

David Mead - Re: House Bill 4663

From: "Lisa Portenga" <luv4sams@charter.net>
To: <dmead@house.mi.gov>, <NMedina@house.mi.gov>, <MikeHuckleberry@house.mi.gov>
Date: 4/20/2010 6:40 PM
Subject: Re: House Bill 4663

Forgive me but I failed to give you my contact information if you should need it:
 Cheryl McCloud, Director
 Lake Haven Rescue
 551 Pickerel Lake
 Newaygo, MI 49337
 231-652-7507
mccloud.cheryl@yahoo.com

----- Original Message -----

From: Lisa Portenga
To: dmead@house.mi.gov ; NMedina@house.mi.gov ; MikeHuckleberry@house.mi.gov
Sent: Monday, April 19, 2010 5:40 PM
Subject: House Bill 4663

My name is Cheryl McCloud and I am the Director of Lake Haven Rescue, a non-profit animal rescue, located in Newaygo County, Michigan. Lake Haven's mission is to provide care and adoption of homeless and/or injured dogs, cats, kittens and puppies in the West Michigan area.

I am writing you today to urge you to please click this link:

<http://www.lakehavenrescue.org/searchresult.html?sw=jim%20woudenberg>

to read the violation history of class B dealer, Jim Woudenberg, of R & R research before making your decision on House Bill 4663. I would like to specifically draw your attention to **item #6 and #7**. Item 6 reflects the truth about R & R research along with a 4-page violation history. Mr. Woudenberg has had a long history of violations with the USDA, which included the illegal procurement of 18 stray cats from Howard City in 2005, in direct violation of USDA rules. After paying a fine in excess of \$3000, he was caught again in violation of that same rule in 2007, 2008 and again in 2009. He was cited by the attorney general's office for advertising himself as Animal Control and Animal Shelter in the yellow pages in the telephone book for Montcalm County. They ordered him to "cease and desist" for being misleading and deceptive.

Item #7 is the press release of July 23, 2009 about a dog named Prince who was taken by R & R research before his hold period was off. Mr. Woudenberg has a history of repeated violations of the Animal Welfare Act including several incidents where animals were not obtained from legal sources.

I am a strong advocate for animals and have dedicated my life to rescuing them and finding caring and loving homes for them.

I hope you find the above information helpful and **strongly** urge you to consider this when making your decision. The life of shelter animals depends on you!

Sincerely,

Cheryl McCloud, Director
 Lake Haven Rescue
 Newaygo, MI 49337
<http://www.lakehavenrescue.org>

David Mead - HB 4663

From: "Polly Corbett" <pollycorbett@gmail.com>
To: <dmead@house.mi.gov>
Date: 4/20/2010 7:15 PM
Subject: HB 4663

David Mead,

I am a Michigan resident and I would like to express my support for House Bill 4663 to end pound seizure.

Sincerely,
Polly Corbett
6540 Farmbrook Rd NE
Belding, MI 48809

David Mead - HB 4663

From: "Gayle" <aaldogoo@yahoo.com>
To: <dmead@house.mi.gov>
Date: 4/20/2010 7:29 PM
Subject: HB 4663

Representative Mike Huckleberry (D), Chair (co-sponsor of the bill)
Representative Jeff Mayes (D), Majority Vice Chair (co-sponsor of the bill)
Representative Vicki Barnett (D)
Representative Martin J. Griffin (D)
Representative Jennifer Haase (D)
Representative Judy Nerat (D)
Representative Mary Valentine (D)
Representative Sharon Tyler (R), Minority Vice Chair
Representative Kevin Daley (R)
Representative Goeff Hansen (R)
Representative Kenneth Kurtz (R)

Please share my comments about the HB4663

I urge your support of this Bill 4662. Removing and selling pets from county shelters that are run from taxpayer monies is against what I as a taxpayer want. I do not want a Class B dealer reaping a three figure income from the hardships of these pets. The State of Michigan does not have the manpower to monitor these dealers adequately and thus enforcement of repeated violators remain in so called business. Furthermore, the use of companion animals is not required in this day and age. Please give the pets of Michiagn a chance at life in a home in Michigan, not in the hands of a dealer.

Gayle Alderink
Holland, MI

David Mead - HB 4663 Statement of Support

From:	Sandy Carlton <slcarlton@charter.net>
To:	<dmead@house.mi.gov>
Date:	4/20/2010 10:04 PM
Subject:	HB 4663 Statement of Support
Attachments:	Statement in Support of HB 4663 email version.doc

Dear Clerk Mead:

I am unable to attend tomorrow's Committee on Agriculture's hearing regarding HB 4663. I would greatly appreciate it if you would share the attached statement in support of HB 4663 with Chairman Huckleberry and members of the committee. Thank you.

--

Sandra L. Carlton
(616)754-6066

"There comes a time when one must take a position that is neither safe, nor politic, nor popular, but he must take it because his conscience tells him it is right." MLK

**Statement in Support of HB 4663
Presented to the Michigan House of Representatives' Committee on Agriculture
April 21, 2010**

Chairman Huckleberry and Representatives Mayes, Barnett, Griffin, Haase, Nerat, Valentine, Tyler, Daley, Hansen and Kurtz:

I thank Chairman Huckleberry and Majority Vice-Chairman Mayes for co-sponsoring HB 4663 and this honorable committee for holding today's hearing.

My name is Sandra L. Carlton and I have been a resident of Montcalm County for 38 years. For 34 of those 38 years I have actively opposed the practice of pound seizure in Montcalm County and in our State. While I do not claim to know everything about the use of former pets in experimentation, I believe over the last 34 years I have gained some knowledge and insight. I am pleased to say there is irrefutable evidence that the era of pound seizure and the class B dealer system that is dependant upon it is coming to an end. In 1993 there were over 100 class B random source animal dealers in the United States. Today there are only 9. Repeatedly, throughout our state, people, and in some counties animal control officers, have petitioned their county leaders to end pound seizure. Some of these efforts became battles that were hard won as in Ionia, Newaygo, Ingham, Saginaw, Jackson and most assuredly Montcalm. But one by one the people prevailed and shelters throughout our state have closed their doors to class B dealers and the warehousing of pets. Today there are only 2 county shelters that actively participate in pound seizure, -- Mecosta and Gratiot.

The success we have had so far in this movement has not come from activists alone. Ironically, one of our best allies has been the research community which has and continues to work hard to refine, reduce and replace all animals used in research. In the case of shelter animals, it has nearly reached its goal of replacement. Every year the number of random source animals used by research facilities gets smaller. Of the three major universities in our State, Freedom of Information Act records indicate that the University of Michigan is the largest user of animals from class B dealers. According to records we FOIAed, in 2007 U of M only received 72 dogs and 2 cats from class B dealers. Michigan State University and Wayne State University FOIAs revealed they used significantly fewer animals. Of the 72 dogs used by the University of Michigan in 2007, 13 of those dogs were used in a class where animals have now been replaced by more accurate computer models. In the face of these numbers the argument that our pets are necessary to insure medical progress and save lives, which in my opinion is our opposition's primary argument, just doesn't hold water.

I ask this committee to vote HB 4663 out of committee as written and move Michigan one more step forward as a leader in our nation.

Copies of FOIAs documenting number of animals received from class B dealers by University of Michigan and Michigan State University are available upon request.

Thank you
Sandra L. Carlton
202 E. Grove Street
Greenville, MI 48838

David Mead - Testimony in support of H.B. 4663 for Agriculture Committee hearing, 4/21/10

From: "Jill Fritz" <jfritz@humanesociety.org>
To: <dmead@house.mi.gov>
Date: 4/20/2010 4:42 PM
Subject: Testimony in support of H.B. 4663 for Agriculture Committee hearing, 4/21/10
Attachments: HSUS testimony in support of HB 4663.pdf

Mr. Mead,

Please find attached my testimony in support of H.B. 4663, for submission to the House Agriculture Committee hearing on Wednesday, April 21, 2010. Thank you.

Jill

Jill Fritz

Michigan State Director, Eastern Regional Office

jfritz@humanesociety.org

t 517.515.3839 f 888.234.3904

The Humane Society of the United States

5859 W Saginaw Hwy #273, Lansing, MI 48917-2460

humanesociety.org

[Join Our Email List](#) [Facebook](#) [Twitter](#)



THE HUMANE SOCIETY
OF THE UNITED STATES

Celebrating Animals • Confronting Cruelty

and their numbers continue to dwindle, Class B dealers numbered in the hundreds in decades past. These dealers are not effectively monitored by the USDA. A May 2009 National Academies report, entitled “Scientific and Humane Issues in the Use of Random Source Dogs and Cats for Research,” states the following:

“...in the more than forty years since the inception of the AWA (Animal Welfare Act), the USDA/APHIS (U.S. Department of Agriculture/Animal and Plant Health Inspection Service) has been unable to completely enforce the AWA in regard to activities of Class B dealers and that there are documented accounts of lost pets that have ended up in research institutions through Class B dealers. For example, in June 2005, the University of Minnesota received a dog from a Class B dealer that through a microchip scan was identified as a missing pet named ‘Echo.’ Recent inspection reports for one Class B dealer revealed that two cats were purchased from a private individual that upon trace back investigation admitted that they were illegally acquired ‘strays.’”

In addition, there have been a number of cases of egregious violations of the Animal Welfare Act by Class B dealers over the years—including inadequate provision of veterinary care, food and water; inhumane handling; fraudulent paperwork that is required to prove an animal is not a stolen pet; and outright trafficking in stolen pets. In 2006, the HBO documentary “Dealing Dogs” exposed the atrocious conditions at Martin Creek Kennels—a Class B dealer facility run by C.C. Baird—through an undercover investigation. In fact, the original reason for the passage of the Animal Welfare Act—to stop the theft of pets for research—was illustrated by a police raid on a Class B dealer, revealing similarly horrific animal care and treatment four decades ago. While the numbers of these dealers have dwindled, little appears to have changed for the better in the intervening years.

To protect pets in Michigan and to ensure the public’s trust in animal shelters and animal control facilities as safe havens for animals, The HSUS urges you to support H.B. 4663. Thank you.

Jill Fritz

Michigan State Director

Phone: 517-515-3839

jfritz@humanesociety.org

David Mead - Support for HB4663

From: ELAINE PERKINS <talloakskennel@sbcglobal.net>
To: <dmead@house.mi.gov>
Date: 4/20/2010 3:58 PM
Subject: Support for HB4663

Please share my statement of support for HB 4663 with the Committee on Agriculture and Representatives Huckleberry, Rep. Mayes, Rep. Barnett, Rep. Griffin, Rep. Haase, Rep. Nerat, Rep. Valentine, Rep. Tyler, Rep. Daley, Rep. Hansen and Rep. Kurtz. Many of these animals who are purchased from shelters may have been lost from families, are strays, or may have been given up by families who just can't afford to keep them and have already been through terrible ordeals already. Landing in a shelter is not the best of places for an injured, starved, or frightened animal. Then being sold for torturous acts to be performed on them is unthinkable. There is no guarantee that animals purchased even make it to research facilities, many are feared to end up as bait for training fighting dogs, or held in filthy, overcrowded locations only fed enough to barely keep them alive until the broker again negotiates their sad outcomes or are left to die from neglect. Please put an end to all sales of shelter animals. There are networks of thousands of rescues and volunteers willing to rehabilitate as many pets as possible and adopt them to loving adoptive families.

