

THE ANIMAL COUNCIL

P.O. Box 168, Millbrae CA 94030

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Via Facsimile

April 10, 2017

The Honorable Rudy Salas, Jr., Chair
Assembly Business and Professions Committee
Legislative Office Building, Room 383
Sacramento, California 95814

Attention: Bill Consultant, Elissa Silva

Re: AB 485, amended March 28, 2017, Pet store operators: dogs, cats, and rabbits, OPPOSE UNLESS AMENDED

Dear Chairman Salas and Members:

Please register our opposition, unless amended, to the above-captioned bill and include our organization on your Committee's Bill Analysis opposition list.

Our concerns with AB 485 are limited to Section 2, adding to the Pet Store Animal Care Act a new provision to prohibit pet store operators from selling a live dog, cat, or rabbit in a pet store unless the dog, cat, or rabbit was obtained an public agency, shelter or rescue tax exempt under Internal Revenue Code Section 501(c)(3.)

We believe this restriction is too broad and should be amended to only limit sales to these animals that are obtained from USDA licensed breeders with acceptable compliance records. Further, to prevent unnecessary disruption and costs to local governments and businesses, the state should preempt further local ordinances not consistent with this standard. Preserving these retail sales also preserves sales tax revenues for California, whereas sales by (c)(3) entities are exempt from sales tax collection.

Three different state statutes cover pet store operators, two with criminal penalties and the civil consumer protection provisions of the Lockyer Polanco Farr Pet Protection Act. Pet store sales enable California consumers to see and purchase pets in neutral settings without the discriminatory barriers of agencies, organizations and individual vetting efforts encountered by those of different cultural and language backgrounds. Retail sellers provide animals bred for pet consumers with regard to suitability and basic health. The prevalence of shortcomings among USDA licensed breeders who sell at the wholesale level is greatly exaggerated and is not a credible reason to curtail retail sales.

We close with the story of our founding director, Dr. Ronald Cole, a Stanford alumnus and retired dentist. When his children were young and begging for a dog, Ron purchased their first dog from a pet store in San Francisco,

a city that recently prohibited these sales. Ron and the children took the puppy, a Shetland Sheepdog, to dog training classes. As the children grew up, Ron continued training and eventually completed the American Kennel Club's highest obedience title at the time, the Obedience Trial Championship. This pet store puppy, AKC OTCH Shelley Bonnie Lassie also lived past 15 years, and Ron went on to train more dogs and tell his story when pet store sales bans were proposed.

We ask you to look past the rhetoric to the realities and protect consumers not with artificial restrictions on the pet market but reasonable provisions to protect pets, consumers and businesses.

THE ANIMAL COUNCIL (TAC) is a California nonprofit, public benefit corporation founded in 1991 to seek positive, humane solutions to the challenges of detrimental animal public policies, legislation and regulation through study, analysis and application of animal husbandry, statistics and law, and at the same time preserve human benefit from all species, breeds and registries.

Very truly yours,



SHARON A. COLEMAN
President, The Animal Council

Cc: Authors
Committee Members