Animal Interest Alliance

www.naiaonline.org

PO Box 66579 / Portland, OR 97290-6579

503-761-1139 Voice or 503-761-1289 Fax or email: naia@involved.com

NAIA opposes laws that target these problems by attempting to restrict or ban breeding or penalize responsible owners of intact dogs and cats. Instead NAIA recommends that those who would like to further reduce the number of shelter deaths urge community leaders to study local pet population dynamics to identify where the problems lie, mobilize shelters and dog and cat fanciers to devise and implement solutions, and insist on strict enforcement of animal control and nuisance laws.

The American Dog Owners Association

The American Dog owners Association is opposed to laws that require breeding licenses or breeders' permits, that would severely limit the rights of the vast majority of breeders and owners who take their responsibilities seriously.

American Kennel Club (AKC)

The American Kennel Club strongly supports and promotes programs to educate the public about responsible breeding practices and the responsibilities of dog ownership. The AKC encourages reasonable and enforceable laws that protect the welfare, health, and well-being of dogs. The AKC does not approve of the concept of breeding permits, impact fees, breeding bans, or mandatory spay/neuter of purebred dogs.

Cat Fanciers Association

CFA opposes governmental mandates to require licenses or permits or other regulation for individuals who breed and show pedigreed cats and sell these animals directly to the public.

The National Pet Alliance supports and defends the following principles:

- Dogs and cats add to the quality of our lives and should be treated at all times with love, understanding and respect.
- Dog and cat owners should be allowed to keep their pets without having narrow restrictions imposed, provided the animals are well cared for, kept responsibly, and do not disturb or cause harm to others.
- Most dogs and cats not designated for a responsible breeding program should be spayed or neutered. The enactment of spay/neuter programs should be accomplished on a voluntary basis through public education, not through coercive legislation.
- All animal shelters and humane societies should enact a program to ensure that every dog and cat they place for adoption is spayed or neutered, either prior to adoption, or through a legally enforceable contract.

Coalition of Responsible Animal Owners of Texas Inc,

The Coalition is AGAINST:

- The use of distorted and misleading statistics to sway public perception against responsible animal enthusiasts.
- The concept of animal rights as promoted by Peta, HSUS, Fund for Animals, and others.
- Laws and ordinances which unduly restrict the responsible breeding/exhibiting of pedigreed animals
- Mandatory spay/neuter laws
- Breeder permits
- High license differentials
- Privatization of city animal shelters
- Discriminatory laws against unconventional pets, such as ferrets, potbellied pigs, and miniature horses.

The True Agenda Behind Mandatory Spay/neuter Laws

Mandatory spay/neuter laws are promoted by groups who claim it will end euthanasia of animals. These groups claim that breeders and pet shops are to blame for animal abandonment. And these groups promote animal rights. The goal of animal rights is to end all use of animals. The Animal Rights Agenda was published in Animal Agenda magazine and point #10 is *"We strongly discourage any further breeding of companion animals, including pedigreed or purebred dogs and cats. Spay and neuter clinics should be subsidized by state and municipal governments. Commerce in domestic and exotic animals for the pet trade should be abolished."* It is pretty obvious that placing high fees on intact animals and/or fees for breeding licenses will hurt responsible breeders and thereby work towards the goal of animal rights.

Please consider the following quotes from animal rights activists, they reveal that their goal is to end breeding and is not about animal welfare.

"Our goal is to make [the public think of] breeding [dogs and cats] like drunk driving and smoking." Kim Sturla, former director of the Peninsula Humane Society and Western Director of Fund for Animals, stated during Kill the Crisis, not the Animals campaign and workshops, 1991

" But it is also important to stop manufacturing "pets," thereby perpetuating a class of animals forced to rely on humans to survive." PETA pamphlet, Companion Animals: Pets or Prisoners?

"Our goal: to convince people to rescue and adopt instead of buying or selling animals, to disavow the language and concept of animal ownership." Eliot Katz, President In Defense of Animals, In Defense of Animals website, 2001

"It is time we demand an end to the misguided and abusive concept of animal ownership. The first step on this long, but just, road would be ending the concept of pet ownership." Elliot Katz, President "In Defense of Animals," Spring 1997

"I don't use the word "pet." I think it's speciesist language. I prefer "companion animal." For one thing, we would no longer allow breeding. People could not create different breeds. There would be no pet shops. If people had companion animals in their homes, those animals would have to be refugees from the animal shelters and the streets. You would have a protective relationship with them just as you would with an orphaned child. But as the surplus of cats and dogs (artificially engineered by centuries of forced breeding) declined, eventually companion animals would be phased out, and we would return to a more symbiotic relationship - enjoyment at a distance." Ingrid Newkirk, PETA vice-president, quoted in The Harper's Forum Book, Jack Hitt, ed., 1989, p.223.

"Pet ownership is an absolutely abysmal situation brought about by human manipulation." Ingrid Newkirk, national director, People for the Ethical Treatment of Animals (PeTA), Just Like Us? Harper's, August 1988, p. 50.

"Breeders must be eliminated! As long as there is a surplus of companion animals in the concentration camps referred to as "shelters", and they are killing them because they are homeless, one should not be allowed to produce more for their own amusement and profit. If you know of a breeder in the Los Angeles area, whether commercial or private, legal or illegal, let us know and we will post their name, location, phone number so people can write them letters telling them 'Don't Breed or Buy, While Others DIE.'" "Breeders! Let's get rid of them too!" Campaign on Animal Defense League's website, September 2, 2003.

"Liberating our language by eliminating the word 'pet' is the first step... In an ideal society where all exploitation and oppression has been eliminated, it will be NJARA's policy to oppose the keeping of animals as 'pets.'" New Jersey Animal Rights Alliance, "Should Dogs Be Kept As Pets? NO!" Good Dog! February 1991, p. 20.

"The cat, like the dog, must disappear... We should cut the domestic cat free from our dominance by neutering, neutering, and more neutering, until our pathetic version of the cat ceases to exist." John Bryant, Fettered Kingdoms: An Examination of A Changing Ethic (Washington, DC: People for the Ethical Treatment of Animals (PeTA), 1982, p. 15.

"You don't have to own squirrels and starlings to get enjoyment from them ... One day, we would like an end to pet shops and the breeding of animals. [Dogs] would pursue their natural lives in the wild ... they would have full lives, not wasting at home for someone to come home in the evening and pet them and then sit there and watch TV," Ingrid Newkirk, national director, People for the Ethical Treatment of Animals (PeTA), Chicago Daily Herald, March 1, 1990.