Thanks, Elaine

Tall Oaks Kennel, LLC
Elaine Perkins
P.O. Box 53
Whitmore Lake, MI 48189
(734)426-5829
(734)426-7523 (fax)

David Mead - Supporting HB 4663...

From: "John Armstrong" <jradrum@msn.com>
To: <dmead@house.mi.gov>
Date: 4/20/2010 2:56 PM
Subject: Supporting HB 4663...

To:
Committee Clerk David Mead

Also:

Representative Mike Huckleberry (D)
Representative Jeff Mayes (D), Majority Vice Chair
Representative Vicki Barnett (D)
Representative Martin J.Griffin (D)
Representative Jennifer Haase (D)
Representative Judy Nerat (D)
Representative Mary Valentine (D)
Representative Sharon Tyler (R), Minority Vice Chair
Representative Kevin Daley (R)
Representative Goeff Hansen (R)
Representative Kenneth Kurtz (R)

My name is John Armstrong - I reside in, and am a constituent of, Muskegon, MI. I volunteer my time for both Dogs Deserve Better, Inc. - a nationwide non-profit organization for the ending of 24/7 chaining of dogs - and Lifeline for Pound Buddies, a Muskegon-based non-profit organization for the rescue, fostering, and adoption of homeless and unwanted dogs.

Please know that I am unable to attend this hearing on Wednesday, April 21st, but I ask that you please share my statement of **full support** to fellow committee members of **HB 4663**. It is time to end the sale of homeless, adoptable animals to Class B dealers in the state of Michigan.

David Mead - AAVS Testimony in Support of H.B. 4663

From: Vicki Katrinak <vkatrinak@aavs.org>
To: <dmead@house.mi.gov>, <Nmedina@house.mi.gov>, <MikeHuckleberry@house.mi.gov>
Date: 4/20/2010 12:33 PM
Subject: AAVS Testimony in Support of H.B. 4663
Attachments: AAVS testimony on HB 4663.pdf; AAVS attachment for testimony on HB 4663.pdf

I respectfully submit this written testimony and corresponding attachment in favor of H.B. 4663 for the hearing on April 21. Thanks in advance for providing this information to the House Committee on Agriculture. Please let me know if you have any problem opening the attached.

Best,

Vicki Katrinak
Policy Analyst
American Anti-Vivisection Society
801 Old York Road #204
Jenkintown, PA 19046
215-887-0816
Fax: 215-887-2088
vkatrinak@aavs.org
www.aavs.org



American
Anti-Vivisection
Society

801 Old York Road
Suite 204
Jenkintown, PA 19046-1685
PHONE (215) 887-0616
FAX (215) 887-2088
www.aavs.org

April 21, 2010

The Honorable Mike Huckleberry
House Committee on Agriculture
307 House Office Building
Lansing, MI 48909

Re: Support for House Bill No. 4663 "An act to license and regulate dealers in and research facilities using dogs and cats for research purposes; and to repeal certain acts and parts of acts."

Mr. Chairman and Members of the Committee:

Thank you for this opportunity to submit written testimony for H.B. 4663, a bill to end the release of animals from pounds and shelters to research facilities, a practice known as pound seizure. Founded in 1883, American Anti-Vivisection Society (AAVS) is the first non-profit animal advocacy and educational organization in the United States working to protect animals used in research, testing, and education. On behalf of the 1,460 Michigan members and supporters of AAVS, I submit this testimony in support of H.B. 4663.

Communities have increasingly been abandoning pound seizure and instead are looking at other ways to reduce the number of homeless animals, including spay/neuter programs and proactive adoption policies. Only two counties in Michigan continue to practice pound seizure whereas other counties have recently taken action to prohibit the practice. On April 27, 2009, Montcalm County commissioners voted in favor of ending pound seizure. Three weeks earlier, Osceola County unanimously passed a recommendation to end the release of animals to research. Ingham and Jackson Counties banned pound seizure in 2003 and 2006 respectively, and Eaton County placed a moratorium on pound seizure in 2007. In addition, 16 states and the District of Columbia have passed laws banning the sale of shelter animals to research. It is time for Michigan to follow suit.

Pound seizure erodes the very core of a shelter's purpose. A shelter that releases animals to dealers that sell directly to research facilities loses the public's trust. As a result, the number of animals brought to the shelter could decrease. Public surveys indicate that if a person knows pound seizure occurs, he or she is less likely to utilize the shelter or report a stray animal. This would result in increased suffering of animals who should be rescued or removed from their current situation and exacerbate an overwhelming pet overpopulation crisis. Please see the attached excerpt from the 2009 Report, *Dying to Learn: Exposing the Supply and Use of Dogs and Cats to Higher Education* for more information about the problems with pound seizure.

Michigan is home to three of the ten remaining United States Department of Agriculture licensed random source Class B dealers: Cheri-Hill Kennel & Supply, Hodgins Kennels, and R&R Research. Random source Class B dealers are notoriously fraught with Animal Welfare Act violations related both to the care of the animals at the dealer facilities and

for obtaining dogs and cats unlawfully. In fact, R&R Research was cited for acquiring animals illegally four times since 2007.¹ Due to the overwhelming concern about the care, health, and source of animals sold by random source Class B dealers, a 2009 report from the National Academies Institute for Laboratory Animal Research concluded that random source animals from Class B dealers are not necessary for National Institutes of Health related research and Congress has introduced legislation to outlaw these dealers.

H.B. 4663 will ensure that Michigan pets do not end up in research facilities. Euthanasia of animals in shelters is a result of irresponsible animal breeding and overpopulation, and research facilities should not be able to exploit this unfortunate reality. AAVS strongly urges a favorable report on H.B. 4663.

Sincerely,



Vicki Katrinak
Policy Analyst

¹ USDA. APHIS Inspection Report, 19 September 2007, 14 November 2008, 17 March 2009, 24 December 2009.

SECTION III: Sources of Dogs and Cats Used in Higher Education

Colleges and universities obtain the dogs and cats that they use in education and training—both live and dead—from various sources (See Appendix A). In certain states, schools looking for cheap sources of animals purchase or otherwise acquire dogs and cats directly from animal pounds and shelters through a process known as pound seizure. Alternatively, pounds and shelters might sell dogs and cats to dealers or who then sell the animals to schools, or other dealers. Biological supply companies also may breed their own animals to sell. The USDA classifies dealers as either Class B (which includes biological supply companies) or Class A, depending on how the animals are acquired.

*Universities acquire dogs and cats from:
Pounds/shelters (pound seizure)
Class B random source dealers
Biological supply companies
Class A dealers*

Our investigation turned up disturbing findings about the “sources” where colleges and universities in our sample are obtaining dogs and cats used for teaching purposes. Animalearn examined the problems with obtaining animals from pounds and dealers and the laws in place governing pound seizure and animal dealers. As our investigation shows, many animal dealers consistently violate federal animal welfare laws. This includes providing or obtaining dogs and cats through questionable means and treating animals inhumanely, yet they continue to reap huge profits.

Alternatives, on the other hand, provide technologically sophisticated ethical, and economical solution to this problem (See Appendix B). In addition, laws or policies prohibiting pound seizure and Class B animal dealers that obtain animals through random sources (See Appendix A) would help safeguard companion animals from being exploited in the name of higher education.⁹¹

A. Pound Seizure

Pound seizure is the acquisition of animals from pounds and shelters for use in laboratory experiments and teaching projects.

Pound seizure is the acquisition of animals from pounds and shelters for use in laboratory experiments and teaching projects. Based on our investigation, we identified several colleges and universities that have, over a three-year period, collectively obtained thousands of dogs and cats for teaching purposes directly from pounds and shelters. Taking pets from shelters for these purposes, however, raises numerous problems, both ethical and technical. Several states have historically mandated that shelters relinquish animals to research facilities, but many are now recognizing the problems with pound seizure and are increasingly banning the procedure.

1. Universities Acquiring Animals from Pounds and Shelters

According to the results of our investigation, several universities are acquiring cats and dogs from pounds and shelters for use in education.⁹² Based on our survey, one of the most troubling examples of schools acquiring cats and dogs directly from shelters is Texas A&M University.⁹³ Between January 2005 and July 2008, Texas A&M acquired 474 live dogs from local animal shelters, primarily Lehman Animal Shelter in Giddings, Texas.⁹⁴ Records indicate that the dogs were euthanized at the university on the same day they were acquired from the shelter.⁹⁵ Between January 2006 and March 2008, Texas A&M acquired 86 dead cats from Lehman Animal Shelter.⁹⁶

⁹¹ USDA defines “random sources” as “dogs and cats obtained from animal pounds or shelters, auction sales, or from any person who did not breed and raise them on his or her premises.” See 9 C.F.R. § 1.1.

⁹² This section describes universities’ direct acquisition of cats and dogs from pounds and shelters. More information about animal dealers’ sale of animals, including those obtained from pounds and shelters, can be found in the Class B Dealer section below.

⁹³ Pound seizure is not addressed in Texas state law.

⁹⁴ Four hundred and sixteen dogs were acquired from Lehman Animal Shelter in Giddings, TX.; 28 dogs were from Fayette County Animal Shelter in La Grange, TX; 25 dogs were from Bastrop County Animal Control and Shelter in Bastrop, TX; and 5 from Brenham Pound in Brenham, TX.

⁹⁵ Records of disposition (i.e., fate) of the dogs were not received for 2005.

⁹⁶ According to records received from Texas A&M, the cats were euthanized prior to being picked up by university personnel.

Dying to Learn

Other schools⁹⁷ obtaining cats and dogs directly from pounds and shelters include: Colorado State University,⁹⁸ University of Georgia,⁹⁹ Michigan State University,¹⁰⁰ Iowa State University,¹⁰¹ and University of Minnesota.¹⁰²

2. Problems with Pound Seizure¹⁰³

Pound seizure should not be considered a solution to the cat and dog overpopulation problem. The release of companion animals from shelters and pounds to research and teaching labs erodes the very core of a shelter's purpose, which is to provide a safe haven for lost, abandoned, or unwanted animals.¹⁰⁴ A shelter/pound that releases animals directly to research facilities will lose the public's trust.^{105,106} This could decrease the number of animals brought to the shelter/pound, and increase the number of abandoned animals. The National Animal Control Association has a policy against pound seizure laws mandating the sale or release of animals to research institutions for these very reasons.¹⁰⁷ Pound seizure is especially concerning during the current foreclosure crisis and economic downturn, as more families find themselves forced to relinquish their pets to shelters. It is estimated that between 500,000 and 1,000,000 additional pets are going to be relinquished to pounds and shelters or abandoned solely due to the foreclosure crisis.¹⁰⁸

Pound seizure runs contrary to a shelter's purpose, which is to provide a safe haven for lost, abandoned, or unwanted animals and promote adoptions.

In addition, cats and dogs from pounds and shelters who are sold to dealers or university laboratories are likely to be animals who would be considered "adoptable" (i.e., healthy, non-aggressive); otherwise, they would not be desirable as experimental subjects.^{109,110} Placing a dollar value on a live or dead animal for a "sure-sell" to a dealer can, under certain circumstances, corrupt the shelter system, bypassing its important role in promoting animal adoptions.

Furthermore, animals who were once pets are particularly ill-suited for the laboratory. Cats and dogs in need of temporary shelter, whether they are "strays" or relinquished, likely lived a varied life that was not as restricted as

⁹⁷ University of California-Davis ended pound seizure in 2006.

