



THE CAT FANCIERS' ASSOCIATION, INC.

World's Largest Registry of Pedigreed Cats

Joan Miller

*Member, Board of Directors
Chair, CFA Legislative Committee
CFA Legislative Coordinator
100 Harbor Drive #604
San Diego, CA 92101
619-269-0107; 619-269-7188 (fax)
JMillerArt@aol.com*

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The Honorable Mike Eng
Chair, Assembly Committee on Business and Professions
1020 N Street, Room 124
Sacramento CA 95814

Attention: Tracy Rhine, Committee Consultant

FAX 916-319-3306

Re: AB 1634 the "California Healthy Pets Act" as revised 3/27/07 OPPOSE

Dear Chairman Eng and Committee Members:

The Cat Fanciers' Association opposes AB 1634, the Healthy Pets Act as revised 3/27/07. We request inclusion in the listed opposition for the Bill Analysis in your committee.

CFA¹ was founded in 1906 and is the largest and most respected registry of pedigreed cats in the world, with member clubs throughout the United States, Canada, Japan, Europe, China and other areas. Our organization cares about animals killed in shelters and those on the streets in California communities. We provided funds for early age altering studies and have for many years encouraged with good success the sterilization of pet cats. We are a founding member of the National Council on Pet Population Study and Policy, comprised of 13 welfare organizations working to establish accurate national shelter data, to originate studies that determine why once wanted animals are later relinquished to shelters, and to provide information for communities that are working to develop effective plans to reduce the numbers of homeless animals.. CFA is a resource for information related to pet population dynamics and public attitudes regarding cats and dogs. We have partially funded several community studies in this State.

CFA has serious overall concerns with AB 1634 and we would like to bring to your attention a few issues specific to cats. This bill will not end shelter killing of dogs and cats in California as has been asserted by supporters yet there are numerous potential negative consequences of this proposal. We urge you to reject this bill entirely.

¹ *CFA's mission is to preserve and promote the pedigreed breeds of cats and to enhance the well-being of ALL cats. Our member clubs are a positive force in California. Cat fanciers raise fine examples of their chosen breed; help to educate the public about proper cat care, spay/neuter and responsible pet ownership. Many fanciers are involved with cat show production, cat breed rescue and trap/neuter/return programs for feral cats. CFA's Winn Feline Foundation is a major source of funding for cat health studies.*

The revised AB 1634 language prohibits a person to own or possess any cat or dog over 4 months of age that has not been sterilized. Complicated exemption conditions have been outlined that MAY, if adopted by local jurisdictions, enable some owners to apply for an “intact permit”. The criteria established means that a breeder of cats or dogs must either be licensed as a “legitimate breeder” and have a commercial “business” with proof as determined by a local jurisdiction OR the person must provide proof that their cats are used for show competition AND are registered as a “valid” breed AND have earned or are earning a show title. Cats “trained and used for law enforcement and rescue activities” can also qualify - a ludicrous exemption.

Local animal control agencies have the sole discretion to determine which registries are approved, what is a “valid” breed and how it will be determined if cats/dogs have competed in a “legitimate” show or sporting competition. Jurisdictions would establish their own fees for an “intact permit” or incorporate fees within a differential dog/cat licensing requirement. Or jurisdictions may adopt an even more restrictive spay/neuter program – possibly no intact cats or dogs at all.

This proposed scheme is loaded with problems and uncertainties. AB 1634 would be a bureaucratic nightmare for animal control agencies that have no knowledge of breeds or expertise concerning the world of show competition or responsible breeding programs. Each jurisdiction would have to change their local animal codes to set up a breeder licensing procedure and find the means to cover the cost of administration and enforcement, establish intact permit fees, impose penalties of \$500 for non-compliance and provide sufficient public education. Enforcement would be “complaint driven” unless agents are paid to go door to door to every home. In some counties there may only be 3 or 4 breeders of pedigreed cats – it is not worthwhile to spend taxpayers’ money to administer this law when similar laws have resulted in plummeting dog licensing rates and no income from cat breeder fees.

It would be impossible for many breeders who raise fine pedigreed cats to be exempted and able to obtain an intact permit at all. In cat breeding programs there are valuable breeding cats who for various reasons are not eligible for showing or titles. Examples are a normal eared Scottish Fold Cat or a Manx born with a tail. These cats are routinely incorporated in a breeding plan to provide health and genetic diversity but they cannot acquire the show titles AB 1634 requires. Cat breeders are rarely commercial facilities “doing business” for which a license is appropriate. Kittens are raised in people’s bedrooms and there is no profit or business motive in breeding cats.

Some who own cats may be in violation but cannot pay either \$500 fines for each cat or for the cost of sterilization within 30 days. Relinquishment to shelters or even impoundment could occur.

CFA is fundamentally opposed to laws that interfere with a pet owner’s decision regarding sterilization of their animal. Mandatory spay/neuter by four months of age removes personal options to consider maturity, behavior or long term medical issues when deciding whether or when to alter an owned cat or dog. This is an overriding principal that should not be eroded. Medical decisions, such as surgery, should be made by the owner in consultation with their own veterinarian.

