



**Responsible Pet Owners Alliance  
and  
'RPOA Texas Outreach'**



**“Repeal and Replace TX HB 1451,” the Dog & Cat Breeder Bill  
Written by HSUS to eliminate breeders, not regulate them.  
RPOA’s lawsuit continues to progress in the legal system.**

**149 Dog and Cat Breeder Licenses sold to date (3/1/13):**

15 Breeders are USDA and state licensed, resulting in dual fees and inspections. 35 breeders were USDA licensed when bill passed, resulting in loss of 20 USDA Breeders. HB 1451 mandates all administration costs be covered by license fees and fines – at no cost to state. TDLR has waived certain rules to license breeders who do not meet the HB 1451 Rules. “Federal USDA regulations are required as a minimum” and impossible to meet in a home environment. **HB 1451 Fiscal Note predicted 1,000 “Puppy Mills” in Texas.**

**WHY IS HSUS WRITING A BILL FOR TEXAS DOG/CAT BREEDERS?**

HSUS is not a government agency and has no affiliation with local humane societies in Texas. HSUS is an anti-hunting, anti-animal use, vegan organization and has no standing in Texas!

**HSUS INTENT:** To end all use, breeding, sales and ownership of animals for any reason.

**OUR INTENT:** Write a bill that accurately defines a “High Volume Commercial Breeder” and has reasonable standards for animal care.

Texas farmers, ranchers, hunters are all in the HSUS crosshairs now that HB 1451 passed.

**HB 1451 is being used as a “tool” for harassment of all Texas dog/cat breeders by “animal rights” extremists who are filing anonymous complaints that automatically trigger unannounced visits from TDLR inspectors. These breeders are then forced to “prove” they are not required to be licensed and do not “possess” more than 10 Intact Female Dogs/Cats. Isn’t this backwards?**

**TDLR keeps case open, doesn’t close and does quarterly follow ups!**

**HB 1451 offers a “Breeder Bounty” of \$1,000.**

**Breeders Advisory Committee is biased and always will be stacked with anti-breeder type persons.**

**Member Lori Teller, DVM, resigned after commenting: “I have become disillusioned with the process. I think we are driving good breeders out of business**

*and sending bad breeders underground, where they will continue to crank out unhealthy animals and continue the cycle of neglect and abuse. The breeders who do seriously care about the animals they raise and improving the breeds they are passionate about will either be out of business, or at the least, be out of state. Certainly we are not making life better for either the citizens or the animals of Texas.”*

**Number of intact female dogs or cats a person “possesses” is an inaccurate indication of breeding frequency.** Definition of “possessing” more than 10 Intact Females and even “offering” to sell 20 puppies affects many AKC show dog breeders w/multiple bloodlines.

Some littermates are held until two years old for evaluation for showing and breeding. Two litters of Labs, Great Danes, Rottweilers, (all large dogs) could easily equal 25 puppies.

***This definition establishes a highly inaccurate and inefficient basis for judging whether a person should be treated as a commercial breeder for regulatory purposes.***

**This ‘N That to consider when regulating dogs and cats:**

**One size doesn’t fit all.**

Dog breeds come in different sizes ... from 2 lbs to 200 lbs. Litters are from 1 -13 puppies.

Giant Breeds are much different than small breeds ... Yorkies, Chihuahuas, etc.

Breeding Females: Health Tests can’t be completed on purebred dogs until two years of age.



# Responsible Pet Owners Alliance 'RPOA Texas Outreach'



## Repeal & Replace HB 1451 with our new bill "Commercial Dog and Cat Breeder Act"

DELETED EXISTING LANGUAGE	PROPOSED RPOA LANGUAGE
<p><b>Deleted: Administration &amp; enforcement</b> by Texas Department of Licensing &amp; Regulation (TDLR), who have NO animal expertise!</p>	<p style="text-align: center;"><b>Move administration to Texas Department of Agriculture</b>, also handles animal licensing programs; are more knowledgeable about animal care.</p>
<p><b>Deleted: Existing Breeder Definition</b> "Possession" of more than 10 Intact Female Dogs/Cats and "offering for sale" or actual sale of 20 animals. Breeder must prove Intact Females are NOT breeding.</p>	<p><b>"High Volume Commercial Breeder"</b> should be defined as person or corporation in business of breeding dogs/cats as their major source of income and based on actual commerce, not number of Intact Female Animals "in possession."</p>
<p><b>Deleted minimum of federal USDA regulations</b> which are written for sterile animal research facilities and cannot be met in a home environment. All surfaces must be impervious to moisture for sterilization cleaning, special drainage, ambient temps required 35-85 degrees.</p>	<p style="text-align: center;"><b>Standards of Care are mandated in our bill and consist of basic common sense rules for care and confinement of animals. Not to be rules written by Texas Department of Agriculture.</b></p>
<p><b>Eliminated Breeders Advisory Committee.</b> Animal rights extremists "stack" the committee and it will always be biased against breeders. Lori Teller, DVM, resigned from Committee because "driving good breeders out of business."</p>	<p style="text-align: center;"><b>Texas Department of Agriculture staff and employees</b> have extensive animal expertise regarding all animal issues, including proper care.</p>
<p><b>Eliminated: federal USDA licensed facilities</b> requirement to be dual licensed and pay double license fees/inspections.</p>	<p style="text-align: center;"><b>USDA licensed facilities</b> already meet very strict federal guidelines. Should be exempt from state licensing.</p>
<p><b>Eliminated All in HB 1451 below:</b></p> <ul style="list-style-type: none"> <li>• Unannounced Inspections, without breeder on premises. Warrantless Entry and access to all buildings on premises, including homes. Assumes "business hours" by all breeders.</li> <li>• \$1,000 "Breeder Bounty" from TDLR. Criminal background checks.</li> <li>• "Snitch" Fund Donations accepted from any person or groups, including HSUS , et al.</li> <li>• Harassing anonymous complaints trigger automatic unannounced TDLR inspections – even for those who are <u>not required to be licensed</u> by the state! This is happening now.</li> <li>• Third Party Inspector Contracts. Should be department staff or with local veterinarians.</li> </ul>	
<p><b>HB 1451 exemptions for working dogs are not really exemptions as interpreted by TDLR attorney Charles Johnson.</b> "Show dog breeders" are not exempt as breeding "performance dogs!" TDLR ruled all exemptions are at the discretion of their inspectors: case by case, per female dog, per litter, and annually.</p>	