⁹⁸ Between 2005-2007, Colorado State University received 210 dog cadavers from the Larimer County Humane Society in Fort Collins, Colorado. It is unclear if the bodies were purchased or donated. Colorado state law (C.R.S. 35-42.5-101 (2002)) allows pound seizure, with restrictions.

⁹⁹ In 2006, Stephens County Animal Control (SCAC) donated 26 live dogs to the University of Georgia. In 2007, SCAC donated 65 live dogs, and as of July 2008, SCAC had donated 33 live dogs to the University of Georgia. In 2007, University of Georgia, Athens received 31 dog cadavers and three cat cadavers as donations from Athens Clarke County Animal Control. In 2007, 23 dog and nine cat cadavers were donated from Madison Oglethorpe Animal Shelter. All live dogs were subsequently euthanized at the university. The euthanized dogs and the donated cadavers were used in a small animal medicine and surgery course.

¹⁰⁰ In 2005, Michigan State University (MSU) purchased three live dogs and two live cats from Jackson County Animal Control (Jackson, MI) for use in education. In 2007, MSU purchased six live dogs from Eaton County Animal Shelter (Charlotte, MI). Michigan state law (MCLS § 287.388 & § 287.389 (2003)) allows pound seizure.

¹⁰¹ In 2005, Iowa State University bought six live dogs and two live cats from the Des Moines Animal Shelter for use in education. Between 2005 and 2006, two local animal pounds donated live cats and dogs to Iowa State: the Perry City Dog Pound (Perry, IA) and the Jefferson City Dog Pound (Jefferson, IA). Perry City donated 46 live cats and kittens and 22 dogs. Almost all of the cats and kittens were euthanized. Jefferson City donated 31 live dogs and 18 live cats, and most of the cats were euthanized. Iowa state law (Iowa Code § 162.2 & 162.20 (2008)) allows pound seizure.

¹⁰² In 2005, University of Minnesota used 798 live dogs and 424 live cats who were obtained from animals shelters, students, or clients and returned. Similarly, in 2006, the University used 748 dogs and 480 cats, and in 2007, it used 572 dogs and 361 cats. The University did not specify how the animals were used, from which shelters they were acquired, or if they were used specifically in education. Minnesota state law (Minn. Stat. § 35.71 (2002)) requires pound seizure. It is unclear whether all of these animals were returned to the shelter.

¹⁰³ Also see: <<http://www.banpoundseizure.org>>.

¹⁰⁴ One example of a legal definition of "animal shelter" can be found in the Illinois state code in which it is defined as: "a facility operated, owned, or maintained by a duly incorporated humane society, animal welfare society, or other non-profit organization for the purpose of providing for and promoting the welfare, protection, and humane treatment of animals." (510 ILCS 70 § 2.01h).

¹⁰⁵ Kullberg, John, President, American Society for the Prevention of Cruelty to Animals. Letter. *The New York Times* 21 Mar 1987. *New York Times* 20 Jan 2009. <<http://query.nytimes.com/gst/fullpage.html?res=9B0DEFDD1638F932A15750C0A961948260>>.

¹⁰⁶ Rowan, Andrew N. *Of Mice, Models, & Men: A Critical Evaluation of Animal Research*. Albany, NY: State University of New York Press, 1984.

¹⁰⁷ National Animal Control Association. Policy Statement: Dispositions of Animals - Pound Seizure. 17 Sep 2002. NACA. 29 Jan 2009. <<http://www.nacanet.org/poundseizure.html>>.

¹⁰⁸ ASPCA, "ASPCA Estimates Up to 1 Million Pets at Risk During Economic Crisis." Press Release. 2009 February 5. <http://www.aspc.org/pressroom/press-releases/020509.html>.

¹⁰⁹ Edwards, Cecile. "The Pound Seizure Controversy: A Suggested Compromise in the Use of Impounded Animals for Research and Education." *Journal of Land, Natural Resources, and Environmental Law* 11(1990):241-263.

¹¹⁰ An example is the allegations against Sargeant's Wholesale Biological, who allegedly acquired dogs who were preferred for use in education from Tulare County Animal Control. See *Biological Supply Companies* *infra* pg. 25.

that in a laboratory setting.¹¹¹ Suddenly being placed in confined, socially-isolated, and in unfamiliar conditions can be psychologically traumatizing.¹¹² These cats and dogs also have unknown medical histories and potential exposure to diseases, which can confound results of certain experiments or infect other animals.^{113,114} In addition, because the background of these animals is not known, in some situations even seemingly non-aggressive animals may prove to be unpredictable, posing a danger to people working with them.¹¹⁵

Another concern is that because it is considered inexpensive to purchase or otherwise obtain animals from shelters and pounds,^{116,117} animals are likely to be used more expendably and in greater numbers. However, implementing the use of alternatives, such as high-tech animal models and Educational Memorial Programs (EMPs), through which clients can donate deceased cats or dogs for use in education, can also reduce costs (See Appendix B.2. for information on creating an EMP). Furthermore, if animals are not cheaply available to colleges and universities, there may be an incentive for these schools to re-evaluate their animal use protocols and consider humane teaching methods that are being used successfully by other schools.

The American Medical Student Association (AMSA) is specifically opposed to the use of cats and dogs obtained through pound seizure or random source animal dealers, and it encourages the use of non-animal alternatives in teaching.¹¹⁸

3. History of Pound Seizure

Pound seizure has been a controversial issue in the animal advocacy and research communities since the late 1800s. After World War II, with the availability of increased funding, animal studies became a fundamental part of research, and there was increased demand for animals for use in laboratory research, testing, and teaching, but sources that could provide these animals were uncertain.^{119,120} Scientists turned first to pounds and shelters, which were places full of "surplus" animals who could be acquired cheaply.¹²¹ The argument was made, and continues to be made today, that these animals are unwanted and are going to be euthanized anyway.¹²²

Beginning in the 1940s, laws were passed that required pounds and shelters to release dogs and cats to research laboratories. The National Society for Medical Research, which eventually evolved into the National Association for Biomedical Research (NABR), lobbied for the majority of laws between 1945 and 1960 encouraging the acquisition of dogs and cats from pounds by laboratories.^{123,124}

¹¹¹ Orlans, F. Barbara, et al. "Where Should Research Scientists Get Their Dogs?" *The Human Use of Animals: Case Studies in Ethical Choice*. New York: Oxford University Press, 1998. 289-304.

¹¹² Prescott, Mark J., et al. "Refining dog husbandry and care: Eighth report of the BVAAWF/FRAME/RSPCA/UFAW Joint Working Group on Refinement." 38(2004) SUP1: s1.1-s194.

¹¹³ Scorpio, Diana G., et al. "Retrospective Clinical and Molecular Analysis of Conditioned Laboratory Dogs (*Canis familiaris*) with Serologic Reactions to Ehrlichia canis, Borrelia burgdorferi, and Rickettsia rickettsii." *Journal of the American Association for Laboratory Animal Science* 47(Sep 2008):23-28.

¹¹⁴ Rowan, Andrew N. *Of Mice, Models, & Men: A Critical Evaluation of Animal Research*. Albany, NY: State University of New York Press, 1984.

¹¹⁵ Prescott, Mark J., et al. "Refining dog husbandry and care: Eighth report of the BVAAWF/FRAME/RSPCA/UFAW Joint Working Group on Refinement." 38(2004) SUP1: s1.1-s194.

¹¹⁶ *Id.*

¹¹⁷ Scorpio, Diana G., et al. "Retrospective Clinical and Molecular Analysis of Conditioned Laboratory Dogs (*Canis familiaris*) with Serologic Reactions to Ehrlichia canis, Borrelia burgdorferi, and Rickettsia rickettsii." *Journal of the American Association for Laboratory Animal Science* 47(Sep 2008):23-28.

¹¹⁸ American Medical Student Association. "Principles Regarding Vivisection in Medical Education," AMSA Website. Undated. AMSA. 25 Jan 2009. <<http://www.amsa.org/about/ppp/vivi.cfm>>. See Appendix B, Section 3.

¹¹⁹ Orlans, F. Barbara, et al. "Where Should Research Scientists Get Their Dogs?" *The Human Use of Animals: Case Studies in Ethical Choice*. New York: Oxford University Press, 1998. 289-304.

¹²⁰ Edwards, Cecil. "The Pound Seizure Controversy: A Suggested Compromise In the Use of Impounded Animals for Research and Education." *Journal of Land, Natural Resources, and Environmental Law* 11(1990):241-263.

¹²¹ Orlans, F. Barbara, et al. "Where Should Research Scientists Get Their Dogs?" *The Human Use of Animals: Case Studies in Ethical Choice*. New York: Oxford University Press, 1998. 289-304.

¹²² Michigan Society for Medical Research. "The Use of Pound Animals in Biomedical Research." Factsheet. Undated. [mismr.org/educational/pound.html](http://www.mismr.org/educational/pound.html).

¹²³ Orlans, F. Barbara, et al. "Where Should Research Scientists Get Their Dogs?" *The Human Use of Animals: Case Studies in Ethical Choice*. New York: Oxford University Press, 1998. 289-304.

¹²⁴ Parascandola, John. "Physiology, Propaganda and Pound Animals: Medical Research and Animal Welfare in Mid-Twentieth Century America." *Journal of the History of Medicine and Allied Sciences*. 62(2007): 277-315.

Minnesota (1949),^{125,126} Wisconsin (1949),¹²⁷ and New York (1952)¹²⁸ were among the first states that passed laws requiring the release of animals in shelters or pounds for use in research.¹²⁹ By the early 1970s, 10 states had laws requiring publicly-funded shelters to release animals to research facilities.¹³⁰

4. Current Status of Pound Seizure Laws

Though laws mandating pound seizure were enacted over a half-century ago, some of them still exist today.

AAVS' History Working to End Pound Seizure

AAVS has had a long history of working to end pound seizure. In 1911, for example, AAVS led efforts to stop the traffic of stolen animals who were sold to medical laboratories, which eventually formed the framework for the prohibition of pound seizure in Pennsylvania. An AAVS representative spoke on behalf of such legislation, proclaiming that no impounded animals shall be sold for animal experimentation. Two years later, Pennsylvania bill No. 436 was introduced to institute pound seizure, and, outraged, AAVS Founder Caroline Earle White wrote to the legislature on behalf of the organization, voicing opposition to the bill, which was later defeated.

AAVS continued advocating for animals in shelters through the years, especially during the 1940s when issues regarding pound seizure were heightened. However, with so much legislative activity throughout the country to pass such bills, AAVS had to fight harder each time new legislation was introduced. For example, in 1945, after the introduction of yet another pound seizure bill, No. 1022, AAVS called on Mr. Owen Hunt, a Philadelphia area legislative advisor, who five years later became AAVS President, to lead our successful opposition of this proposed law. As the years progressed, Mr. Hunt, with the cooperation of our members, worked diligently to stop the passage of several pound seizure laws not only in Pennsylvania but also in other states, including Connecticut, Illinois, and New York. To this day, pound seizure is prohibited in these states as well as Pennsylvania.

Pound seizure is prohibited in 14 states.

Others have been repealed or amended as a result of the continued efforts of the animal protection community. For example, in 1979, following a strong campaign by animal advocates, New York repealed the Metcalf-Hatch Act of 1952,¹³¹ which had required public and private shelters that received municipal funds to surrender unclaimed animals upon request to state research facilities.^{132,133} In 1980, Connecticut repealed its pound seizure mandate, and prohibited pound seizure entirely.¹³⁴ In 1983, Massachusetts became the first state to ban pound seizure and prohibit the import of animals from pounds or shelters in other states.¹³⁵ Fourteen states (Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland,

¹²⁵ Minnesota Stat. § 35.71.

