



# THE CAT FANCIERS' ASSOCIATION, INC.

## World's Largest Registry of Pedigreed Cats

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May 5, 2009

State of California  
Assembly Committee on Appropriations  
Capitol Building, #2114  
Sacramento, CA 95814

Fax: (916) 319-2181

Re: AB 1122 as amended April 23, 2009 **OPPOSITION**  
An act to add Section 597.4 to the Penal Code, relating to animals.

Dear Committee Members;

I am writing on behalf of The Cat Fanciers' Association, Inc. (CFA)<sup>1</sup> to oppose AB 1122 as amended on April 23, 2009. The bill is currently set for hearing on May 6, 2009 before the Assembly Committee on Appropriations. Please list us in opposition to AB 1122 as amended April 23, 2009.

AB 1122 would make it a crime for any person to willfully sell, display, or offer for sale or give away as part of a commercial transaction, a live animal on any street, highway, public right-of-way, commercial parking lot, or at any outdoor special sale, swap meet, flea market, parking lot sale, carnival, or boardwalk. Most of us agree that pets should not be sold out of cars in parking lots or on public streets.

But "Swap meet" as defined in Section 21661 of the California Business and Professions Code includes, *inter alia*, any event where you have two or more vendors and either charge for admission for gate or charge for the vendor spaces. This description is broad enough to include cat shows, dog shows and other animal events.

A handful of animal events, such as 4-H events and County Fairs, have been specifically excluded from

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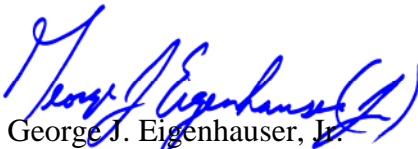
<sup>1</sup> *The Cat Fanciers' Association, Inc. (CFA) is a non-profit organization founded in 1906. Part of CFA's mission is to enhance the well-being of all cats. CFA participants, who breed and show pedigreed cats, are active in cat health promotion, cat breed rescue, shelter support and other animal related programs throughout the world. CFA is a positive force that has helped to educate the public about proper cat care, spay/neuter and responsible pet ownership. CFA is proud of its self-regulation programs to encourage high standards of care for cats in multi-cat breeding environments. A voluntary "Cattery of Excellence" program and breeder mentoring program are part of ongoing efforts to ensure responsible breeding and good cattery environments.*

the effects of the bill. But these express exceptions only reinforce the general interpretation that the bill as drafted is broad enough to have included them were it not for the exemptions. The logical interpretation is that the bill would outlaw most cat and dog shows in California, as well as many other animal events.

The CFA Breeder Code of Ethics dictates that breeders who register with CFA place kittens directly with the new pet owner or in a manner that will enable contact with the ultimate owner to provide on-going education and advice. These breeders strive to place healthy kittens and provide proper care to their new families. CFA wants consumers to have a direct one on one relationship with their pet's breeder for questions, advice and guidance. We agree with the author of AB 1122 that sales of puppies and kittens from the roadside and without recourse back to the breeder are wrong. But if you prevent consumers from getting their pets at legitimate cat shows, dog shows and other animal events you send them into the arms of the very people this law was designed to eliminate!

AB 1122 is poorly drafted and would have devastating effects on pet and other animal events throughout California. By criminalizing the sale of cats at cat shows, or dogs at dog shows, where the breeders are held to such high standards, only encourages the "grey market" sale of pets that this bill was intended to regulate. Local governments would incur unnecessary costs implementing the provisions of this bill. We are urging a no vote by the committee on the bill as written.

Very truly yours,



George J. Eigenhauser, Jr.  
CFA Legislative Coordinator

CC: Assemblyman Ted W. Lieu  
Pamela DelaBar, CFA President  
Allene Tartaglia, CFA Executive Director