"We have no ethical obligation to preserve the different breeds of livestock produced through selective breeding. ... One generation and out. We have no problem with the extinction of domestic animals. They are creations of human selective breeding." Wayne Pacelle, Senior VP of Humane Society of the US, formerly of Friends of Animals and Fund for Animals, Animal People, May, 1993

"[A]s the surplus of cats and dogs (artificially engineered by centuries of forced breeding) declined, eventually companion animals would be phased out, and we would return to a more symbiotic relationship--enjoyment at a distance." Ingrid Newkirk, "Just Like Us? Toward a Notion of Animal Rights", Harper's, August 1988, p. 50.

"My goal is the abolition of all animal agriculture." JP Goodwin, employed at the Humane Society of the US, formerly at Coalition to Abolish the Fur Trade, as quoted on AR-Views, an animal rights Internet discussion group in 1996.

*"Dog owners and fanciers are facing an onslaught of restrictive laws at state and local levels throughout the country. Animal rights activists promote breeder restrictions in the guise of consumer protection laws and solutions to shelter euthanasia; their emotional and distorted campaigns make it difficult to distinguish between reasonable laws and those that trade on compassion, fear, guilt, or political agendas." A tale of two dog laws--- By Norma Bennett Woolf
Dog fanciers outfox anti-breeding advocates in New Jersey
<http://naiaonline.org/body/articles/archives/njwa2bil.htm>*

The following quote was made concerning proposed mandatory spay/neuter laws for NJ. It is pretty obvious that again the goal of the activists is to hurt responsible animal breeders.

*"NOTE that this bill would NOT mean that authorities should go looking for people with intact dogs or cats. **The intent is to only affect people who want to breed, sell, or give away***

*animals, or those animals who impact the community by running at large or entering or leaving animal shelters”.*⁵

It is unfair to place blame on breeders and then enact prohibitive laws to in essence punish people who are doing nothing wrong. Logical thinking leads to one conclusion about abandoned animals, they are abandoned because their owner decides to get rid of them, not because someone somewhere bred the animal. Animal rights activists always place blame on the breeder. Most place a greater amount of blame on the breeder instead of the owner who is doing the abandoning. This is one of the key reasons we haven't eliminated abandonment, activists are targeting the wrong person.

*“Animal Rights groups routinely use false and unsubstantiated allegations of animal abuse to raise funds, attract media attention, and bring supporters into the movement.”*⁶

Is there really an overpopulation crisis?

The real truth about animal abandonment is that it has dramatically decreased since 1973 and only a small portion of the total owned animal population are abandoned and/or euthanized.

Year	Total Pet Population	# Euthanized in Shelters***	% of the pet population
1973*	65 million	13.5 million	21%
1982*	92 million	8-10 million	9%-11%
1992*	110 million	5-6 million	5%
2000*	120 million	4-6 million	3%-5%
2001**	141 million	4.4 million	3.26%
2003****		4.2 million	

*From HSUS State of the Animals 2001

**American Pet Products Manufacturers Assoc. National Pet Owners Survey & Animal People Shelter Survey

***Shelters include owner requested euthanasia in their statistics which is not a part of abandoned animals euthanized. Studies have found 16%-24% of reported euthanasia are owner requested.⁷

****Animal People magazine 2003

The reason inflating abandonment figures are popular is because the animal rights organizations can make more money through donations by claiming there exists a “crisis”. In addition to increasing their coffers they can better lobby for anti-breeding legislation and pull more people into shelters to “adopt” vs going to a breeder or pet store.

“The number of dogs entering shelters has declined dramatically in the past 15 years. However, the number of cats, specifically feral cats entering shelters, is on the rise. Anti-breeding campaigners obscure the progress made in reducing the number of dogs killed in shelters by combining dog and cat numbers and by implying that they are all former pets that are now dumped and dying because no one wants them. They neglect to note that a large number of these animals are either surrendered by their owners for euthanasia because they are old and

⁵ <http://advance8.tripod.com/share/id22.html> MANDATORY SPAY/NEUTER IN NJ

⁶ Animal Rights the Inhumane Crusade by Daniel T Oliver Research Associate Capital Research
www.capitalresearch.org

⁷ Understanding Animal Companion Surplus in the US: Relinquishment of Nonadoptables to Animal Shelters for Euthanasia, Kass, New Jr, Scarlett, Salman JAAWS 4(4), 237-248 2001

sick, seriously injured, or dangerously aggressive; that many of the dogs euthanized are unidentified, unclaimed strays that are too old, sick, injured or aggressive to be placed in new homes; and many of the cats euthanized are feral animals that were never owned but were trapped and impounded because they have become nuisances.

Many cats entering shelters have been trapped as feral animals. Although feral kittens can adjust to life as house pets if caught young enough, adult feral cats do not adjust to living indoors as pets, so it is misleading to include these cats in any estimate of the numbers of pets dying in shelters. Instead of incarceration and death, a number of communities have instituted programs in which the cats are trapped, vaccinated, and sterilized, then released back into the environment where they often aid in rodent control on farms and urban areas.” NAIA website position statements

“Twenty-five years of intensive spay/neuter campaigns and educational efforts have finally paid off-the numbers of puppies and kittens ending up at animal shelters has dropped dramatically in many communities.” Says HSUS senior VP Martha Armstrong, who started at the Memphis Humane Society in 1977. “For many organizations the focus has changed: behavior-related relinquishments have taken the place of endless litters of baby animals.”⁸

*“In fact, Patronek told an audience of purebred dog rescuers in Ann Arbor, Michigan, in September, **if we continue to push spay and neuter laws as the answer to a problem he categorizes as “the disease of euthanasia,” not “pet overpopulation,” there may not be enough puppies to satisfy future demand.** “We’re almost a victim of our own success in getting the message out about spay and neuter,” Patronek said. “We may be facing a problem in animal welfare community that no one anticipated. People want animals. If we don’t want people to get animals from sources we think are inhumane, we should make sure they can get animals from sources we approve of.”*

California bill charges \$250 for breeder permit

--- By Norma Bennett Woolf

Sell a dog, pay \$250. No exceptions

<http://naiaonline.org/body/articles/archives/casb621.htm>

“There are more dogs than ever in homes in the US according to a survey done by the American Association of Pet Product Manufacturers in 1994, and there are fewer dogs and cats than ever dying in shelters according to the latest study done by Tufts University. In 1992, APPMA showed 53.1 million dogs in US households; in 1994, the number jumped to 54.2 million dogs in 34 million households. And the Tufts study showed 1.8-2.1 million dogs euthanized in shelters, a far cry from the six or eight or more million claimed by animal rights activists.” Are There Too Many Dogs and Cats? By Norma Bennett Wolf NAIA website

The key point to the activist push for legislators to enact mandatory spay/neuter laws is that it is necessary to solve the “overpopulation crisis”. What they fail to notify both the legislators and public is that there is no “overpopulation crisis”. Even the HSUS admits that “overpopulation” is no longer an accurate term to use.

