

Discussion Leaders



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WELCOME!

New Hampshire's "Birth Deformity/Brachy Bill" *Post-Mortem Discussion*

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Dog Owners of the Granite State
Protecting the Rights of Animal Owners in NH



www.nhdogs.org

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Agenda

Animal Rights & European Laws
Sheila Goffe, AKC

NH HB 1102 – The Details
Angela Ferrari, NH D.O.G.S & Stacey Ober, AKC

**Reflections & Assessments:
Strengths, Gaps, & Threats**
Stacey Ober, J.D., AKC

**Reflections & Assessments:
Opportunities and Recommendations**
Phil M. Guidry, J.D., AKC

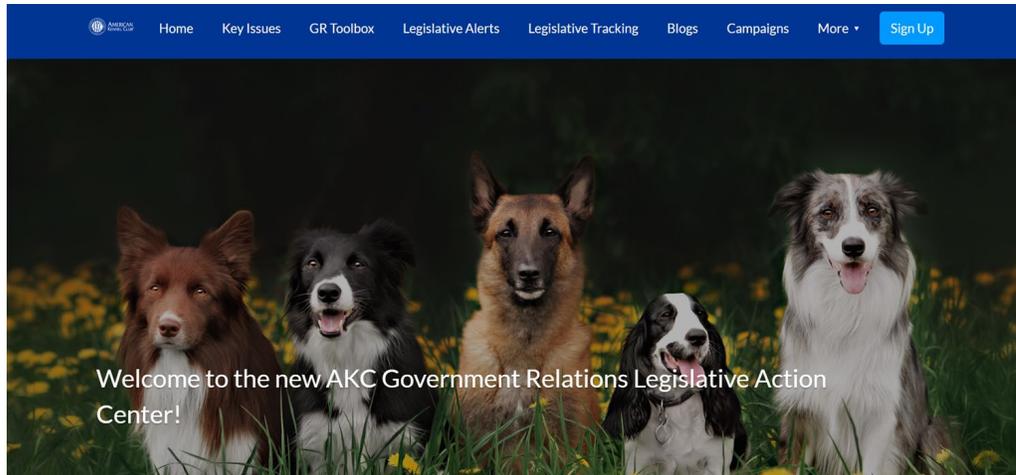
Q&A, Open Discussion



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Animal Rights and European Laws



Top Legislative Alerts

- Michigan: Urge Committee to Oppose Troublesome Non-Economic Damages for Service Dogs Bill before Wednesday Hearing
- Understanding CDC's New Rule for Bringing Dogs into the United States
- U.S. Congress Constituent Alert: Contact Congress Now to Support Base Text of House Farm Bill
- Ohio: Bill To Change Definition of 'High Volume Breeder' Introduced
- See all alerts

Learn more about AKC GR and the AKC GR Legislative Action Center at www.akcgr.org.

Animal Rights & Anti-Breeder Legislation are an existential threat to our breeds, our events, and our way of life.

New legislation isn't just attacking breeders, it's attacking the breeds themselves.

The role of AKC Government Relations: Work with club members, dog breeders, and enthusiasts to advocate for responsible, non-discriminatory policy that advances the purebred dog, benefits all dogs and dogs owners, and protects the future of our breeds and our sport.



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European Laws:

Germany's “Qualzucht”/ Torture Breeding”

- “If pain, suffering, damage, or behavioral disorders are caused in the breeding of animals and can thus be traced back to the promotion of traits, this is called “torture breeding”.
- “Disorders” include: Chondrodysplasia, hairlessness, merle, brachycephaly, excessive skin wrinkling, hip dysplasia, eye issues, deafness, and many others.
- Artificial insemination may be seen as “mutilation”.



Extreme Breeding Laws in Europe

Country	Existing Laws on Extreme Breeding	Prohibiting Breeding	Bans on Certain "Extreme" Features	Bans on Certain Breeds	Ownership Bans
Belgium 	✓	✓	✓	✓	✓
Germany 	✓	✓	✓		
Greece 	✓	✓	✓		
Spain 	✓				
Luxemburg 	✓	✓	✓		
Netherlands 	✓	✓	✓		
Austria 	✓	✓	✓		✓
Finland 	✓	✓			
Sweden 	✓	✓	✓	✓	
Norway 	✓	✓			
Switzerland 	✓	✓	✓		
United Kingdom 	✓	✓			



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European Restrictions: Points to Consider

- History of legislative compromise with AR.
- Impact of weak/no defense against AR narrative.
- Breeders/Fancy believed wouldn't affect them – didn't show up to fight.
- Similar legislation in US for 15+ years.
- Are our standards truly clear about importance of health & function to protect our breeds?
- More public & judges education needed?
- What can we do better?



New Hampshire House Bill 1102



Bill Text



Animal Cruelty: Breeding Deformities – Amends RSA 644:, III (g-h):

A person is guilty of a misdemeanor for a first offense, and of a class B felony for a second or subsequent offense, who: ...

(h) Sells an animal that has a birth deformity that causes suffering, **such as brachycephaly,**

or

the intentional breeding with the intent to sell, 2 individual animals with the same birth deformity that causes suffering, **such as brachycephaly;**...

March 6, 2024 - Public Testimony

- Opposition Strength Obvious in Committee Room.
- Opposition testimony outnumbered support testimony 4-to-1!
- Committee's concerns with bill evident in comments. Likely Committee's report would recommend "inexpedient to legislate (ITL).



Above NH D.O.G.S. President Angela Ferrari (*standing*), is a painting of a Chinook, New Hampshire's state dog. NH D.O.G.S. presented the painting as a gift the House Environment and Agriculture Committee in April 2022.

