

NYS PLAN TO LICENSE RABBIT BREEDERS
A cautionary Tale for ALL Breeders (2004)

A9988 & S6903 are bills before the NYS legislature to regulate rabbit breeding. They would require **anyone selling more than 24 rabbits per year to be licensed as a pet dealer**, pay \$100 per year (likely to be raised), submit to mandatory inspections, and adhere to husbandry standards drafted for pet stores and impractical for rabbits. This bill is a near carbon copy of a model pet store law drafted by an animal rights organization in CA. The ASPCA assisted in drafting the NYS version and is supporting passage. The ASPCA in the past has made statements that they are opposed to rabbit breeding and work closely with anti-breeder rabbit "rescue" groups.

The current pet dealer law covers pet stores and breeders who sell cats and dogs. Breeders selling more than 24 cats or dogs per year are required to be licensed. This bill actually affects all animal breeders. The bills change the definition of "animal" from cats and dogs to "any nonhuman vertebrate species, including but not limited to dogs, cats, birds, rabbits, guinea pigs, hamsters, snakes, iguanas, and turtles". This shows how important it is for us to oppose bills that start out only targeting dogs and cats because at a later date they can include us.

Hobby cat and dog breeders apparently did not oppose the bill because they felt the licensing threshold of 24 would exempt the hobbyists. When I contacted the CFA they told me that although their organization opposed the bill and testified against it they were unable to motivate their members in NY to actively oppose it. I think this is actually good news, it shows that the reason it passed was a lack of opposition by state fanciers, not due to animal rights power. If the majority of rabbit breeders actively opposed it through letter writing or phone calls we can surely defeat it. Most people do not support the animal rights movement or it's goals.

The legislators sponsoring A9988/S6903 have not changed the number to reflect the differences in other species regarding how many are sold per year to require a license. Which should serve as a warning to all of us, legislators do not understand the differences between breeding dogs and cats and breeding rabbits or other animals. We must educate them and not allow them to gather all their information from animal rights groups.

According to a recent survey **OVER 80% OF HOBBY RABBIT BREEDERS** will be required to be licensed under this bill. This will have serious ramifications on our hobby. Many areas have zoning laws prohibiting running a business out of your home and may view a licensed "pet dealer" as a business. You will then be prohibited from even raising rabbits. This bill also does **NOT exempt sales for meat or sales to livestock auctions**. It does not exempt sales to other breeders. Why should sales as livestock be counted towards defining a pet dealer? This bill will also have a negative impact on commercial meat breeders.

Commercial pet breeders are already regulated via the Animal Welfare Act, a federal law. If you gross \$500 or more in sales to non-direct sources you are required to be licensed by the USDA. Sales as meat or fiber are exempted as are sales direct to pet owners or to auctions. An indirect source would be considered a pet store or a pet dealer. We do not need to have additional regulation for hobby breeders or commercial breeders on the state or local level. One of the reasons animal rightists want laws like this passed is it will end up making breeding too costly for hobbyists to pursue. If you can imagine having to be licensed and pay license fees on the federal, state, and local level you can see how breeding could become something only the rich could afford. Also there are costs associated with regulation that hobbyists won't be able to swallow.

I do not believe that we need to regulate away commercial pet breeders, pet stores, or even the so-called backyard breeder. Despite the propaganda that it will ensure humane treatment and responsible breeding in the real world it doesn't. For one those not treating animals humanly are unlikely to get a breeding license. Second the people it hurts are hobby breeders who aren't breeding for money. A business can easily absorb the licensing fees and costs to adhere to standards written for a commercial facility. From the hobby rabbit breeder standpoint many of the regulations will be costly to implement in our rabbitries. For example it

mandates surfaces in facilities be impervious to moisture. If applied it may mean no more dirt floors in barns, no worm beds either.