“There was, however, general consensus among most animal related organizations that the term pet overpopulation was not only difficult to define, but that it was also probably no longer an accurate catchphrase to describe the reasons for animals leaving their original homes, especially for dogs.” State of the Animals 2001 HSUS

⁸ HSUS Animal Sheltering Jan/Feb 2002

The top 10 reasons for relinquishment of dogs and cats were: (source: *A letter to Tennessee legislators Donna Malone, President, Responsible Animal Owners of Tennessee*)

1. euthanasia due to illness;
2. moving;
3. found animal (of unknown origin);
4. landlord will not allow pets;
5. owner has too many animals;
6. euthanasia due to age;
7. cost of maintenance of pet;
8. animal is ill;
9. allergies within the family;
10. house soiling

“per the National Council on Pet Population Study and Policy. The NCPPSP is a coalition comprised of the American Animal Hospital Association, American Humane Association, American Kennel Club, American Society for the Prevention of Cruelty to Animals, American Veterinary Medical Association, Association of Teachers of Veterinary Public Health and Preventive Medicine, Cat Fanciers Association, The Humane Society of the US, Massachusetts Society for the Prevention of Cruelty to Animals, National Animal Control Association, and Society of Animal Welfare Administrators. A contributing factor to the number of animals in our shelters is that humane societies and animal protection associations give John Q. Public the idea resources are available to take and place unwanted animals in new homes. This causes some owners to believe that not only do they not have to be responsible, when they are irresponsible, humane societies and animal protection agencies will take up their slack and save their pets. Hence they no longer have to take responsibility for finding the animal another home when they no longer want it or deal with the guilt associated with the surrender and probable euthanasia of their pet; the pets become disposable and they are guilt-free. The premise that “overpopulation” is why animals are in shelters bends the laws of logic.”

“There is no evidence to show that the breeding of pedigreed cats has any relationship to the numbers of surplus cats in shelters. Less than 1% of cats handled by animal agencies in the United States are identified as pedigreed.”⁹

Examples of the Failure of Mandatory Spay/Neuter Legislation

“Camden NJ, Montgomery County MD, and Ft Worth TX are communities that have abolished the so-called “spay or pay” laws-those that require a substantially higher license fee for pets not neutered or spayed. It is becoming more apparent to local governments that these laws do not stop indiscriminant matings yet they unfairly tax responsible hobby breeders of pedigreed cats/purebred dogs. Positive incentive offering programs, which assist the public to alter their pets, show more successful results.”¹⁰

Mandatory spay/neuter laws fail because they target and punish responsible and caring breeders, pet owners, and feral/stray cat caretakers. These do not impact the people who are the problem, irresponsible pet owners. If a pet owner fails to spay or neuter their dog or cat and then fail to prevent accidental pregnancies does anyone really believe these people would be aware of breeder licensing and obtain one? One cannot legislate responsibility. Mandatory spay/neuter laws drastically increase the fees for animal control services. These laws do not achieve reductions in shelter euthanasia or animal abuse cases. Breeder licensing laws can also be expensive to administer (set-up expense, forms, public education,

⁹ Opposition to Breeder/Cattery Licensing CFA website

¹⁰ Trends in Animal Legislation: The Year 2001 In Review CFA web site

record keeping, personnel, inspections, compliance follow up, canvassing expenses cost of appeals process, and potential for legal action against the municipality).¹¹

From The Dark Side of Mandatory Licensing and Neuter Laws No Kill Sheltering Issue II 2007

“When Fort Wayne, Indiana, San Mateo, California, and King County Washington, passed their animal control legislation, for example, these laws were hailed as “national models”. To this day, the animal activists use these as examples of ‘success’ in order to convince their own communities to adopt similar approaches. A hard look, however, reveals they are a dismal failure. Fort Wayne is still killing three out of every four domestic animals, San Mateo killed more animals in the unincorporated areas of the county which passed their law (resulting in the first ever increase in cats being killed) as compared to cities where the law was not passed, and King County’s law reduced the number of animals being saved. “

“Indeed, no better proof exists for this proposition than Long Beach California, which has had a breeding ban for over thirty years. If legislation is the answer, Long Beach should be a No Kill community by now. But it is far from it, as many homeless animals have discovered who have had the misfortune to enter that animal control shelter system. By contrast, the two most successful communities in the nation with the highest percentage of animals going home alive-Tompkins County NY (91% save rate) and Charlottesville Virginia (92% save rate)- have no mandatory cat licensing or spay/neuter laws.”

Denver CO:

Denver has had a ban on all breeding for a long time. Yet their shelters aren’t empty either. Again proving that breeder licensing and mandatory s/n laws don’t work to reduce shelter intake or euthanasia.

Athens OH From the Animal Council:

NEW 9/30/06 ATHENS, OHIO has *repealed* its 2004 ordinance mandating sterilization of all dogs and cats over 6 months of age prior to transfer. The lawsuit filed in March 2005 by Petland challenging the ordinance had been set for trial in October, and adverse holding could have threatened other MSN ordinances according to an article in the *Athens News*. A new ordinance of undetermined content is expected. This had been the first legal challenge to a MSN ordinance in the United States.