¹²⁶ Edwards, Cecile. "The Pound Seizure Controversy: A Suggested Compromise in the Use of Impounded Animals for Research and Education." *Journal of Land, Natural Resources, and Environmental Law* 11(1990):241-263.

¹²⁷ Parascandola, John. "Physiology, Propaganda and Pound Animals: Medical Research and Animal Welfare in Mid-Twentieth Century America." *Journal of the History of Medicine and Allied Sciences* 62(2007): 277-315.

¹²⁸ Rowan, Andrew N. *Of Mice, Models, & Men: A Critical Evaluation of Animal Research*. Albany, NY: State University of New York Press, 1984.

¹²⁹ Wisconsin's law applied to both public and private animal shelters, even if they did not receive public funds. Wisconsin state law now allows, but does not require, pound seizure. (Wis. Stat. § 74.13 (2002)).

¹³⁰ Edwards, Cecile. "The Pound Seizure Controversy: A Suggested Compromise in the Use of Impounded Animals for Research and Education." *Journal of Land, Natural Resources, and Environmental Law* 11(1990):241-263.

¹³¹ New York Public Health Law § 505.

¹³² Edwards, Cecile. "The Pound Seizure Controversy: A Suggested Compromise in the Use of Impounded Animals for Research and Education." *Journal of Land, Natural Resources, and Environmental Law* 11(1990):241-263.

¹³³ Pound seizure was prohibited in New York in 1987. (NY CLS Agr & M § 374.2-e (2002) and NY CLS Agr & M § 374.5b (2002)).

¹³⁴ Rowan, Andrew N. *Of Mice, Models, & Men: A Critical Evaluation of Animal Research*. Albany, NY: State University of New York Press, 1984.

¹³⁵ Anonymous. "Massachusetts Outlawing Laboratory Use of Pets." *The New York Times* 27 Dec 1983. *New York Times* 29 Jan 2009. <<http://query.nytimes.com/gst/fullpage.html?sec=health&res=9902E7DB153BF934A15751CA965948260>>.

Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and West Virginia) and the District of Columbia now have laws prohibiting shelters from providing animals for research.¹³⁶

Pound seizure is still mandated in 3 states: Minnesota, Oklahoma, and Utah. Several other states allow it.

However, three states (i.e., Minnesota, Oklahoma,¹³⁷ and Utah) still have state laws requiring pounds and shelters to turn over animals to research facilities, though Oklahoma permits exceptions to local ordinances. Some other states have laws allowing researchers access to animals from publicly funded shelters only under certain conditions. Other states have no law at all, leaving the matter to local discretion. As is evident from our study, some colleges and universities continue to take advantage of the availability of pound seizure to procure dogs and cats for use in teaching.

Conclusion

We found that several colleges and universities have acquired thousands of dogs and cats directly from shelters and pounds for training and teaching purposes. Many of the animals obtained from pounds and shelters had already been euthanized or were euthanized upon arrival at the universities.

Pound seizure is an outdated practice that raises significant ethical concerns. It can jeopardize modern animal shelter systems that are intended to harbor companion animals and promote their adoption into loving homes. Cats and dogs acquired through pound seizure likely once were pets, and their transfer to animal dealers (described in Section III) and laboratories represents a violation of trust and compounds the stress to the animals involved. Additionally, animals obtained from pounds and shelters are desirable to schools because they can be acquired cheaply or for free, yet they may harbor unknown health problems that can negate results of experiments or infect other animals on site.

However, the use of these animals can be replaced with humane alternatives, such as the use of client-donated cat and dog cadavers. In addition, shelter medicine programs have been developed that provide a service to local shelters while allowing students to learn important skills (See Appendix B.1.g. for information on shelter medicine programs). Use of these alternatives does not shake the trust that people expect to have in animal shelters but rather allows people to feel comfortable that, if they do have to bring a pet to a shelter, their pet will not end up in a laboratory and used in experiments.

B. Animal Dealers

Types of dealers:

Class A dealer: purpose-breeds animals

Class B dealer: purchases animals from other sources (inc. pounds) and resells

Random source dealer

Biological supply company

Any person who breeds, purchases, or otherwise acquires animals to sell for use in research, testing, or education is classified as a dealer under the AWA.¹³⁸ The AWA requires that dealers be licensed by the USDA as either Class A or Class B dealers. A USDA-licensed Class B dealer is defined as a person "whose business includes the purchase and/or resale of any animal."¹³⁹ Class B dealers may also breed animals.¹⁴⁰ There are two types of Class B dealers that supply animals to education: those who obtain animals from random sources (Class B random source dealers) (See Appendix A. Tables 1. and 2.), and biological supply companies (See Appendix A. Table 3.). A USDA-licensed Class A dealer, on the other hand, breeds animals for sale to research and teaching facilities.¹⁴¹

¹³⁶ See excerpts of laws at: <<http://banpoundseizure.org/yourstate.shtml>>.

¹³⁷ Oklahoma legislation, HB 1886, introduced in 2009, would specifically allow USDA-licensed Class B dealers to obtain animals from shelters.

¹³⁸ USDA defines "dealer" as "any person who, in commerce, for compensation or profit, delivers for transportation, or transports, except as a carrier, buys, or sells, or negotiates the purchase or sale of: Any dog or other animal whether alive or dead (including unborn animals, organs, limbs, blood, serum, or other parts) for research, teaching, testing, experimentation, exhibition, or for use as a pet..." 9 C.F.R. § 1.1.

¹³⁹ USDA defines "Class B licensee" as "brokers, and operators of an auction sale, as such individuals negotiate or arrange for the purchase, sale, or transport of animals in commerce. Such individuals do not usually take actual physical possession or control of the animals, and do not usually hold animals in any facilities. A class 'B' licensee may also exhibit animals as a minor part of the business." *Id.*

¹⁴⁰ United States Department of Agriculture. Animal and Plant Health Inspection Service. Animal Care. "Licensing Requirements (Section 3.3)" *Animal Care Resource Guide: Dealer Inspection Guide* Apr 2000. APHIS. 15 Sep. 2008. <http://www.aphis.usda.gov/animal_welfare/downloads/manuals/dealer/requirements.pdf>.

¹⁴¹ USDA defines "Class A licensee" as a person "whose business involving animals consists only of animals that are bred and raised on the premises in a closed

David Mead - House Bill 4663

From: "Davidson, Nancy F" <NFDAVIDS@oaklandcc.edu>
To: <dmead@house.mi.gov>
Date: 4/20/2010 10:03 AM
Subject: House Bill 4663

I would just like to share my support of this bill with you and your committee members. Animals deserve protection from those who would profit in trafficking of shelter animals by humans who would be unscrupulous in their dealings all under the guise of capitalism.

Please vote to pass this bill.

Nancy Frazer Davidson
13181 Mer Nel Lane
Holly, Michigan 48442

I have worked for Oakland Community College for the past 20 years.

David Mead - House Bill 4663

From: "Lisa Portenga" <luv4sams@charter.net>
To: <dmead@house.mi.gov>, <NMedina@house.mi.gov>, <MikeHuckleberry@house.mi.gov>
Date: 4/19/2010 5:40 PM
Subject: House Bill 4663

My name is Cheryl McCloud and I am the Director of Lake Haven Rescue, a non-profit animal rescue, located in Newaygo County, Michigan. Lake Haven's mission is to provide care and adoption of homeless and/or injured dogs, cats, kittens and puppies in the West Michigan area.

I am writing you today to urge you to please click this link:
<http://www.lakehavenrescue.org/searchresult.html?sw=jim%20woudenberg>
to read the violation history of class B dealer, Jim Woudenberg, of R & R research before making your decision on House Bill 4663. I would like to specifically draw your attention to **item #6 and #7**. Item 6 reflects the truth about R & R research along with a 4-page violation history. Mr. Woudenberg has had a long history of violations with the USDA, which included the illegal procurement of 18 stray cats from Howard City in 2005, in direct violation of USDA rules. After paying a fine in excess of \$3000, he was caught again in violation of that same rule in 2007, 2008 and again in 2009. He was cited by the attorney general's office for advertising himself as Animal Control and Animal Shelter in the yellow pages in the telephone book for Montcalm County. They ordered him to "cease and desist" for being misleading and deceptive.

Item #7 is the press release of July 23, 2009 about a dog named Prince who was taken by R & R research before his hold period was off. Mr. Woudenberg has a history of repeated violations of the Animal Welfare Act including several incidents where animals were not obtained from legal sources.

I am a strong advocate for animals and have dedicated my life to rescuing them and finding caring and loving homes for them.

I hope you find the above information helpful and **strongly** urge you to consider this when making your decision. The life of shelter animals depends on you!

Sincerely,

Cheryl McCloud, Director
Lake Haven Rescue
Newaygo, MI 49337
<http://www.lakehavenrescue.org>

David Mead - Re: House Bill 4663

From: Charmaine Alexander <chinealexander@gmail.com>
To: <dmead@house.mi.gov>
Date: 4/19/2010 8:45 PM
Subject: Re: House Bill 4663

Dear Committee,

My name is Charmaine Alexander and I am a senior at Flint Southwestern Academy. I support the House Bill 4663 because I believe all animals deserve the right to live; and not suffer because of animal cruelty. I know there are other alternatives to test products other than on animals. Can you please consider the animal's life before you decide to test a product on a animal?

Thank you,
Charmaine Alexander

David Mead - I Support HB 4663

From: "Aggie Monfette" <AggieMonfette@wowway.com>
To: <dmead@house.mi.gov>
Date: 4/19/2010 10:45 PM
Subject: I Support HB 4663

David Mead, Committee Clerk,

Please share my following statement of support for HB 4663 with committee members.

To:
Rep. Mike Huckleberry, Chair
Rep. Jeff Mayes, Majority Vice Chair
Rep. Vicki Barnett
Rep. Martin J. Griffin
Rep. Jennifer Haase
Rep. Mary Valentine
Rep. Sharon Tyler, Minority Vice Chair
Rep. Kevin Daley
Rep. Goeff Hansen
Rep. Kenneth Kurtz

I support HB 4663. I have been helping to work on similar bills for almost 30 years! Prohibiting class B dealers and research facilities from procuring animals from animal control facilities or animal protection shelters for the purpose of experimentation has been a mission/goal of mine and now I feel that it may come to fruition. So many animal guardians have found, unfortunately, too late that their beloved animal had suffered and died in a research lab. For so long we have fought for the protection of the unfortunate animal that has found him/herself at an animal control or animal shelter that sells these innocent animals to class B dealers who then sell them to research facilities.

Please be the Representatives that have the foresight and compassion to stop this horrific practice.

Thank you,
Ms. Aggie Monfette
Retired Financial Advisor
Royal Oak, Michigan

David Mead - Supporting HB4663 Bill

From: Eric Spilker <espilker1991@gmail.com>
To: <dmead@house.mi.gov>
Date: 4/20/2010 12:06 AM
Subject: Supporting HB4663 Bill

Hello,

I am a 12th grade student attending Flint Southwestern Academy where I am taking an Anatomy and Physiology class with Miss Cheryl Perdue. My teacher, Miss Perdue, as well as her entire class support the HB463 Bill, and would love to see it put into action.