Regulations for temperature may require breeders to heat and cool their rabbitries to prevent temperatures from falling below freezing, no more outdoor hutches. We will be forced to hire a veterinarian for our "facility" and rabbits would be required to be treated by said vet. Records would be required to be kept on the source of each rabbit and name and address of who it goes to. We would have to keep weaned litters separate from does for at least two weeks before selling due to the confusing way the weaning section is written. It is already current law that rabbits in NYS not be sold prior to 8 weeks of age. Inspections are mandated but there is nothing about who exactly trains the inspectors, it could be groups opposed to breeding which opens a whole other can of worms.

It also forces breeders to give up their constitutional rights to privacy by requiring inspections of our homes and rabbitries. They do not have husbandry standards specific for rabbits in this law which means you will be at great risk of having your animals confiscated if they don't approve of what you are doing. GA breeders who are required to be licensed have complained of being cited for having hanging wire cages although the laws there do not state they are incorrect. Also the licensing fee is expensive and since NYS can't currently afford to inspect all the cat and dog pet dealers expect the fee to skyrocket once they add all the other animal breeders and stores to the law. Historically these licensing programs never work and never are self supporting without huge increases in the yearly fee.

THINK YOU CAN DUCK ENFORCEMENT? Maybe...for awhile. But if a local SPCA gets a complaint about you they will report you to the state as an "illegal breeding operation" as is currently happening with dog breeders. People opposed to rabbit breeding such as rabbit "rescuers" will no doubt be watching us. Writing down our names and addresses and how many rabbits we advertise for sale at shows and on our websites, or print ads and will turn us in to the state. Sales to livestock auctions or pet stores leave an easy paper trail to follow. **If we let this law pass we will be living in fear of the authorities** for the rest of our breeding careers. Is this what we want? Our youth will also be subjected to these same regulations. How many new breeders or youth will have any interest in pursuing rabbits when they will face such regulation?

AFRAID TO SPEAK OUT? Don't be, this is America and you have the right to oppose bad legislation. Also the NYS Farm Bureau has assured us that legislators will **NOT** keep a list of people opposing this bill to use to come after you if it passes. The Farm Bureau legislative chair has said **it is crucial that rabbit breeders send opposition letters** if we want to defeat this bill and we should have no fears about doing it. The rabbit industry has already come under the attention of both legislators and animal rights activist groups. If we don't start opposing bad laws we will end up losing our beloved hobby.

We can win this battle, we can defeat this bill, but it will take a little bit of effort from each of us. Out of state breeders can also help out. Although an out of state letter doesn't receive as much weight as a residents if enough send letters it will help to defeat the bill. Our biggest challenge right now seems to be getting breeders to write letters and sign petitions. We also could use opposition letters from all the state specialty and all breed clubs. I know some have said they are afraid to voice opposition but if you don't this bill will pass.

We have been successful this year in getting the NYS Farm Bureau involved and they are opposing the bill. We succeeded in stalling it in both committees. It will be reintroduced post elections but if enough of us voice our opposition I'm sure the legislators will rethink it. What we need to do is if possible kill the entire bill, if not we need to exempt all rabbit breeders. If not that we need to raise the licensing threshold and exempt sales for meat and to livestock auctions.

WHAT YOU CAN DO TO SAVE RABBIT BREEDING

-Send a letter opposing A9988/S6903 to your senator and assembly member, tell them **no regulation of breeders period!**

-Send a copy to the bill sponsors

Assemblymember Paulin, paulina@assembly.state.ny.us, 700 White Plains Rd Suite 252, Scarsdale NY 10583

Senator Robach Robach@senate.state.ny.us, 2300 W. Ridge Rd, Rochester NY 14626

-Send another copy to the chair of the assembly Agriculture committee & the Senate Consumer Protection committee where the bills currently reside.