San Mateo CA

San Mateo has the dubious distinction of being the first community that mandatory spay/neuter and breeder licensing was passed. The Peninsula Humane Society was behind the legislation and has embraced the animal rights philosophy.¹² Originally the legislation included a breeding ban but was removed. During the campaign by activists to get it passed the PHS claimed 10,000 animals were euthanized yearly. However this was not accurate, in 1989-1990 the whole county euthanized 9,038 dogs and cats.¹³ However that figure also represents a 16% decline for dogs and 1% decline for cats over the previous year. In fact before the ordinance was passed the period between 1970-1991 there was a 92% decline in dogs euthanized and 67% decline in cats.¹⁴

Animal rights activists have claimed that the ordinance was a success but they have used misleading figures.¹⁵ ¹⁶The ordinance only covered the non-incorporated areas of the county. In the areas covered by the ordinance dog deaths increased 126% and cats 86% while

¹¹ Opposition to Breeder/Cattery Licensing CFA website

¹² Animal Rights the Inhumane Crusade Daniel T Oliver 1999 Merril Press

¹³ San Mateo ordinance fails test of time Euthanasia up in first year reversing prior trend. July/August 1995

¹⁴ Opposition to Breeder/Cattery Licensing CFA website

¹⁵ Opposition to Breeder/Cattery Licensing CFA website

¹⁶ Los Angeles Dog & Cat Breeder Battle \$300 Fee Norma Bennett Wolf NAIA website

licenses declined by 35%. (For the county as a whole dog deaths decreased 5% and cats 16% in 1993 and 1994 dogs declined 12% and cats 17%.)¹⁷ Thus proving that the restrictive breeding ordinance not only accomplished none of what it promised but it actually caused an increase in euthanasia.

From 1991-1994 there were no cat breeder permits and 50 permits for dog breeders, only 8 were renewals. In addition licenses dropped dramatically.¹⁸

*"Coleman, an attorney specializing in animal law, said that the San Mateo license figures were apparently inflated; instead of the 50,000 licenses reported to the state's Department of Public Health Services for 1997, the actual count was 40,285. For 1998-99, the number dropped to 36,023, a dramatic decline from the 48-51 thousand range of the past two decades."*¹⁹

Kings County WA:

*"The activists came in with their legislation at a time when the problem was already under control and had, in fact, almost reached the point of being solved in many areas of the country. Their use of statistics showing many thousands of animals being killed never mentioned that 60-70 percent of those euthanasias were unadoptable animals — animals euthanized at owner's request (usually because of the pet's age); animals too sick or injured to be adopted; and animals unadoptable because of temperament or behavior problems."*²⁰

Kings County was the second locale to implement the mandatory spay/neuter legislation failure. 1980-1990 the euthanasia rate declined by 85% without restrictive legislation.²¹ Increasing adoption was the key to decreasing euthanasia. Instead of allowing a good thing to continue animal rights activists pushed for restrictive breeding ordinances and the result was:

Animal control expenses increased 56.8% (revenue only 43.2%)

Pre-ordinance 1990 animal control costs \$1,662,776

Post-ordinance animal control costs \$3,087,350

Taxpayers paid \$1,896,722 over and above the revenue generated by licensing-this came out of the general fund hurting other non-animal community funded programs

Net cost over the life of the ordinance \$8,397,096

Cost to handle an animal pre-ordinance was \$105.36 (1991) and post ordinance it rose to \$215.10 (1997)²²

License compliance also decreased²³:

¹⁷ Opposition to Breeder/Cattery Licensing CFA website

¹⁸ Opposition to Breeder/Cattery Licensing CFA website

¹⁹ Los Angeles dog and cat breeders battle \$300 fees Norma Bennett Wolf NAIA website

²⁰ A performance analysis of King County Animal Control Ordinance 10423 enacted in 1992 Lee Wallot May/June 1998 NAIA

²¹ A performance analysis of King County Animal Control Ordinance 10423 enacted in 1992 Lee Wallot May/June 1998 NAIA

²² A performance analysis of King County Animal Control Ordinance 10423 enacted in 1992 Lee Wallot May/June 1998 NAIA

²³ A performance analysis of King County Animal Control Ordinance 10423 enacted in 1992 Lee Wallot May/June 1998 NAIA

	1990-92 (pre-ordinance)	1995-97 (post ordinance)
Dogs		
Altered	5742	2997
Unaltered	3715	287
Cats		
Altered	3190	2830
Unaltered	1369	3

Los Angeles:

Animal shelters were exempted from the spay/neuter requirements in the LA legislation.²⁴ What is very interesting is that in most anti-breeding legislation shelters are exempt from any regulation. Consider the following statement from Tammy Kirkpatrick at the No Kill Conference in Tucson AZ in 2000: *“Other humane organizations are not our competition. They are our allies. The puppy mills, the backyard breeds, and the pet stores-there’s my competition. That’s the people I want shut down. The only way to do that is to make sure animal shelters all over the country are the number one resources for the communities to get their next beloved pet.”*

Activists use LA CA as an example of “successful” mandatory spay/neuter laws yet they fail to tell you the whole story. In 1971 the first spay/neuter municipal clinic in the US was opened. By 1987 the number of animals euthanized had dropped by 58.1%. These clinics were considered a success but were closed in 1992 due to problems in the city including financial problems and natural disasters.²⁵

Prior to the 2001 law dog owners paid \$10 to license spayed or neutered dogs and \$40 for intact dogs and cats were not required to be licensed. According to a Times article the city of LA euthanized 55,000 dogs in 1996 (city says that total included cats). So the number of animals euthanized went from 145,000 in 1971 to 55,000 in 1996.

Year	# of Animals	Comments
Pre-1971	145,000	
1971 first spay neuter clinic in the US opens		
1981	81,000 ²⁶	
1987	60,755	
Spay neuter clinics closed down		
1996	55,000	
1997	30,650 ²⁷	
2001 Restrictive breeder ordinance enacted		

“Unfortunately, it was animal people (so called) who initiated lobby efforts and worked behind the scenes to get this anti-breeding law enacted. This was done despite historical evidence

²⁴ Los Angeles Dog & Cat Breeder Battle \$300 Fee Norma Bennett Wolf NAIA website

²⁵ Spay/Neuter Fact Sheet March 1999 Coalition for NYC Animals Inc

²⁶ Pet Overpopulation Fact Sheet HSUS on City of Tallahassee web site

²⁷ Spay/Neuter Fact Sheet March 1999 Coalition for NYC Animals Inc

that indicates anti-breeding laws are ineffective at reducing euthanasia in shelters.” The LA Catastrophe by Bob Christiansen

The 2001 proposal was supported by Animal Issues Movement, a local animal rights group.:

“Director Phyllis Daugherty told the Times: “This is a good step in the right direction, but it lacks any specific prohibition on breeding. We are also concerned that the (responsible owner license) excludes too many people.”

Daugherty also said that those who want to keep intact animals “are breeding and creating the pet-overpopulation problem that results in the euthanizing of (tens) of thousands of animals in this county alone each year. However, I believe that it would be more appropriate to have a \$100 license fee . . . rather than starting out at \$500, thinking that it will get lowered in the legislative process. . . . This (ordinance) will be impossible to enforce.”