I truly admire the willingness of my class to support this bill and will proudly do all that I can do to see it ratified. I love animals and have a tremendous amount of respect for them. I have worked with animals for most of my life and support my local Humane Society whenever possible and can truly recognize the benefits that this bill potentially can grant. Being that I am interested in veterinary medicine, I of course realize the need for research and testing. However, there is a thin line that should not be crossed when it comes to the unethical treatment and exploitation of animals, which are living organisms that inhabit the planet, the same as humans do. Animals in shelters and Humane Societies should have the right to be given to a caring and safe home, not donated to experiments and considered expendable. I know that my voice alone cannot change this situation but I am confident that enough people will recognize the importance of passing the HB4663 Bill, so that animals will no longer be denied the chance of freedom from exploitation. I myself as well as my entire Anatomy and Physiology class support this bill and speaking the voice that the animals who suffer as a result from testing cannot. Thank you for your time,
Eric Spilker

David Mead - Support for HB 4663

From: Susan Shay <slp661@hotmail.com>
To: <dmead@house.mi.gov>
Date: 4/20/2010 1:41 AM
Subject: Support for HB 4663

Mr. Mead, could you please share the following message with Committee members? Thank you.

Representative Mike Huckleberry
Representative Jeff Mayes
Representative Vicki Barnett
Representative Martin J. Griffin
Representative Jennifer Haase
Representative Judy Nerat
Representative Mary Valentine
Representative Sharon Tyler
Representative Kevin Daley
Representative Goeff Hansen
Representative Kenneth Kurtz

I am writing to ask you to help ban the sale of animals from shelters and pounds to research facilities by supporting H.B. 4663.

The primary role of a shelter is to provide safe haven for companion animals who have been given up or are lost. It is a violation of public trust for those animals to be sold and shipped across the country to supply cheap animals to research institutions. The poor economy in Michigan has caused some pet owners to have to turn their pets over to humane societies and shelters. These animals deserve a second chance to be placed for adoption in a loving home. These pets do NOT deserve to be sold and turned into research experiments and then killed.

I hope you will strongly support H.B. 4663, which is aimed at ending the practice of pound seizure.

Thank you Reps. Huckleberry and Mayes, for sponsoring this bill, so important to the many loving pet owners in Michigan.

Thank you for your consideration,

Susan L. Shay

Hotmail is redefining busy with tools for the New Busy. Get more from your inbox. [See how.](#)

David Mead - Please do not let dealers of any sort get dogs and cats

From: Shaynie Aero <shaynie_aero@yahoo.com>
To: <dmead@house.mi.gov>
Date: 4/20/2010 2:37 AM
Subject: Please do not let dealers of any sort get dogs and cats

from animal shelters in Michigan!
They abuse these animals, then send them off to torture in experiments!
This brings criminal elements into Michigan....

Shaynie Aero
Animal Commandos
<http://www.animalcommandos.org>

Videos, photos, slideshows and more information for casting directors and theatrical agents are available at the following links:

<http://casting.backstage.com/resumes/link.asp?actor=SHAYNIEAERO>
<http://www.sag.org/iactor/ShaynieAero>
<http://www.facebook.com/shaynie.aero>

From: "Eileen" <eileenburr@netpenny.net>
To: <dmead@house.mi.gov>, <NMedina@house.mi.gov>, <MikeHuckleberry@house.mi....>
Date: 4/20/2010 7:25 AM
Subject: Emailing: HB4663 support
Attachments: HB4663 support.htm

Please see my short attachment explaining my support of HB4663

Eileen Burr 7680 W. Stanton Rd. Stanton Mi. 48888

Phone 989-831-5429

I support HB4663. To me the issue is not about the value of research, it IS about companion animals and the violations of unenforceable, existing laws dealing with companion animal treatment.

I ask you to please support HB4663 and be a leader, not a follower as more and more states, research facilities and shelters are beginning to realize with newer, better alternative research methods which make present animal use obsolete, this is a much more efficient way to deal with the proper enforcement, care and control of our companion animal population. Thank you for listening.

David Mead - House Bill 4663

From: Charmaine Alexander <chinealexander@gmail.com>
To: <dmead@house.mi.gov>
Date: 4/19/2010 4:03 PM
Subject: House Bill 4663

Dear Committee,

My name is Charmaine Alexander and I am a senior at Flint Southwestern Academy. I support the House Bill 4663 because I believe all deserve the right to live; and not suffer because of animal cruelty. I know there are other alternatives to test products other than on animals. Can you please consider the animal's life before you decide to test a product on a animal?

Thank you,

Charmaine Alexander



ANIMAL BLOOD RESOURCES
· INTERNATIONAL ·

3/30/09

Allie Phillips, J.D.
Director of Public Policy
American Humane Association
206 N. Washington St., Suite 300
Alexandria, VA 22314

RE: Michigan House Bill 4663

Dear Ms. Phillips,

Thanks for your hard work on House Bill 4663 to preserve our unique way of providing a temporary home for homeless animals and blood products for clinical veterinary patients. After review of this bill we find it acceptable and will support your efforts to pass this legislation. The written exclusion of animal blood banking allows us to maintain our federally required status as a Class B Dealer and continue to participate in the Michigan animal rescue community.

Sincerely,



Anne S. Hale, DVM
CEO

From: Darla Alexander <alexa@altelco.net>
To: <dmead@house.mi.gov>
CC: <nmedina@house.mi.gov>, <MikeHuckleberry@house.mi.gov>
Date: 4/19/2010 2:43 PM
Subject: HB 4663

I would like to register my support for HB 4663 Pound Seizure. It is time Michigan outlawed this practice with only a couple counties now doing this. Bring us in line with the majority of the states who do not permit domesticated animals to go into experimentation. Do it for Koda and other animals whose names we do not know, but whose fates are in your hands.

Please bring this bill out of committee for a full House vote.

Thank you.

Darla Alexander, RN
PO Box 140945
Grand Rapids, MI 49514

David Mead - To be entered into the hearing record for HB 4663

From: "Chair" <chair@michiganpetfund.org>
To: <MikeHuckleberry@house.mi.gov>
Date: 4/19/2010 2:33 PM
Subject: To be entered into the hearing record for HB 4663
CC: <dmead@house.mi.gov>, <Nmedina@house.mi.gov>
Attachments: Support letter for bill 4-19-2010.pdf

Dear Representative Huckleberry:

Please include the attached letter from the Michigan Pet Fund Alliance into the hearing record on Wednesday, April 21st on HB 4664 on Michigan Pound Seizure. Thank you for holding this hearing and advancing discussion on this matter. We ask the Agricultural Committee to recommend approval of this bill to the House.

Sincerely,

Deborah Schutt

Deborah Schutt
Michigan Pet Fund Alliance - formerly the Oakland Pet Fund
working to make Michigan a no more homeless pet (no-kill) state
877-FUR-PALS
www.michiganpetfund.org



Information from ESET NOD32 Antivirus, version of virus signature database 5041
(20100419)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

Board of Directors

Chairperson:
Deborah Schutt
Schutt & Company

Treasurer:
Cheryl Gault
Michigan Commerce
Bank

Secretary:
Denise Odigie

Carol Eberhardt

Lin Gardiner

Dan Godek
Royal Oak Shelter

Susan Jeroue
Manager, Macomb
County Shelter

Karen Mountz

Larry Nathan
MI Pug Rescue

Larry Obrecht,
Manager
Oakland Pet Adoption
Center

Jeanne Towar

Harry Ward
Manager
Detroit Animal Control
and Care

Advisors

Gary Davison
Davison Associates

Charlie Langton
Langton & Associates

Kate Pullen
Director of Community
Initiatives
ASPCA

Joseph Sowerby
Founder - Meet Your
Best Friend at the Zoo
and
Pet-a-Palooza

Rich Strenger
Richard Strenger
Attorney at Law

Tracy Zawaski
Rader, Fishman &
Grauer PLLC

Linda Wasche
LW Marketworks, Inc.



Dedicated to making Michigan a no more homeless pets state.

April 19, 2010

Representative Mike Huckleberry, Chair
Members of the Agricultural Committee
Michigan House of Representatives
Lansing, MI

RE: Support for HB 4663 Michigan Pound Seizure

Dear Representative Huckleberry and Agricultural Committee members:

On behalf of the Michigan Pet Fund Alliance I am writing to express our wholehearted support of HB 4663. Michigan needs to join the ranks of states that have prohibited homeless shelter pets from being sold or given to class B dealers for research.

Our state has over 150 licensed shelters. All but 2 reject selling or giving homeless dogs and cats to Class B dealers. Each of these shelters, their residents and elected leadership has determined they don't want to participate in this heinous practice even when it can produce revenue. We now need to make it perfectly clear to everyone – within Michigan and the United States - - - that we won't allow this practice in Michigan.

"The greatness of a nation and its moral progress can be judged by the way its animals are treated" - - Mahatma Ghandi

We ask you to put our moral progress in law - - - let it clearly articulate that Michigan will not sell or give homeless pets to Class B dealers.

Sincerely,

Deborah Kay Schutt
Chair

cc: Michigan Pet Fund Alliance Board of Directors

David Mead - I support HB4663 to end pound seizure in Michigan animal shelters.

From: GWEN STROMP <gstromp@hotmail.com>
To: <dmead@house.mi.gov>
Date: 4/19/2010 2:21 PM
Subject: I support HB4663 to end pound seizure in Michigan animal shelters.

Dear Committee Clerk,

Please share my statement of support for HB4663 - to end pound seizure with committee members.

Selling or trading homeless cats and dogs from tax funded shelters isn't necessary for legitimate research and it ruins the relationship the public has with their tax funded animal shelter. I have experienced first hand how public trust is lost when shelters partner with class-b animal dealers. The shelter's agenda is divided and the public "shelter" is turned into a warehouse for a private for profit business -the class b random source animal dealer.

Please support HB4663.

Gwen Stromp
MI Health Care Worker
Michigan Taxpayer
1121 Dick Ave NW
Grand Rapids, MI 49504

The New Busy think 9 to 5 is a cute idea. Combine multiple calendars with Hotmail. Get busy.

David Mead - Advocating the passage of HB 4663

From: "Bill and Helen Schneider" <billandhelen1@att.net>
To: <dmead@house.mi.gov>
Date: 4/19/2010 12:33 PM
Subject: Advocating the passage of HB 4663
CC: <mikehuckleberry@house.mi.gov>

April 19, 2010

Dear Mr. Mead and Members of the House Agricultural Committee:

I am writing in support of HB 4663, which is scheduled to be discussed by your committee on April 21. I urge the members to vote in favor of this bill.

When animals can give informed consent, as I did when I participated in a clinical trial for an immunotherapy cancer vaccine at the Breslin Center, it may be alright to sell them to class b dealers and then on to their unknown fate. In my case, I took myself out of the clinical trial after several months, when I developed a huge, painful abscess at the injection site. An animal can't do that and is left to suffer. This is mild compared to what some former pets endure in research. As public awareness grows, I believe lawmakers will come to understand that the majority of Michigan voters, regardless of party affiliation, do not support the sale of homeless cats and dogs to class b dealers.

There are trends in animal welfare that will prevail across the state. Despite the economy, Michigan voters will weigh in on the side of protecting helpless animals. I applaud Rep. Huckleberry for his stand on this issue and have contacted my own representative, Rick Jones, to convey my opinion.

