



THE CAT FANCIERS' ASSOCIATION, INC.

World's Largest Registry of Pedigreed Cats

ADVOCACY IN ACTION
"MANDATORY SPAY AND NEUTER"
Pedigreed cats are NOT exempt!

Proposals for laws based on mandatory spay and neuter (MSN) of pets have been presented as a way to control cat and/or dog populations. Proponents of such laws often claim they only want to limit the number of random bred cats or dogs of a certain breed. They promise the MSN law will *exempt* the "responsible breeders" of cats and dogs, most often by instituting a new breeder permit system. However, these laws may be written by individuals with little personal experience breeding cats. Sometimes the language is modeled after laws written with dogs in mind, without regard to the biological differences between the two species. Other times they are written by people with no experience with animal breeding of any kind. As a result, the claimed exemptions are usually confusing, unworkable or even harmful to the animals. When it comes to granting exemptions for responsible breeders, MSN proposals become examples of the old legal adage: "the big print giveth but the small print taketh away."

"Show cats" are sometimes exempted from an MSN proposal, but what is a show cat? The straight-eared Scottish Fold or the "stumpy" Manx are examples of pedigreed cats kept in breeding programs for the health of the breed but are not themselves show cats. Other breeding pedigreed cats may not be "show cats" because of an accidental injury or temperament (not all cats like to be at a cat show with 200 others.) Female cats may go into early and frequent heat cycles and not tolerate handling well enough to earn a title or howl in the ring upsetting the other cats. Genetic diversity is required for the health and vitality of a breed. Non show cats are always necessary to avoid inbreeding in an individual's breeding program and for the welfare of an entire breed¹. The requirements that a cat be sterilized or proven as a show cat by 4 or even 6 months of age is too early². Many breeds take time to mature and breeding decisions should be made based on the characteristics of the adult cat. Some laws say a cat has to be shown within the last year to remain eligible for an intact permit. Once cats achieve a title or for any reason are no longer competitive they will stay home but will still be intact and important for producing kittens. Continuous showing for years is not in the best interests of either male or female intact breeding cats.

MSN proposals with breeder permit exemptions often limit cats to one litter per year³. This may be because the MSN proposal was written based on the reproductive characteristics of dogs, or simply due to lack of knowledge of cats. Cats are not small dogs. Dogs may be kept without being bred with little health risk to the animals. The one litter per year restriction can lead to serious health problems in cats. Cats vary in cycling frequency and for most breeds litters spaced every 8 to 9 months apart is optimum when considering the health of the cat. Holding off cats from pregnancy can lead to health problems such as uterine infection, loss of body condition and stress-related conditions. Progressive uterine disease in an unmated female cat is also an important cause of infertility. The ordinances may allow an additional permit for an extra breeding from the Mayor or animal control. But cats come

¹ Many breeds have such small gene pools that removal of the non-show cats would be devastating to the genetic health of the breeds. In 2007, the most recent year available, a total of 563 Manx kittens and 798 Scottish Fold kittens were born worldwide, to cats registered by CFA. Source: The Cat Fanciers' Association, Inc., Birth Statistics by Breed.

² In an early draft, California Assembly Bill 1634 would have required a cat be shown to earn a title or sterilized by the age of 4 months. Since kittens that young can not be shown, it was a bureaucratic Catch-22 requiring sterilization of all cats.

³ For example, Los Angeles County Code, Section 10.20.045 " Each license shall authorize the whelping of no more than one litter per female dog or cat in any 12-month period and no more than one litter per domestic household in any 12-month period."

into heat with little or no notice rarely giving any time to get such a permit. Nor is this a reasonable requirement. Feline husbandry matters should be decided by breeders with veterinary advice and not by government officials.

The breeder exemptions to MSN laws often require restrictions or rules designed for a commercial activity. Cats are not raised commercially in any significant numbers. Home hobby breeders are unable to comply with regulations and inspections designed for commercial dog businesses⁴. These regulations are unsuited to local hobby breeders where the pets are kept in the home. If the MSN exemption requires home inspections, breeders would be reluctant to have animal control officers coming unannounced to inspect their bedrooms. Extensive record keeping, zoning problems⁵, health certificates, fees and unknown penalties for violations would be a substantial burden for most small/moderate private home breeders. Public availability of information concerning the names/addresses of breeders or buyers would be a privacy and security concern for residential breeders. Home-based hobby breeders, used to treating their intact cats as pets who are part of the family, will be unable to comply. Health and socialization of pets will suffer if they must be housed in sterile cages to comply with "facility" standards. Most would stop raising cats and dogs rather than comply. Only the larger more commercial breeders would remain.

Some MSN programs make membership in and enforced ethics codes by breed clubs an additional requirement to obtain a breeder permit. This may be based on the model of dog clubs. However, many rare and distinct breeds of cats have too few breeders to form an appropriate club in each jurisdiction. In calendar 2007 the Cat Fanciers Association, Inc. (CFA) the world's largest registry of pedigreed cats, registered 8 litters (containing 15 kittens) of La Perms worldwide⁶. Similarly, during the same year there were 16 litters of American Wirehairs (53 kittens) and 17 litters of Ragamuffins (70 kittens)⁷. These numbers are too small, and the breeders too thinly spread, to create a breed club in each of the 33,000 cities, counties and towns in the United States. Constitutional issues of right of association may also be infringed by mandating memberships in clubs to obtain breeder permits.

MSN programs can be costly to both the breeder seeking the exemption and the jurisdiction imposing the laws. Licensing fee for the "facility" (the home), licensing fees for each intact pet, and licensing fees for each litter add up quickly becoming excessive taxation. With most local, hobby breeders of cats, their "facility" is the entire residence and breeding cats are in bedrooms or wandering throughout mingling with spayed and neutered household pets. Inspectors would face unanticipated challenges. Since most home-based breeders work at a job elsewhere during business hours inspectors would experience many "call-backs". All of this is a waste of taxpayers' money and diverts limited animal control resources. Mandatory sterilization programs and breeder licensing have failed elsewhere, such as San Mateo, CA, the City of Los Angeles, CA and King County, WA. In Santa Cruz County, CA animal control costs skyrocketed after a MSN law was passed.

Cats of any recognizable breed constitute only a tiny percentage of cats entering shelters. Free roaming stray and feral cats, along with unweaned kittens, make up most of the cats entering shelters. It is estimated that less than 5% of cats in this country are pedigreed. Focus must be, not on the breeders who altogether produce only a tiny percentage of cats, but on the stray and feral cats. MSN laws do not address this problem, since stray or feral cats have no owners to purchase breeding permits. Community based approaches, such as spay/neuter outreach or trap/neuter/return (TNR) programs for free roaming cats will have the best results. And the rare and precious breeds of cats with predictable traits and unique beauty can be preserved for our children and our grandchildren to enjoy.

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To correspond with CFA's Legislative committee, please email legislation@cfa.org

⁴ For example, the U.S. Department of Agriculture regulations for commercial breeders assume separate caging in sterile environments and all but prohibit carpet and furniture in areas occupied by the cats and dogs!

⁵ Los Angeles Municipal Code, Section 12.03 prohibits sale of more than one cat or dog litter per year from a domestic household in a 12 month period.

⁶ Source: The Cat Fanciers' Association, Inc., Birth Statistics by Breed.

⁷ Ibid.