Barrett told the Times that she hoped they never had to collect a \$500 fee. “I want everyone to either neuter their dogs or get involved in programs that prove they are responsible,” she said.
Opposition

We believe the people of will be sold a high-priced ticket to the back of a bus to failure unless the “Provide Spay or Pay” proposal is trashed,” wrote Sharon Coleman of The Animal Council to the Los Angeles Daily News. “The proposal is based on false assumptions that intact pets so negatively impact public resources that only a favored class of persons may own them and avoid a criminalized \$500 tax.”

The Animal Council is a nonprofit working on reasonable solutions to animal issues. Coleman is president of the organization.” LA Dog Owners Face \$500 Fee to Keep Intact Pets Norma Bennett Wolf NAIA website

An early look at the new 2001 LA spay or pay ordinance shows dog licensing compliance is falling.²⁸

Pre-ordinance 1997 animal control budget \$6.7 million
Post-ordinance 2001 proposed budget \$18 million an increase of 269% ²⁹

The city of Los Angeles Animal Services director admits that the cost to administer the new ordinance will rise 35%.³⁰ The problems in LA Animal Services department are due to poor shelter management for over 10 years.³¹ Some factors which have hurt LA are a lack of adoption outreach, shut down of spay/neuter low cost clinics, low enforcement of existing laws, and little attention given to the feral cat problem.³²

“When animals are transferred, new buyer's names and addresses must be submitted to the city. We have no idea exactly how this ordinance can be enforced but 5 new animal control officers have been hired with vehicles and equipment worth over \$300,000 specifically to enforce the ordinance. Because of existing limits on the numbers of animals allowed without a kennel permit and the fact that LA zoning laws do not allow catteries/kennels in residential areas it is unlikely that any cat breeder with a breeding program would be able to comply with this ordinance even if they wanted to. It has become clear that the intention was not to permit breeding, but instead to force dog and cat breeders to discontinue their breeding activity all together. Much of the support for the ordinance came from national organizations with local members who saw their chance to advance the message of the "immorality" of breeding companion animals. The climate in LA was ripe.” *A Lesson*

²⁸ Back to Basics for Animal Ordinances Part II CFA Fanc-e-Mews Nov/Dec 2002

²⁹ article by Bob Christiansen

³⁰ A Lesson in Political Reality The City of Los Angeles CFA website

³¹ A Lesson in Political Reality The City of Los Angeles CFA website

³² A Lesson in Political Reality The City of Los Angeles CFA website

If there is any doubt about why there was a push for legislation in Los Angeles despite already falling rates of euthanasia take a look at the following off an activists group's website:

"Breeders must be eliminated! As long as there is a surplus of companion animals in the concentration camps referred to as "shelters", and they are killing them because they are homeless, one should not be allowed to produce more for their own amusement and profit. If you know of a breeder in the Los Angeles area, whether commercial or private, legal or illegal, let us know and we will post their name, location, phone number so people can write them letters telling them 'Don't Breed or Buy, While Others DIE.'" "Breeders! Let's get rid of them too!" Campaign on Animal Defense League's website, September 2, 2003.

Montgomery County MD *"rescinded it's breeding licensing ordinance after the Office of Legislative Oversight pronounced it a failure in the stated objective of increasing spay/neuter procedures and blamed it as a direct cause of a 50% drop in licensing compliance."*³³

"At the same time, the low number of breeder permits issued, the lack of an increase in spay/neuter procedures, and the significant drop in the number of pet licenses, suggest that the legislative strategy of higher fees and stiffer penalties for unaltered licenses did not encourage owners to alter their pets. In fact, the significantly higher fees for unaltered licenses appear to have created a disincentive for owners to license their pets."³⁴

Shelter euthanasia in Montgomery county was already dropping prior to passage of their mandatory spay/neuter law. The Montgomery County Humane Society said euthanasia rates had dropped every year due to their successful adoption program. After the legislation was passed their license compliance rate dropped from 30% to 14% and the number of licensed pets decreased from 49,000 to 23,000.³⁵ The Office of Legislative Oversight recommended in their 1997 report that the county eliminate the new breeder permit system and return to their former license fee structure.

Although the euthanasia rate declined 21.5% after the legislation was passed the euthanasia decline had been 34% prior to enactment of the mandatory spay/neuter law.³⁶ Again proving that mandatory spay/neuter laws actually cause an increase in euthanasia when enacted. When the law was enacted it was estimated that 550 breeding permits would be issued per year. In reality only an average of 30 permits per year were issued.³⁷ It was also reported that the animal control department was not consistently enforcing parts of the law.³⁸

Forth Worth TX also ended its spay/neuter differential program for similar reasons and because there was a reduction in rabies vaccinations which lead to an increase in rabies in the city.

³³ Back to Basics for Animal Ordinances Part II CFA Fanc-e-Mews Nov/Dec 2002

³⁴ Office of Legislative Oversight MD Report Evaluation of Bill 54-91 Revisions to the County's Animal Control Law 6/24/97

³⁵ ³⁵ Office of Legislative Oversight MD Report Evaluation of Bill 54-91 Revisions to the County's Animal Control Law 6/24/97

³⁶ ³⁶ Office of Legislative Oversight MD Report Evaluation of Bill 54-91 Revisions to the County's Animal Control Law 6/24/97

³⁷ ³⁷ Office of Legislative Oversight MD Report Evaluation of Bill 54-91 Revisions to the County's Animal Control Law 6/24/97

³⁸ ³⁸ Office of Legislative Oversight MD Report Evaluation of Bill 54-91 Revisions to the County's Animal Control Law 6/24/97

Camden NJ:

"The Camden ordinance has gone through several amendments, cuts, is still perhaps the worst in the country. When passed in 1996 it had a \$500 permit fee to even possess an intact dog or cat. In 2000 it was changed to \$10, because, according to the Municipal Clerk, it had so few requests that the high fee was "self-defeating." But then again in 2001 the permit fee was again raised to \$100, where it still is. There are other particularly awful provisions to this ordinance." Anna Sadler CFA Legislative Information Liaison

I contacted the animal rights group that was responsible for drafting and lobbying for passage of the Camden NJ ordinance. I was told that it is not being enforced.

They referred me to the PAWSNJ report online about animal abandonment in NJ. The website commented *"An analysis of these statistics shows the Humane Society of Southern NJ which operates the Camden County Animal Shelter, to be consistently one of the leading, if not the leading killers of animals in the state of New Jersey."* The report covers 1998-2001 well into the period that the mandatory spay neuter ordinance was in effect. The site's report on the top 50 NJ animal shelters sorted by percentage of animals euthanized shows the 5 Camden county shelters in 1st, 21st, 24th, 47th, and 29th places. For 2001 the Camden county shelters are 4th, 22nd, 23rd, and 33rd. Again the mandatory spay neuter ordinance is proven to be a failure.