Sincerely,
Helen Schneider
1915 Glass Drive
Charlotte, MI 48813 (Eaton County)
(517) 543-0288

David Mead - Michigan House Agriculture Committee

From: "Ron & Maria" <mrlott@chartermi.net>
To: <MikeHuckleberry@house.mi.gov>, <Nmedina@house.mi.gov>, <dmead@house.mi.gov>
Date: 4/19/2010 1:05 PM
Subject: Michigan House Agriculture Committee

Sirs:

My husband and I are residents of Gratiot County and have been for many years. Gratiot County is one of the last counties in Michigan that gives shelter animals to a Class B dealer in exchange for disposing of euthanized animals. Our county Board of Commissioners renewed a 5 year contract with the dealer in January of 2009. I and several others attended this meeting and asked them to consider alternatives and not renew the contract. Since the contract has been renewed I and a few other citizens of Gratiot County have been helping to find homes through rescues and individuals for the animals at the shelter.

During the commissioners meeting when the Class B dealer contract was discussed, we were told by Mr. Woudenberg, the president of R&R Research, that only the animals that are not adopted and would have been euthanized anyway would be taken for research. This is not the case. On March 10th of 2009, a small yellow lab mix had reached her first day to be available for adoption to the public. A rescue had a family that was interested in adopting the lab and so the rescue waited out in the parking lot of Gratiot County Animal Control that morning, waiting for them to open. When the shelter opened at 10:00 that morning the rescue found out that animal control had already given the yellow lab to R&R Research hours earlier, before they opened. She went to the research dealer without ever getting a chance to be adopted. We sent an email to one of the commissioners and pleaded with him to intervene but he would not. It broke our hearts but made us even more determined to not let it happen again if we could stop it. We work diligently to find rescues and homes for the animals before they are given to the dealer.

We found out shortly after this happened that Jim Woudenberg of R&R Research has a key to the Gratiot County Animal Control facility. We were concerned about access into the shelter before/after hours with no county staff present but when we questioned the commissioner about this he stated that Mr. Woudenberg was given a key just like any maintenance person would have for access to a building where they work. We don't think this is appropriate and makes us suspicious of activity that may go on that no one knows about. Why would he need access to a county facility without the presence county staff?

Many of the animals have been released by owners because of economically difficult times our county is experiencing. It is so difficult to watch someone give up their beloved pet knowing what may happen to them. We have had several people that have approached us for help in placing their pets because they do not have confidence in our animal control. It is a very sad situation made even worse by the fact that they don't know the fate their pets may face.

We ask you to please support the pound seizure bill (HB 4663) and also the humane euthanasia bills (HB 6042 and 6043). People love their pets and it is time for Michigan to do the right thing.

Sincerely,
Maria Lott
Ronald Lott
306 W. End
Alma, Michigan 48801

David Mead - HB4663

From: "Fett, Elaine J" <EjFett@oaklandcc.edu>
To: <dmead@house.mi.gov>
Date: 4/19/2010 11:34 AM
Subject: HB4663

Mr. Mead:

I am in support of HB4663; please share my support with other committee members. There needs to be NO MORE selling of animals to research dealers.

There is no reason for the continuous misuse of animals in this way.
Thank you.

ejf

Elaine J. Fett, M.A., LPC
Counselor, Highland Lakes Campus
Oakland Community College

From: Monica Roberts <monicaannroberts@yahoo.com>
To: <dmead@house.mi.gov>
Date: 4/19/2010 11:30 AM
Subject: Support of HB 4663

Representative Mike Huckleberry (D), Chair (co-sponsor of the bill)
Representative Jeff Mayes (D), Majority Vice Chair (co-sponsor of the bill)
Representative Vicki Barnett (D)
Representative Martin J.Griffin (D)
Representative Jennifer Haase (D)
Representative Judy Nerat (D)
Representative Mary Valentine (D)
Representative Sharon Tyler (R), Minority Vice Chair
Representative Kevin Daley (R)
Representative Goeff Hansen (R)
Representative Kenneth Kurtz (R)

A year ago we adopted our dog, Stanley, from Roofs for Woofs. Stanley is a black lab mix who we refer to as our four-legged son/brother. He was on his way to a research facility until he was rescued. It is inconceivable to imagine who would use such a loving creature for research. He has brought so much joy to our life. Everywhere he goes, people remember Stanley for his happy and energetic demeanor. We consider ourselves fortunate to have him part of our family.

Please accept and consider this email in support of HB4663 -- for the sake of all the other four-legged family members that want to be placed in a loving home and in memory of those who weren't so fortunate.

Regards
Chris, Monica and Rachel

David Mead - pound seizure

From: "Vicky's Pet Connection" <vickyspetconnection@gmail.com>
To: <dmead@house.mi.gov>
Date: 4/19/2010 9:58 AM
Subject: pound seizure

I am a Michigan resident and I support House Bill 4663 - to end pound seizure in Michigan animal shelters. Currently only two tax funded shelters participate in pound seizure: Gratiot and Mecosta. This isn't necessary for legitimate research and it ruins the relationship the public has with their tax funded animal "shelters".

Thank you!

Vicky Freund
Ada, MI 49301

David Mead - HB 4663

From: <Arights2@aol.com>
To: <dmead@house.mi.gov>
Date: 4/19/2010 10:01 AM
Subject: HB 4663

Dear Committee Clerk David Mead,

For former pets and stolen animals, randomly gathered, to be abused in experimental laboratories is legalized cruelty.. I never thought I'd see the day that legislation to end pound seizure , would be introduced and considered. I congratulate everyone responsible for this progress.

I've waited most of my life for this abomination to end - and I'm now 82.

I urge all of the Committee Members to support and pass the much needed HB4663 into law.

Would you kindly share my views with Committee Members: Rep. Mike Huckleberry, Rep. Jeff Mayes, Rep Vicki Barnett, Rep.Jennifer Haase, Rep.Judy Nerat, Rep.Mary Valentine, Rep.Sharon Tyler, Rep.Kevin Daly, Rep. Geoff Hansen and Rep.Kenneth Kurtz.

Sincerely, Edith J. Sullivan
4065 Glacier Hills Circle
Ann Arbor, Mi., 48105
email: arights2@aol.com

David Mead - HB 4663 Attn: Committee Clerk David Mead

From: MOCERI Colleen <kittycrazy4@sbcglobal.net>
To: <dmead@house.mi.gov>
Date: 4/19/2010 10:04 AM
Subject: HB 4663 Attn: Committee Clerk David Mead
CC: Nancy Hutchinson <adopt@micatrescue.org>

Dear David: Please share my statement of support for HB4663 with committee members: Rep. Mike Huckleberry, Rep. Jeff Mayes, Rep. Vicki Barnett, Rep. Martin Griffin, Rep. Jennifer Haase, Rep. Judy Nerat, Rep. Mary Valentine, Rep. Sharon Tyler, Rep. Kevin Daley, Rep. Geoff Hansen, and Rep. Kenneth Kurtz

I would like to take this opportunity to urge your vote for the prohibition of allowing class b dealers and research facilities from obtaining animals from animal control or animal protection shelters for the purpose of experimentation at the hearing on April 21 in Lansing. These dealers and research facilities are directly abusing and neglecting animals for the sake of unnecessary and outdated, often duplicate research causing such great atrocities that unless you see it first hand, you would not believe it, nor could you as a human being, stomach it. Animals feel indescribable pain and torture and then are left to slowly die, Never knowing warmth, food or love. They suffer in silence and that is what we need to end, the silence and the suffering.

Colleen Mocerl
Occupation: Customer Service Rep
Rescue Volunteer
"Adopt a Pet Save a Life"

David Mead - FW: Action Alert from MI

From: "Harry Harrison" <hjh9@columbia.edu>
To: <anteaterken@aol.com>, "Laura Allen" <lauraallen@animallawcoalition.com>, <lillian@virginiavotersforanimalwelfare.ccsend.com>, <INFO@ANTICRUELTY.ORG>, "American Humane Association" <info@americanhumane.org>, <info@humanesocietyall.com>, <info@peta.org>, "PCRM President Neal Barnard, M.D." <neal-barnard@pcrm.org>, "ah" <ahilch@snet.net>, "cg" <cgesch@aol.com>, "cindy" <cindymarcus@hotmail.com>, "claudia" <snappylady@gmail.com>, "dena" <dena@underhoundrailroad.com>, "ferg" <fergusfin@yahoo.com>, "glad" <gladhillsa@aol.com>, "jlt" <jltunlimit@aol.com>, "jodi" <animalrescuehelper@yahoo.com>, "lbrook" <lbrook1430@aol.com>, "lifo" <lifolewy@hotmail.com>, "ma" <mercedes@tarashouse.net>, "michelle" <michellemendelson@yahoo.com>, "rd" <rdesante@aol.com>, "home" <homeguy@aol.com>, "jenny" <jenny.walker08@gmail.com>, "phy" <phymar9@hotmail.com>, "sec" <secchancehs@aol.com>, "shelly" <shellymmc@aol.com>
Date: 4/19/2010 9:57 AM
Subject: FW: Action Alert from MI
CC: <dmead@house.mi.gov>

Action Alert

HB 4663

The Michigan House's Committee on Agriculture will be holding a hearing on HB 4663 a bill that would prohibit class b dealers and research facilities from procuring animals from animal control or animal protection shelters for the purpose of experimentation. This hearing will be held:

Wednesday, April 21, 2010 . 12:00 Noon
 Room 307
 House Office Building (Corner of Ottawa and Capitol)
 Lansing Michigan

What you can do to show your support:

Come to the hearing! This is an important bill that needs our support. Your presence is needed and appreciated! If you come to the meeting, you will be offered a card to request an opportunity to speak on the bill, please take the card, fill it out and give it to whoever is collecting them for the committee. Make sure you write on the card that you SUPPORT HB 4663. You may not be called to speak but at the end of the hearing the cards will be tallied to see how many of those present were for or against the bill. You may also want to put your occupation on the card. this will inform the committee that the bill is supported by a broad base of people who come from many different walks of life. If you are given a chance to speak, make your statement short, factual and to the point.

Many of you will not be able to make the meeting with such short notice, but you can still show your support for HB4663 this way:

Send an email to the Committee Clerk David Mead at dmead@house.mi.gov. Begin your email by asking the clerk to please share your statement of support for HB4663 with committee members. It is

suggested you keep your statement short. If possible say what you want to say in one paragraph, it will probably have a greater impact on the members. You may want to address your statement to all the committee members by name. They are as follows:

Representative Mike Huckleberry (D), Chair (co-sponsor of the bill)

Representative Jeff Mayes (D), Majority Vice Chair (co-sponsor of the bill)

Representative Vicki Barnett (D)

Representative Martin J.Griffin (D)

Representative Jennifer Haase (D)

Representative Judy Nerat (D)

Representative Mary Valentine (D)

Representative Sharon Tyler (R), Minority Vice Chair

Representative Kevin Daley (R)

Representative Goeff Hansen (R)

Representative Kenneth Kurtz (R)

All statements by email will be read by committee members and the number of people who express support or opposition to the bill will be tallied.

The committee will hear testimony on April 21 but most likely will not vote on that day. In the past the committee has taken testimony and then allowed one week to consider that testimony and to hear from anyone who wishes to rebut or add to any testimony before calling for a vote. Usually the vote is taken the following week which in this case would be April 28. However, since the committee plans to hold a hearing on HB 6042 and HB 6043 (humane euthanasia) on april 28, it might choose to vote on HB 4663 on the 21st instead of postponing it for a week.