Surgical sterilization is not without risks. AB 1634 allows for postponement of surgery only with a veterinary letter stating age, poor health or illness. But there are other reasons for pet owners to keep an animal intact. Intact does not mean pregnant. Several studies presented at the Alliance for Contraception in Cats and Dogs (ACC-D) scientific conference held November 2006 indicated that, for dogs, there are some proven negative effects of surgical sterilization. The Duffy/Serpell, University of

Pennsylvania study shows higher aggression toward strangers and owners by spayed female dogs. Sterilization has clear advantages but also some limitations. Studies on early-age sterilization have never been done on pedigreed breeds of cats. We ask you to review the “non-reproductive effects of spaying and neutering”. <http://www.acc-d.org/ACCD%20Symposia>

AB 1634 will not achieve the goals put forth by sponsors and supporters. Reduction of the numbers of cats/dogs roaming the streets or those in shelters is not achieved by a simple fix.

Numerous studies show that OWNED cats are already altered at a very high rate. Data from a recent San Jose survey shows that the alter rate for owned cats has increased from 86% countywide fourteen years ago to 93% in San Jose in 2005 with an additional 6% too young for surgery. Very few cat owners actually want a litter of kittens or the behavior associated with intact cats. As more cats are kept indoors more are sterilized. Finding free or low cost surgery is the critical factor for those who have not yet altered their cats, not mandates and penalties. Supporters say that there are ample free and low-cost spay/neuter services available in the State. This is not true. Many jurisdictions, such as the City of Los Angeles, or Sacramento County, know they need high-volume spay/neuter clinics but they don't exist yet. Other communities require proof of low income/poverty to obtain vouchers when many owners who procrastinate in having cats altered are of moderate income and find private veterinary costs of \$150 to \$200 expensive yet have no access to affordable sterilization.

Mandatory spay/neuter will not reduce the unowned cat population. It is well known that there are complex factors involved regarding why cats are in shelters. The biggest reason for cats in shelters is the number of unowned/feral cats reproducing unchecked. AB 1634 will not impact this problem. The vast majority of cats killed in shelters are feral or their unweaned kittens. The City of Los Angeles recent shelter data shows that 46% of cats euthanized were unweaned kittens and 19% were feral cats during the last 12 months. AB 1634 would do nothing to solve this problem and in fact could lead to further abandonment or relinquishment of “loosely-owned” cats. The fear of a \$500 fine for taking in a pregnant stray cat (with no “registration” papers) means more homeless stray cats will be ignored. With no free or low cost spay/neuter programs in many parts of the state those of low or even moderate income will be reluctant to take in homeless cats. Even now only 5% of those feeding feral cats take the next step to trap and neuter the cats. Assistance not punishment is needed.

AB 1634 blames and targets pet owners when it is shelter operations that need to be revolutionized. There is no quick fix to solve the problems of aggressive stray dogs or freeroaming/feral cats. This bill is intended to “send a message” but it will be meaningless when animal control agencies selectively enforce. Many are unable or unwilling to send even the basic data on dog and cat intakes to the Department of Health Services as required by State law. Others are not complying with the 1998 Hayden State Shelter Law and euthanize dogs or cats they claim to be untreatable without giving them a chance. Others do not have sufficient rescue or community programs in place. Mandates on owners to sterilize is no substitute for the shelters' obligation to provide community assistance and professional operation. New approaches to sheltering reveal that there will always be animals who were once wanted but later relinquished because of human disasters, personal problems of death, relocation, wars or illness. AB 1634 is not a panacea to end the plight of homeless animals.

Nothing in AB 1634 requires a jurisdiction to establish exemptions such as a breeder license or differential fee or an intact permit. According to AB 1634, jurisdictions can establish more restrictive spay/neuter programs. Some may not allow ANY dog or cat to be kept intact. The only exemption a

jurisdiction must allow is a letter from a California Licensed veterinarian stating the animal is too old or in poor health. This could mean the end of many wonderful breeds in California, breed rescue activities, disaster relief efforts, cat and dog shows and a nucleus of efforts to educate the public that is provided by fanciers.

AB 1634 will backfire when the pets the public wants are no longer available in California. The bill allows those whose cats or dogs meet all of the approved registry or show requirements to obtain an intact permit. But at what cost? There is no fee cap. Sacramento County is already proposing \$150/year per animal for an intact permit. Breeders of cats with small to moderate breeding programs will not be able to afford this excise tax. The bill will mean the loss of home-raised well bred cats in this State along with the cat shows, contributions to health studies, disaster relief, breed rescue and public education that are benefits provided by the cat fancy. Those who want pedigreed cats will have to import them from out of state. Puppies are already being imported from Mexico and Romania to fill demand. Conscientious breeders who work to preserve their breeds through non-commercial breeding programs with no expectation of profits would be discouraged and none of this would help reduce the numbers of cats in the shelters.

Proponents of AB 1634 say the bill will bring in revenue for needed spay/neuter programs and save taxpayers' dollars with fewer animals in shelters. Many agencies are now refuting this assumption. This is a mandate on local jurisdictions to rewrite ordinances, set up and implement a complicated breeder license and intact permit system with administrative costs, public education and new employees. Unless expensive and intrusive door-to-door canvassing is used compliance will only be complaint driven and minimal. This will not raise revenue.

AB 1634 is not about "healthy pets" and will not solve problems of homeless dogs and cats. The concept of "mandatory spay/neuter" has been proposed before on the state level in 1998 and soundly defeated. The fundamental concept of mandating surgical procedures for owned cats and dogs is unwise. We ask that you withdraw this bill or vote NO

Please feel free to contact me for further information.

Sincerely yours,

Joan Miller
CFA Legislative Coordinator

cc. Committee members
Authors
Pamela DelaBar, CFA President
Allene Tartaglia, CFA Executive Director

*CFA Main Office: 1805 Atlantic Avenue –PO Box 1005 – Manasquan, NJ 08736-0805
732-528-9797 – FAX 732-528-7391 – www.cfa.org*