Aurora CO:

Breeder permits since 1994, in 1997 there were only 42 dog breeder permits and 1 cat breeder³⁹

Pinellas County FL

Breeder licensing in 1992 by 1998 the budget increased 75% with revenue increasing only 13%.⁴⁰

*Through aggressive and expensive animal control officer enforcement to 'catch' breeders, the county believes breeders have been reduced by 50%, yet the shelter impoundment and euthanasia figures continue to rise dramatically."*⁴¹

Santa Cruz County CA

1991	8841 licensed dogs
1997	6751 licensed dogs post mandatory spay/neuter ordinance

Better Solutions Than MSN Laws

History has shown us that mandatory spay/neuter and breeder licensing laws do not work. What does work is education, better shelter policies, low cost and spay/neuter programs.

For every dollar invested in municipally operated spay/neuter clinics, taxpayers would save \$18.72 in future animal control costs over a ten-year period (Animal Population Control Study Commission Minnesota Legislature 1989)

³⁹ CFA website CFA Legislative Guidance on Issues

⁴⁰ CFA website CFA Legislative Guidance on Issues

⁴¹ CFA website CFA Legislative Guidance on Issues

Charlotte NC 7,814 dogs euthanized in 1980 after a spay/neuter clinic opened there was a 40% drop in euthanasia numbers to 4,658 dogs and saved the city 39%⁴²

Santa Barbara CA subsidized spay/neuter clinic opened in 1975 within a decade euthanized animals fell 80%⁴³

San Francisco CA SFSPCA began subsidized spay/neuter in 1976 and by 1991 euthanasia of adoptable dogs and cats ceased⁴⁴

Huron Valley MI Humane Society opens subsidized spay/neuter clinic in 1975 by 1984 shelter had a 50% drop in euthanasia⁴⁵

Orange County FL teamed with people working with feral cats with Trap-Neuter-Return and have reduced complaints, impoundments, and euthanasia.⁴⁶

In The Dark Side of Mandatory Licensing and Neuter Laws No Kill Sheltering Issue II 2007 www.nokilladvocacycenter.org they discuss the reasons (from studies) why people don't s/n their pets is the cost and the lack of access to s/n services. The article suggests the fault of killing adoptable animals in shelters is not the public but the shelters themselves. This is because they blame the public and fail to implement programs that have been show to succeed in lowering euthanasia rates: foster care, working with rescue groups and volunteers, TNR for feral cats, offsite adoptions, and regime change. Mandatory s/n laws and breeder licensing fail and should not be considered.

More Population Information

A study printed in the Journal of the American Veterinary Medical Association determined that the following factors increase the chances that a dog will be surrendered to a shelter:

- * lack of veterinary care,*
- * dog obtained at little or no cost,*
- * dog lives mostly outside,*
- * dog needs more care and attention than expected,*
- * family is divorcing or moving,*
- * family has changed financial circumstances, and*
- * dog is noisy, destructive, or soils the house.*

Dogs that stayed in their homes were more expensive to purchase, attended obedience classes, had regular veterinary care, spent part of the day inside, were neutered or spayed, and were housetrained and relatively quiet. Purebred dogs were more likely to remain in their homes, leaving shelter populations at 75-80 percent mixed breeds. Save Our Strays a Review by Norma Bennett Wolf

"A misconception among those who believe that sterilization alone would decrease euthanasia rates was that 'unwanted' births resulted in pups and kittens flooding into shelters. Most animals in shelters are not, in fact, young pups and kittens, but rather 'adolescents,' approximately six to 18 months old, which have outgrown their cuteness and are manifesting minor behavioral problems their owners have neither the skills nor the patience to resolve," Christiansen wrote. Save Our Strays

An alarming new trend among animal shelters is importing strays from other countries. That's right folks even though they tell us all breeding must end because there is an "overpopulation crisis" in the US our shelters are

⁴² Spay/neuter Fact Sheet March 1999 Coalition for New York City Animals Inc.

⁴³ Spay/neuter Fact Sheet March 1999 Coalition for New York City Animals Inc.

⁴⁴ Spay/neuter Fact Sheet March 1999 Coalition for New York City Animals Inc.

⁴⁵ Spay/neuter Fact Sheet March 1999 Coalition for New York City Animals Inc.

⁴⁶ Back to Basics for Animal Ordinances Part II CFA Fanc-e-Mews Nov/Dec 2002

buying dogs for resale from other countries. *“Animal shelters in the USA are casting a wide net—from Puerto Rico to as far as Taiwan—to fill kennels.”*⁴⁷

According to USA Today one organization alone in Puerto Rica has exported more than 14,000 strays to the US for “adoption”. “Critics say many shelters have solved the stray problem in their own area—but rather than shut down, they have become de facto pet stores. Some charge more than \$200 per adoption for imported dogs.”⁴⁸

“Rowan and Patronek report that about 52 million dogs live in 35 million US households. About 6.2 million dogs die each year, 3.8 million in homes, veterinary hospitals and under the wheels of a vehicle, and an additional 2.4 million in shelters. Each year, owners acquire about 7.3 million dogs, including 5.8 million puppies from pet stores and breeders, one million dogs from animal shelters, and 500,000 as adult strays or previously owned pets.

Puppies come from 3.3 percent of dog-owning households as follows:

- * Show breeders, 1.8 million (31 percent);*
- * Amateur breeders, 1.3 million (23 percent);*
- * Mixed breeds, 2.6 million (46 percent).*
- * Pet stores, 500,000(7 percent)*

Shelters

About four million dogs enter shelters each year:

- * 400,000 puppies from households that produce litters but do not place the pups in new homes.*
- * Strays, about 2.2 million*
- * Reclaimed by their owners, about 600,000, (leaving 1.6 million strays available for adoption).*
- * Owner surrenders, About 1.8 million (300,000 for euthanasia and 1.5 million for adoption).*

One million of the 3.1 million dogs available for adoption do get new homes, leaving 2.1 million additional dogs euthanized. However, this number is not broken down by health or temperament, leaving a gap in understanding of just how many healthy dogs die for lack of a home.” Are There Too Many Dogs and Cats?
Norma Bennett Wolf NAIA website

It is important to note however that it is very difficult to assess what is going on in animal shelters because few are willing to report their data regarding intake, adoption, and euthanasia.