You will probably be getting action alerts from other organizations as well, but we are sending this to all our supporters in our fight end pound seizure in ourt county because we feel it is important to get this out as soon as possible so that people who would like to attend the hearing will have time to make the necessary arrangements. We will post this email along with additional information including information on car pooling on our website www.cccmontcalm.org.

Thank you for all you do for the animals. Your work is important and your voice should be heard even if it is through a card filled-out and turned in at the hearing or an email sent to the committee clerk.

Concerned Citizens Coalition - Montcalm
Montcalm County Citizens for Animal Welfare

=====
=====

David Mead - Michigan House Bills 4663 and 4263

From: Judy Oisten <dogblessed@gmail.com>
To: <dmead@house.mi.gov>
Date: 4/19/2010 8:04 AM
Subject: Michigan House Bills 4663 and 4263

I respectfully urge you to support Michigan House Bills 4663 and 4263.

Both of these bills are very personal to me. In 2005 we had a white panel van slowly go by our home, on a dead end street, and the passenger yelled out "there's a lab." My husband and I quickly called our dogs up close to us, as they were playing in the front yard and the men didn't see us. They slowly drove back by and never gave us a telephone number, nor did they explain why they were so interested in our Labradors. Later we discovered Eaton County Animal Control, a mile from our home, was selling unclaimed family pets to a class b dealer that resold them for profit. We were very fortunate as it is a known fact that pet theft increases in areas where the animal shelters sell cats and dogs to a class b dealer.

HB 4663, Koda's Law would prohibit pound seizure -- allowing shelter cats and dogs to be used in experimental research. "Koda's Law" is named for a shelter dog who was sold to an animal broker, resold to a research facility and then euthanized.

My husband and I rescued our first dog in 2004 from Cass County Animal Control, a beautiful 2 year old yellow lab. Then we discovered that she would have been given a horrible death by being gassed. It is horrible to think that this practice is still going on today with more humane ways being available. The animal control officers don't like gassing animals either, but they have to follow orders from higher up. This is now up to you to make the right decision, and I respectfully ask you to support the Humane Euthanasia of Shelter Animals Act.

House Bill 4263/4803, the Humane Euthanasia of Shelter Animals Act is sponsored by Rep. Rick Jones and endorsed by American Humane and the State Bar of Michigan Animal Law Section. This bill would ensure that the state's unwanted, sick or unadoptable shelter animals will be euthanized only with injection of sodium pentobarbital. American Humane considers euthanasia by injection to be the only acceptable and humane means of euthanasia.

Please support HB 4663 (Koda's Law) and HB 4263/4803 (Humane Euthanasia of Shelter Animals Act) and help protect Michigan's shelter animals from inhumane euthanasia practices and pound seizure.

Sincerely,

Judy Oisten

1096 Tori Trail

Charlotte, MI 48813

PH: 517-373-3134

David Mead - House Bill 4663

From: Steven S <spacedog75@hotmail.com>
To: <dmead@house.mi.gov>
Date: 4/19/2010 8:33 AM
Subject: House Bill 4663

Dear Mr. Mead,

If you have been following at all what is happening regarding pound seizure, you know this is a major problem that is embarassing our state. I urge you to support House Bill 4663 - to end pound seizure.

Thank you!

Steven Stromp
Kentwood, Michigan

Hotmail is redefining busy with tools for the New Busy. Get more from your inbox. [See how.](#)

From: <rfwinfo@roofsforwoofs.org>
To: <dmead@house.mi.gov>
Date: 4/17/2010 8:20 PM
Subject: Please support House Bill 4663

Dear Committee Clerk Mr. David Mead:

Please support House Bill 4663. It's heartbreaking to see companion animals, many of which were family pets, turned over to Class B Dealers. Many of these pets could find a home, if only given the chance. Class B Dealers may claim that these are animals that "no one wants," but this is not true. Many of these animals are not given a fair chance. As a rescue founder, I personally have pulled pets from shelters that sell to Class B Dealers, and these pets have found loving homes. Also, Class B Dealers in Michigan have had many USDA violations, yet are allowed to continue to operate. We need to do better for our pets in Michigan.

PLEASE SUPPORT HB4663.

Thank you,

Kathie Belkowski

David Mead - HB4663

From: "Kris at P.A.W.S." <blackwater37@comcast.net>
To: <dmead@house.mi.gov>
Date: 4/16/2010 6:55 PM
Subject: HB4663

Dear Mr. Mead:

I am writing in strong support of HB4663, the pound seizure bill. As President of a Michigan-based animal rescue organization, I work daily with animals in our municipal shelters. The vast majority of these animals are lost family pets, or family pets that were surrendered to a shelter in hopes that they could get another home. What a horrible betrayal of the trust these animals have in us, and that their families have given us as well, to allow their surrender to dealers who sell them to institutions for ultimate vivisection.

I urge the representatives of the Michigan House of Representatives to do the right thing for our animals and families and make pound seizure illegal in the State of Michigan.

Respectfully,

Kristine Jordan
President, P.A.W.S. of Michigan
19230 Wedgewood
Riverview, MI 48193

David Mead - HB4663

From: "tcc" <tcc@wowway.com>
To: <dmead@house.mi.gov>
Date: 4/17/2010 11:09 PM
Subject: HB4663

I would like to express my support for the passage of HB4663, the bill to end pound seizure by Class B dealers and research facilities. While I cannot attend the hearing on the 21st, I hope you will pass on my sentiments to the committee members.

I have a rescue organization that rescues cats from the pounds. Almost all of these animals have once been someone's beloved pets, especially in this economic climate where so many people are forced to give up their pets. To take these animals who have been loved and cared for and put them in a torturous situation is abominable to any animal, but especially to animals that have been used to being loved and cared for. Please pass this bill and end their suffering.

Ellen Rosser, Royal Oak, MI

David Mead

From: "Diane" <classylady1@comcast.net>
To: <dmead@house.mi.gov>
Date: 4/18/2010 8:46 AM

I ask the clerk to please share my statement of **support for HB4663** with committee members. This bill would prohibit class b dealers and research facilities from procuring animals from animal control or animal protection shelters for the purpose of experimentation. This bill is supported by a broad base of people who come from many different walks of life. I am retired.

Diane M. Kastel

David Mead - HB4663

From: DENEICE SHELDON <dsheldon_1@sbcglobal.net>
To: <dmead@house.mi.gov>
Date: 4/18/2010 12:11 PM
Subject: HB4663

I am asking that you share this email the commitee members.

I am asking the commitee to back HB4663 to stop class B dealers from procurring animals from the pound. These are helpless animals with no voice. Pleasebe their voice. Allow these animals to be pets, not test animals.

Thank you

Deneice Sheldon
3861 N Briarvale
Auburn Hills,Mi 48326

David Mead - Hearing on HB 4663

From: "Bob & Jean Walsh" <rrwalshphd@frontiernet.net>
To: <dmead@house.mi.gov>
Date: 4/18/2010 3:53 PM
Subject: Hearing on HB 4663

Michigan House of Representatives

House Committee on Agriculture

Attn: Mr. David Mead, Committee Clerk

RE: Hearing on HB 4663

Dear Mr. Mead:

I have just learned of the public hearing the House is holding on HB 4663 this Wednesday but unfortunately I will be unable to attend due to other commitments. I strongly support this bill and ask that my comments, summarized below, be shared with all Agriculture Committee members.

By way of background, I am a Michigan Licensed Psychologist in practice for the last 35 years and have a Doctoral minor in statistics and research design. Use of random source, shelter animals in biomedical research is an outdated, inappropriate practice that is very wasteful of limited tax-payer dollars, and is potentially harmful to humans when the results of such methodological misuse are extrapolated to people. Every drug that has been recalled by the FDA because of harmful effects (including disability and death) on people had previously been tested on animals and deemed safe. And there are many examples.

Some animal research is still necessary, especially when non-animal alternatives are not available, but it must only be done using animals specifically lab bred and raised under carefully controlled conditions. Even then, differences between human and other-animal biology, physiology, tissue cell structure, genetic make-up, etc., are enough to severely compromise safe application to people. Shelter animals have undocumented histories medically, environmentally, socially, developmentally, genetically and psychologically, all profoundly important variables that will contaminate the research results, rendering them useless because failure to identify and control such powerful influences violates the requirements of the statistical methodology used.

Psychologically, most shelter animals are former pets not use to being confined to lab cages, and many are as a result extremely stressed, often developing significant behavioral abnormalities that render them poor research subjects. This is an unfortunate characteristic they share with people confined to segregation units in prisons, i.e., the conditions of confinement produce psychological breakdowns.

The use of shelter animals in biomedical research is obsolete and dangerous to people and must be ended, as it also siphons public grant money away from modern research efforts using state-of-the-art methodology, that actually hold real promise of curing some diseases in our life time that we never thought possible. Most disease processes start at the cellular, even molecular level and the cures will

come from research using alternative methodologies such as human molecular tissue analysis, adult stem cell manipulation, computer simulation, mathematical modeling, etc., not from primitive methods using shelter animals. Change is always slow, but this has gone on for too long. Its time to "nudge" things along and motivate those holdouts to learn new technology by shutting down the source and end the sale and use of shelter animals for this "research." Thank you.

Robert R. Walsh, Ph.D.

4/18/10

David Mead - support from educator....

From: cheryl purdue <chs_purducec@hotmail.com>
To: <dmead@house.mi.gov>
Date: 4/18/2010 4:28 PM
Subject: support from educator....

Dear Committee Clerk David Mead
and Representatives

Mike Huckleberry (D), Chair (co-sponsor of the bill)
Jeff Mayes (D), Majority Vice Chair (co-sponsor of the bill)
Vicki Barnett (D)
Martin J.Griffin (D)
Jennifer Haase (D)
Judy Nerat (D)
Mary Valentine (D)
Sharon Tyler (R), Minority Vice Chair
Kevin Daley (R)
Goeff Hansen (R)
Kenneth Kurtz (R),

Last Friday my students left their government class to arrive in my biology class with the up-in-arms, vociferous way of contention that only young adults seem to have. I told them their concerns are real and that I would correspond with you about it. I also encouraged them to do so individually,,,

They (We) would like to express support of HB4663. Taking animals for research from animal control and rescue facilities is unethical and inhumane. This belief is not born of ignorance. I can assure you of this because I "help" many of Flint's brightest with their science education. Many students are indignant and surprised that they or their families are not questioned on this matter publicly, that it's not "put to vote". Sadness and disgust runs through all of us when considering the plight of these homeless creatures who probably only exist at all because of human action OR inaction. Not having this law in place exploits their existence even further. It is all of our hopes that you, our representatives in law will hear our voice and vote for HB4663 to stop this practice.