Assemblymember Magee, mageew@assembly.state.ny.us, 214 Farrier Ave, Oneida NY 13421

Senator Fuschillo, Fuschill@senate.state.ny.us, 30 South Ocean Ave, Freeport NY 11520

-Let other rabbit breeders, animal breeders, feed stores, equipment suppliers, pet stores, etc know about this bill and urge them to oppose it

-Sign petitions opposing these bills currently being circulated in NYS or request a copy

-Urge your current and past rabbit customers to send opposition letters and get their signatures on petitions

-Join the NYS Animal Owners group to help oppose this and other legislation that impacts rabbit breeders and other animal owners in the state. The NYSAO can be found at <http://groups.yahoo.com/group/NYSAO>

-Join the NYS Farm Bureau, they have a powerful lobby group and often beat bad bills. They are willing to represent rabbit breeders if we join them.

Complete text and status of both bills can be found at <http://www.assembly.state.ny.us> or <http://www.senate.state.ny.us>

In GA everyone breeding pet animals must be licensed. The exemption is for those who sell less than 25 adult rabbits (or other animals). In CO if you sell over 65 rabbits you are required to be licensed as a commercial breeder. The number was picked based on the numbers for other animals. They did not have information about rabbit breeders but I did send them the 2004 Rabbit Breeder survey that was done in response to the NYS bills. At this time I am not aware of any other states with rabbit breeder licensing although Maine is considering regulating all small animal breeders. This due to a cavy "rescuer" who lobbied to have cavy breeders regulated. A recommendation should have been filed in the legislature this year. Breeder licensing is like a cancer, once it gets in somewhere it spreads. And it doesn't work, I have information from the dog and cat world proving that it fails. Our biggest problem is getting breeders to oppose these laws. Will you the reader be part of the solution...or part of the problem? Only YOU can stop breeder licensing!

Update on the 2004 NYS Breeder Licensing Bill

In late 2004 I was notified that both the Assembly and Senate bills would not be reintroduced effectively killing them. The Breeding community successfully took on the ASPCA and defeated them!!

How did we do it? To start far too many rabbit breeders were afraid to voice their opposition. Many felt it was a "done deal" so it was better to say and do nothing so they wouldn't be found and could operate illegally once it became law. But it was far from a "done deal", it was defeated. Many feared signing petitions that a handful of breeders circulated at rabbit shows. However we were able to get a couple hundred signatures including out of state breeders attending our NY shows.

The biggest assistance came from the NYS Farm Bureau. I contacted them about representing rabbit breeders and opposing these bills. The Farm Bureau felt rabbits were a natural fit so they welcomed us. The legislative representative also drafted and sent a letter to NY legislators opposing the bills. They also kept me up to date on what was going on with the bill. I joined the Farm Bureau in 2004 and feel they are an invaluable ally for rabbit breeders. I encourage all breeders to become members.

The final nail in the breeder licensing bills was a snail mail information packet that we created and mailed out to all ARBA members in NY. I'm sorry to say the ARBA did not assist us in getting the names or alerting members. Nor did the NYS RBA as far as I know. It cost several hundred dollars to prepare and mail out the packet. We included a cover page explaining what was going on and what the bill would mean to rabbit breeders. We included 2 pre-addressed and written postcards. They were addressed to the two chairs of the Senate and Assembly Agriculture committees where the bills resided. The postcards stated opposition to the bill and breeders could sign and mail it.

Feedback I received indicated that many NYS breeders mailed it in, including those who were fearful of voicing opposition. The postcards must have made an impact. After we sent the

packets out I sent in an opposition report and copies of the petitions. Within a few weeks I received a call from the Assembly bill sponsor that she would not be reintroducing the bill and please let the rabbit breeders know.

I would encourage breeders when faced with negative legislation to organize and get the word out. Get the Farm Bureau involved. Get petition signatures and send out snail mail packets with pre-printed opposition letters or cards for breeders to mail in. The downside to this is it costs money. We did ask for and received some donations but it wasn't close to covering the costs. However the NYS 2004 experience proves that rabbit breeders can defeat bad legislation. If more of us are willing to work it will be an easier task, but even just a handful of people can make a huge difference.