Reasons why shelters won't divulge figures⁴⁹

- No consensus on definition of a shelter
- Lack of uniform record keeping
- Lack of any record keeping
- Shelter distrustful of anyone asking for data
- Some felt their numbers weren't high enough to make abandonment appear to be a problem

What We Know About Animal Abandonment:

“For dog owners, almost half (46.8%) of the animals abandoned to the shelter were obtained from friends or neighbors while only 5.7% came from professional breeders and 4.7% came from pet shops.”⁵⁰

Studies have found that animal relinquishment was associated with physical and behavioral characteristics of animals and knowledge of their owners. The factors associated with pet abandonment include: the animal was intact and a mixed bred. Owners relinquishing animals were likely to be men younger than 35 years. The

⁴⁷ Animal Shelters in USA send away for more strays many cities pounds go overseas for homeless dogs Tom Vanden Brook USA Today 1/31/03

⁴⁸ see #20

⁴⁹ State of the Animals 2001 HSUS publication www.hsus.org/ace/13167

⁵⁰ The economics, ethics, and ecology of companion animal overpopulation and a mathematical model for evaluation of the effectiveness of policy alternatives By Joshua Frank, Ph.D. The Foundation for Interdisciplinary Research and Education Promoting Animal Welfare (FIREPAW)

reasons given include moving, behavioral problems with the animal (house soiling, barking, biting, etc), no time for, got tired of.⁵¹

"In an extensive study of animals abandoned by people to shelters, Salman et al. (1998) found that the most common reasons for relinquishing dogs were Housing Issues (29.1%), followed by Behavior-other (28.8%), Human Lifestyle (25.4%), Requests for Euthanasia (16.0%), and Human Preparation-Expectation (14.6%). The authors found that the average purchase price of dogs abandoned to shelters was \$48.75 (6.5% were free) and \$9.67 for cats (15% were free). Forty-six percent of dogs surrendered had been owned for less than a year."⁵²

Conclusion

In conclusion most rabbit breeder licensing bills proposed would adversely affect the majority of hobby rabbit breeders. First the vast majority of hobby breeders would be required to be licensed because the licensing threshold is too low to exempt hobby rabbit breeders. Secondly the vast majority of hobby rabbit breeders lose money at the level of hundreds to thousands of dollars per year. They will be unable to afford the per year license fee. Rabbit breeders despite the average selling price of a rabbit being grossly less than that of dogs or cats are expected to pay identical licensing fees or even more.

The majority of our youth rabbit breeders will also be adversely affected by breeder licensing laws. Youth activities involving rabbits teach responsibility as well as keeping them out of trouble. You don't have time to experiment with drugs, violence, or sex when you have to clean cages, attend shows, and socialize baby bunnies. The cost is incalculable regarding the loss of our youth breeders. The author got her start in breeding rabbits through 4-H and feels the experiences helped enormously throughout college and life. I would not have been able to do it if I had to pay fees just for a license, heck I can't afford that now!

And of course the rabbit breeding community feels we're being given a raw deal with breeder licensing because we usually are denied an exemption for hobby breeding currently enjoyed by dog and cat breeders. Why the discrimination? The survey results prove that hobby rabbit breeders sell more rabbits per year compared to dog or cat breeders, we should be provided with an exemption the same as dog and cat breeders enjoy based on accurate numbers for our species. Commercial breeding is already regulated on the federal level, other levels should exempt hobby rabbit breeders or better, not get into regulating breeders.

It should be noted that many breeders who responded to the RES survey said they will either leave the hobby or will have to dramatically alter what they do to comply with breeder licensing. There will be serious repercussions for these actions. To start the state and local economy could be negatively affected. The reason is simple, fewer people breeding for show and fewer shows, clubs, and national shows held in states and cities. The annual ARBA convention, an event that spans 5-7 days and attracts breeders nationwide generates a lot of money for local economies. It generates income for hotels, restaurants, attractions, airports, vendors, and a whole list of incidentals.

In addition to the ARBA convention National Specialty clubs host national shows, usually lasting a few days. Breeders travel from all over the country to attend national shows. Local clubs host one day shows and breeders from the region, including out of state residents will travel to these events. All these various events generate income for states and local communities. However with breeder licensing laws few breeders will remain in the hobby and even fewer will have the discretionary income to participate. Local clubs will suffer and will not be able to hold local shows. National clubs will suffer with no host clubs and so on.

Another adverse effect of breeder licensing would be for those who will be forced to sell many fewer rabbits per year to stay below the licensing threshold. Again a hobby breeder supplies more than just the pet market. Rabbits are being sold for food, as breeding and show stock to 4-Hers and other youth breeders as well as adult

⁵¹ Behavioral Reasons for Relinquishment of Dogs and Cats to 12 Shelters. Salman, M.D.; Hutchison, J.; Ruch-Gallie, R.; Kogan, L.; New, J.C., Jr.; Kass, P.; Scarlett, J. *Journal of Applied Animal Welfare Science*, 3(2), 93-106. July 2000.
& Characteristics of Shelter-Relinquished Animals and Their Owners Compared With Animals and Their Owners in U.S. Pet-Ownning Households.

⁵² Sterilization and Contextual Factors of Abandonment: A Study of Pet Overpopulation Joshua M. Frank, Pamela Carlisle-Frank

breeders, and finally some portion are sold as pets. If the hobby breeders are forced to just butcher and eat the rabbits we don't need in our breeding program it will hurt those trying to start out with good stock. In addition the hobby rabbit breeder is the best source for pets, it would be wrong to eliminate or cut down that source for consumers. Breeder licensing laws actually encourage "bunny mills" as they will be the only ones who can afford the high licensing fee and regulation. Plus when hobby show breeders drastically reduce the number of rabbits available for pet owners the commercial breeders will happily take their place.

It's not to say commercial pet breeders produce inferior animals but let's face it all the criteria they need is something that's healthy and looks cute to go to the store for the pet owner to buy. They are not preserving breeds like the show breeder does. The hobbyist spends considerable time educating pet owners and even the stores (even if we don't sell to them). Many hobby breeders add to the expense of running their rabbitry by giving pet stores and pet owners pamphlets and advice about proper rabbit care for free. They spend hours on the phone and on the computer educating people, only for love of the breed. A breeder licensing program will only add to the expense and will probably force many to cut out these "freebies". Breeder licensing laws will actually hurt the choices consumers have now as to where to buy a pet rabbit.