Thank you for your time and service,

Cheryl Purdue
Science Dept. Chairperson
Southwestern Academy
Flint Community Schools

The New Busy is not the old busy. Search, chat and e-mail from your inbox. [Get started.](#)

David Mead - Support HB 4663

From: Marie green <rowdyjmgreen@yahoo.com>
To: <dmead@house.mi.gov>, <Nmedina@house.mi.gov>, <MikeHuckleberry@house.mi.gov>
Date: 4/18/2010 7:39 PM
Subject: Support HB 4663

My husband John and I are residents of Gratiot County. Gratiot is one of the last two counties that still allow a Class B dealer to have dogs and cats. In return the dealer empties the freezers of euthanized animals. We were not aware this practice existed until we read an article in a Jan 2009 edition of the Gratiot County Herald. Since that time we have been involved with finding rescues and adoptive homes for Gratiot County animals. Since July 2009 only 2 dogs have gone to research. **We have proven beyond any doubt that random source dogs are adoptable dogs.**

What does a Class B dealer and the practice of random source acquisitions actually accomplish:

1. It allows the dealer to have a depot for holding animals until he can acquire them. This depot is supported by tax dollars. Gratiot County Animal Control (GCAC) is open to the public TWTh from 10 to 4:30. Do these hours benefit the taxpayers of the county. It certainly is not helpful to rescues or employed potential adopters. It is convenient only to the Class B dealer.
2. If a counties animal control is in the practice of taking in owner surrender animals they should also be in the practice of finding adoptive homes and rescues. A group of volunteers started a petfinder site and Help Furry Friends site to help with this process in Feb '09. GCAC took over petfinder this month but that is not enough. An active effort to find rescues must also be made. There is no incentive to do this or make any changes for that matter as long as the Class B dealer is just waiting to take animals and no effort is required by AC to find homes or change any practices that inhibit adoptions.
3. Disease.. GCAC does not immunize against parvo or any other disease. They do not test for heartworm. Why would you when the dog is kept for the minimum hold time and then sent to the dealer. If the dog does have the good fortune to be adopted without any immunizations a potentially diseased animal could be sent out to an unsuspecting adopter.
4. Spay and neuter programs focusing on feral cats is much needed. Responsible pet ownership information including S/N of all types of pets is needed. Currently GCAC policy is no charge for owner surrenders. Nothing is proactively done to reduce the #'s of cats or dogs surrendered through fees or other innovative programs. Again why would you when the Class B dealer will take what comes in and empty your freezers of euthanized animals.

I hope I have identified the reasons that John and I support HB 4663. Please support HB 4663.

I would like to add that it will surely be mentioned that GCAC asks individuals who are surrendering their animals if they want their animals euthanized, research or don't care. The majority say research or don't care. This figure represents 2% or less of the population of Gratiot County. It is being answered by people with a few exceptions who are dumping their responsibility for their pet on the county. This opinion by 2% or less of the population is not reflective of the people in Gratiot County.

Sincerely,
 John and Marie Green
 1346 E Buchanan
 Ithaca, Mi 48847

David Mead - Memorandum of support for Michigan House Bill No. 4663

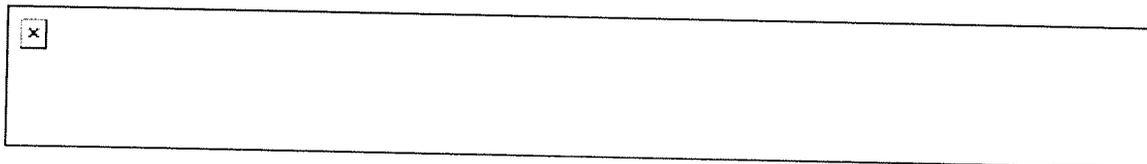
From: "John J. Pippin" <jjpippin@sbcglobal.net>
To: <dmead@house.mi.gov>, <nmedina@house.mi.gov>, <mikehuckleberry@house.mi.gov>
Date: 4/18/2010 11:19 PM
Subject: Memorandum of support for Michigan House Bill No. 4663
Attachments: Memorandum of Support for Michigan HB 4663.doc

This will also be sent as a separate Word document.

John J. Pippin, MD, FACC
Senior Medical and Research Adviser
Physicians Committee for Responsible Medicine
Phone and facsimile: (972) 407-9396
E-mail: jpippin@pcrm.org or jjpippin@sbcglobal.net

David Mead - Memorandum of Support for Michigan HB 4663

From: "John J. Pippin" <jjpippin@sbcglobal.net>
To: <dmead@house.mi.gov>, <nmedina@house.mi.gov>, <mikehuckleberry@house.mi.gov>
Date: 4/18/2010 11:17 PM
Subject: Memorandum of Support for Michigan HB 4663



Memorandum of Support for Michigan House Bill No. 4663

Date submitted: April 19, 2010

Submitted to : David Mead (dmead@house.mi.gov)
Nathan Medina (nmedina@house.mi.gov)
Rep. Mike Huckabee (mikehuckleberry@house.mi.gov)

Submitted by: John J. Pippin, MD, FACC
Senior Medical and Research Adviser
Physicians Committee for Responsible Medicine

On behalf of the Physicians Committee for Responsible Medicine (PCRM) and our membership of 8,000 physicians and more than 110,000 other medical professionals, scientists, educators, and supporting laypersons, I am submitting this memorandum of support for Michigan House Bill No. 4663, a bill to amend 1969 PA 224.

Addressing the proposed prohibition of the sale or release of animals by animal control shelters and animal protection shelters to animal dealers or facilities for the purpose of experimentation, PCRM respectfully submits the following supporting evidence, for which complete documentation is available:

1. The scientific and educational need for random source animals is disappearing and does not justify the sale or release of shelter animals for experimental purposes:

- A. The last US medical school "dog labs" were ended in January 2008
- B. No Michigan medical school uses shelter animals for student education
- C. In March 2010, Michigan's only veterinary school ended the terminal use of live animals for surgery training. Michigan State University College of Veterinary Medicine does not obtain animals from shelters or random source animal dealers.¹
- D. No Michigan facility uses shelter animals for ATLS (trauma training) programs²

E. A 2009 report from the Humane Society of the United States identified only about 50 US animal research facilities (fewer than four percent of 1,400 such facilities licensed by the USDA) that obtain random source animals from Class B dealers.³

F. The USDA reports that the estimated numbers of dogs and cats used for experimentation in the US declined 34% from 1990 to 2007, the most recent year for which national statistics are available. The decline in the use of random source dogs and cats has been much more dramatic, and in 2007 only 3% of dogs and cats used for research were obtained from Class B random source dealers.⁴

2. The role of the USDA Class B animal dealer system has been discredited:

A. The National Research Council (NRC) of the US National Academy of Sciences released a report titled "Scientific and Humane Issues in the Use of Random Source Dogs and Cats in Research" in May 2009. In this report, the NRC concluded that there is no research need for the acquisition of animals from Class B dealers, stating that "...the Committee could not reconcile the serious unresolved Class B compliance issues, and felt that these issues, as well as humane concerns, were major factor in the committee's final recommendations." The NRC reported concerns regarding animal welfare violations, the profit-driven system of bunchers and dealers, the problem of lost and stolen pets being sold for research, the frequent Animal Welfare Act (AWA) violations, the inability of the USDA to enforce the AWA adequately with Class B dealers, and the availability of alternative sources for research animals. As stated in the NRC report⁵:

"[T]estimony provided to the Committee by USDA officials made it clear that despite new enforcement guidelines and intensified inspection efforts, not all origins of animals are or can be traced. The USDA simply can not assure that stolen or lost pets will not enter research laboratories via the Class B dealer system. Furthermore, administrative and judicial procedures that are necessary to enforce the AWA and ensure remediation of conditions that lead to animal distress and suffering are inordinately slow, cumbersome, and ineffective. The Committee felt strongly that this was unacceptable."

Executive summary and full report here: <http://www.nap.edu/catalog/12641.html>

B. Class B dealers are disappearing, primarily due to their illegal, dishonest, and inhumane practices. As of April 2010, only nine random source Class B animal dealers remained in the US (three of these in Michigan). Six of these nine dealers are under investigation by the USDA for serious AWA violations, including one in Michigan.⁶

C. The federal Pet Safety and Protection Act of 2009 (HR 3907 and SB 1834), currently in committee deliberations in the US House and Senate, would prohibit Class B random source animal dealers from obtaining and selling animals.⁷

3. Pound seizure statutes and practices are disappearing in the US:

A. Following recent legislation in Utah, only two states (Minnesota and Oklahoma) retain mandatory pound seizure statutes.⁸ A bill to repeal is pending in Minnesota.

B. Seventeen states and the District of Columbia prohibit pound seizure.⁸

C. Michigan is among nine states that delegate pound seizure decisions to counties, and only two of Michigan's 83 counties now mandate pound seizure. Michigan has the opportunity to join the list of

progressive states prohibiting pound seizure.

4. Michigan Class B animal dealer AWA violations and inhumane practices will be presented by the American Humane Association and Michigan residents.

PCRM acknowledges and condemns these illegal and inhumane activities, and PCRM emphasizes that the inability of the USDA to adequately regulate the state's three Class B animal dealers lends strong support for the adoption of Michigan House Bill No. 4663.

References

1. News release posted to American Anti-Vivisection Society website. Accessed April 18, 2010. <http://www.aavs.org/images/pressMSU-342010.pdf>.
2. The last Michigan ATLS program using random source animals (University of Michigan) ended this practice in February 2009. See university news release here: <http://www2.med.umich.edu/prmc/media/newsroom/details.cfm?ID=1057>.
3. HSUS website accessed April 18, 2010. See press release and report findings here: http://www.humanesociety.org/news/press_releases/2009/11/experiments_on_pets_111709.html.
4. Committee on Scientific and Humane Issues in the Use of Random Source Dogs and Cats for Research; National Research Council of the National Academies. *Scientific and Humane Issues in the Use of Random Source Dogs and Cats in Research*. The National Academies Press. Washington, DC, May 2009 (p. 72).
5. Ibid (pp.85-86).
6. Animal Welfare Institute website. Accessed April 18, 2010. Report based on data obtained from the USDA (<http://www.awionline.org/ht/d/sp/i/12974/pid/12974>).
7. Accessed April 18, 2010 at <http://www.govtrack.us/congress/bill.xpd?bill=h111-3907> and at <http://www.govtrack.us/congress/bill.xpd?bill=s111-1834>.
8. American Humane Association website. Accessed April 18, 2010 at: <http://www.americanhumane.org/assets/docs/advocacy/ADV-laws-state-pound-seizure.pdf>.

David Mead - HB 4663

From: "Richard Angelo" <rangelo@angelolawpllc.com>
To: <dmead@house.mi.gov>, <Nmedina@house.mi.gov>, <MikeHuckleberry@house.mi.gov>
Date: 4/19/2010 7:07 AM
Subject: HB 4663

Messrs. Mead and Medina and Representative Huckleberry-

I am very encouraged to hear that the Agriculture Committee will be conducting at least one hearing regarding HB 4663. I am writing to you today to express my wholehearted support for this bill. I plan to attend the hearing on Wednesday, April 21, 2010, and express my support at that time, as well.

I am an attorney and council member with the Animal Law Section of the State Bar of Michigan and we have been looking forward to progress on this bill for some time. I practice in the area of animal law and have had experience dealing with a Class B dealer in Michigan and the USDA regarding issues involving the research dealers. I believe that the Class B dealers have outlived any usefulness they may have had, and the USDA appears ready to recognize this fact as well. Many research facilities have ceased utilizing animals from Class B dealers in favor of other methods and resources.

I urge you to pass this bill on to the full house for consideration and approval. Thank you for your consideration and effort in regarding this bill.

Very truly yours,

Richard C. Angelo, Jr., Esq.
Law Offices of Richard C. Angelo, Jr., PLLC
9459 Lapeer Road, Suite 101
Davison, Michigan 48423
(248) 202-3152
(866) 237-1602 FAX
rangelo@angelolawpllc.com
www.angelolawpllc.com