Zoning Issues & Rabbits

Legislators must balance all the needs of the community and various rabbit raisers when enacting legislation. Since rabbits do not require much space to raise limiting rabbit activities with numbers or by property size is not logical. It also hurts low income families trying to feed themselves, or hobbyists and youth pursuing a healthy responsible activity. Rabbit breeders will have more animals than what the public thinks dog or cat breeders commonly have. It is not uncommon for a show breeder to raise numerous breeds and have herd sizes of 50-100 or more. Or even as few as 10-15 rabbits. Again rabbits require little space to raise, they don't negatively impact the environment, are clean, and odor can be kept to a minimum unlike other traditional farm animals which in large numbers can cause a nuisance. Many breeder's rabbitries are inside their homes in a garage or porch, others use a barn, shed, or outdoor hutches. Rabbits are a versatile animal and perfect to raise as a hobby or even a small business pursuit.

Commercial meat breeders usually have herds starting at 500 and up to several thousand. If a town wants to address zoning issues for large commercial meat producers it is easy enough to do by addressing the size of the operation and/or the primary purpose and not prohibit show breeders, pet breeders, or 4-Hers raising rabbits as a hobby.

To date no entity has enacted a law classifying rabbits as "multi-purpose" which would be a new category representing a mix of livestock and companion animal classifications. Again legislators need to look at how classifying rabbits as either livestock or multi-purpose will be impacted by existing laws and future legislation. The purpose of creating a new classification category of multi-purpose is to address the overlap uses of rabbits as food, fur, pet, and show animal by any single breeder and to prevent any one activity from being prohibited or incorrectly viewed as "animal cruelty". Rabbit breeders provide a valuable service to the community, it is unfair to prohibit or severely restrict a harmless activity which produces so many and varied benefits. We also don't want to see pet owners prohibited from owning rabbits.

The Rabbit Education Society is a group of rabbit breeders and fanciers who work to educate the public about rabbit issues and provide accurate information about rabbits. We maintain a website at <http://www.rabbited0catch.com> and a mailing list on yahoo at <http://groups.yahoo.com/group/Rabbit-Ed-Society>

How many rabbits can an acre of land in a residential area support?

Many communities seeking to restrict what property owners can do on their land look to restricting rabbit raising activities. The most popular form is restricting the number of rabbits allowed. Unfortunately lawmakers are not basing their decisions on sound data and the people who get hurt are rabbit breeders.

The Rabbit Education Society believes that the number of rabbits one can raise on an acre of land without being a nuisance to neighbors numbers in the high hundreds. The reasons are simple, rabbits live in cages, do not

make noise, and are pretty clean. Their manure is an excellent fertilizer and can be applied directly to gardens without aging. And they simply do not produce as much manure as larger animals.

Most communities however would rather set a limit much lower than what the RES believes is practical. So we took a look at what is available to base good decisions on.

The widely used factor to determine animal limits seems to be manure production. Cattle are primarily the species comparisons are based upon. Various sources designate manure production of cattle from 15 tons of manure per year (OH State University Extension Agronomy Facts Dept of Agriculture and crop science-Land Applications of Animal Manure AGF-208-95 //ohioline.osu.edu/agf-fact/0208.html) to 80 tons per year (Animal manure Management RCA Issue Brief #7 Dec 1995 USDA Natural Resources Conservation Service www.nrcs.usda.gov/technical/land/pubs/ib7text.html#table1).

From Rabbit Manure Fertilizer Values www.ecosyn.us/ecocity/links/my_links_page/rabbit_manure01.html:

1 breeding rabbit doe and babies produce	1.53	manure kg/animal/day
1 breeding sow & progeny produce	28.46	manure kg/animal/day
1 beef steer	34.09	manure kg/animal/day

A table for animal units based on the several references:

Animal	# of animals per animal unit
Beef cow	1
Horses	1
Goats	10
Pig	20
Sheep	16.7
Hens	250
Minks	200
Ducks	244
Geese	101
Pigeons	435
Pheasants	357
Chicken	500
Rabbits	154

In the City of Mesquite zoning code a maximum of 200 rabbits is allowed. In the King County WA zoning code it states: "Poultry, chickens, squab, rabbits, hamsters, nutria, and chinchillas are limited to a maximum of one animal per square foot of structure used to house such animals, up to a maximum of 2,000 square feet."

The County of Santa Cruz //sccounty01.co.santa-cruz.ca.us/planning/brochures/animalkeeping.htm permits rabbits in all districts without special approval. In R-1 Single Family Residential zoned lots of 6,000-15,000 square feet rabbits are allowed at 1 per 1,000 sq ft. On parcels of a ½ acre to 10 acres 100 rabbits are allowed. On more than 10 acres there is no limit on the number of rabbits kept.

In Clark county NV www.cbrrealty.com/zoning.html Rural open land allows a maximum of 100 rabbits while Residential Agriculturally zoned parcels allows 200 rabbits. And Lane County land code online allows 1 rabbit per 500 square feet of property giving us 87 per acre.

What Does a Hobby Rabbitry Look Like?

The frustrating aspect of zoning limitations and prohibitions on rabbit breeding is that rabbits require very little space and are unlikely to create a nuisance to neighbors. The typical hobby rabbit breeder keeps their rabbits in a shed, barn, or garage on their residential property. Popular cage sizes for adults start around an 18"x24" cage, other sizes are 24"x30", and 30"x36". Many hobby breeders also stack cages two to 3 high thereby minimizing the amount of space required to raise rabbits. Rabbits do not need pasture space to graze, they do not produce a large amount of manure. Rabbits are quiet animals and rarely make any vocalizations. Simply put the rabbit and rabbit husbandry causes little impact in a neighborhood. In most cases no one knows someone is even breeding and showing rabbits unless they are told or happen to see the rabbits being moved to the vehicle on show day.

Most hobby show breeders although not interested in running a business or profiting are very serious about producing quality rabbits that improve their chosen breed. Often it is simply impossible for a show breeder to run a successful breeding program with limits set at levels of 40, 25, or less.

When zoning unfairly limits or prohibits rabbit breeders inevitably law abiding citizens are turned into criminals as they pursue a legitimate hobby restricted by a community. There is evidence nationwide that communities who have restricted rabbit breeding have created a number of rabbit breeders existing "underground", operating illegally due to illogical zoning laws or other breeding restrictions. It's a violation of our basic constitutional rights to restrict property owners from pursuing an activity that does not impact the enjoyment of others.

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