March 13, 2024 - Cmte. Decision Day

- Sponsor circulated draft text to amend bill.
- Amendment never formally introduced or accepted by Committee.
- Committee majority voted 14-to-6 to ITL; minority recommended further study.
- Significant change in view by some committee members.

Draft amendment

- *Reduced penalties to a violation.*
- *Prohibited the breeding of a dog of an “extreme brachycephalic breed likely to pass on the genetic condition of BOAS” (unless verified as not suffering from BOAS).*
- *Defined “extreme brachycephalic breed likely to pass on the genetic condition of BOAS” as French Bulldogs, English Bulldogs, and Pugs.*

Suggested Actions by Some Committee Members During Decision-Making Hearing



“There is a problem - if breeders are not careful, they can breed dogs that congenitally suffer”.

“These dogs that drool a lot, Newfoundlands and St. Bernards, they are also brachycephalic. If we make a NH model bill, we could present it to our members of Congress and discuss it for a national response.”

“Require all prone dogs be genetically tested prior to breeding.”

“NH can help breeders reduce the extreme breed standards and be out in front on this.”

“Make AKC change the breed standards in order to allow events here.”

“We want to see a larger national response, but NH could be the trend setter!”

“Reduce the financial incentive to breed popular dogs suffering with extreme features; its torture breeding.”



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March 28, 2024 - Final Day for House Action

Bill scheduled for House debate and vote.

By vote of 232-to-140, House tabled the bill, effectively ending its consideration for the remainder of the session.



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Reflections & Assessments

A small white and black dog, possibly a French Bulldog, is sitting on a sandy beach. The dog is facing right, looking out towards the ocean. The background shows a calm sea under a clear sky. The word "Strengths" is overlaid on the right side of the image in a large, blue, sans-serif font.

Strengths

Advocacy Strengths



NH D.O.G.S.

Leadership

Passion

Numbers



EXPERTISE

History

Knowledge of Breed Standards



EDUCATION

Parent Club Websites

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Advocacy Strengths



CLUB MEMBERS ETHICS

- Leadership
- Passion
- Numbers



EXPERT TESTIMONY

A seasoned NH Veterinarian with animal cruelty investigation expertise.



ENFORCEMENT DATA

3 Years of NH pet-related consumer complaint data from NH Attorney General, only 1 dog breeder complaint for a congenital heart defect.



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Advocacy Strengths

Canine Health Funding, Research, and Testing

- Respiratory Function Grading Scheme.
- BOAS testing certification (NO NH vets yet).
- History of funding and participating in research to develop solutions to health issues.

		DOG ONE (sire or dam)			
		Grade 0	Grade 1	Grade 2	Grade 3
DOG TWO (sire or dam)	RFG Grade for each dog				
	Grade 0	Green	Green	Green	Red
	Grade 1	Green	Green	Green	Red
	Grade 2	Green	Green	Yellow	Red
Grade 3	Red	Red	Red	Red	

Green — these mating combinations have the lowest risk of producing puppies affected by BOAS

Yellow - a Grade II to Grade II mating will increase the risk of producing puppies affected by BOAS

Red — these mating combinations have a high risk of producing puppies affected by BOAS and are not recommended



Reflections & Assessments

A small white and black dog, possibly a French Bulldog, is sitting on a sandy beach. The dog is facing right, looking out towards the ocean. The background shows a clear blue sky and the shimmering surface of the water. The word "Gaps" is overlaid on the right side of the image in a large, dark blue font.

Gaps

Overview of Advocacy Gaps



Clubs

Communications

Trust



Relationships

Lawmakers

Veterinarians



Policy Solutions

Research

Consensus

Club Gaps - Communications

- Identifying and engaging NH club member contacts.
- Outreach and coordination with regional breed clubs' NH members.
- Some volunteers' inability to produce timely, thorough, and reliable work product.
- “AKC owns the breed standards” testimony/website.
- No media spokesperson.



Club Gaps - Trust

- Trust non-member NH breed resident to appear at hearing to deliver club statement.
- Scuffle over roles and need for work product credit.
- Unresponsive to AKC due to unrelated conflicts or history.
- Uncertain enforcement of club ethics on recommended health testing, etc.



Relationship Gaps



Lawmakers

No dog show experience
No understanding of what goes into breeding
healthy litters



Veterinary

Testimony divided

Policy Solution Gaps



Limited Research

Can we fund an objective study on brachycephaly and the BOAS correlation?



No Consensus

Can we coalesce around an alternative acceptable policy solution to propose?

Place puppy contract criteria into consumer protection laws?

Could it decrease bad actors who produce and sell unhealthy dogs?

Reflections & Assessments



Threats

Foreseeable Threats

- Re-filed state legislation.
- Federal legislation filed.
- Unhealthy dogs.
- Suffering animals are an emotional ripcord.
- Undereducated lawmakers.
- Trust issues.
- Underestimating risks and impacts of new laws.



Foreseeable Threats

- What if your breed was banned?
- What if you were required to cross breed in order to produce longer muzzles?
- What happens to your breeding program if your line tests positive for a recessive gene trait?
- Are those dogs no longer available to the gene pool?
- How long would you need to wait before breeding if there is no genetic test and your breed's defect only shows up much later in life?



Reflections & Assessments

A small white and black dog, possibly a French Bulldog, is sitting on a sandy beach. The dog is facing right, looking out towards the ocean. The background shows a clear blue sky and the shimmering surface of the water. The overall scene is bright and serene.

Opportunities

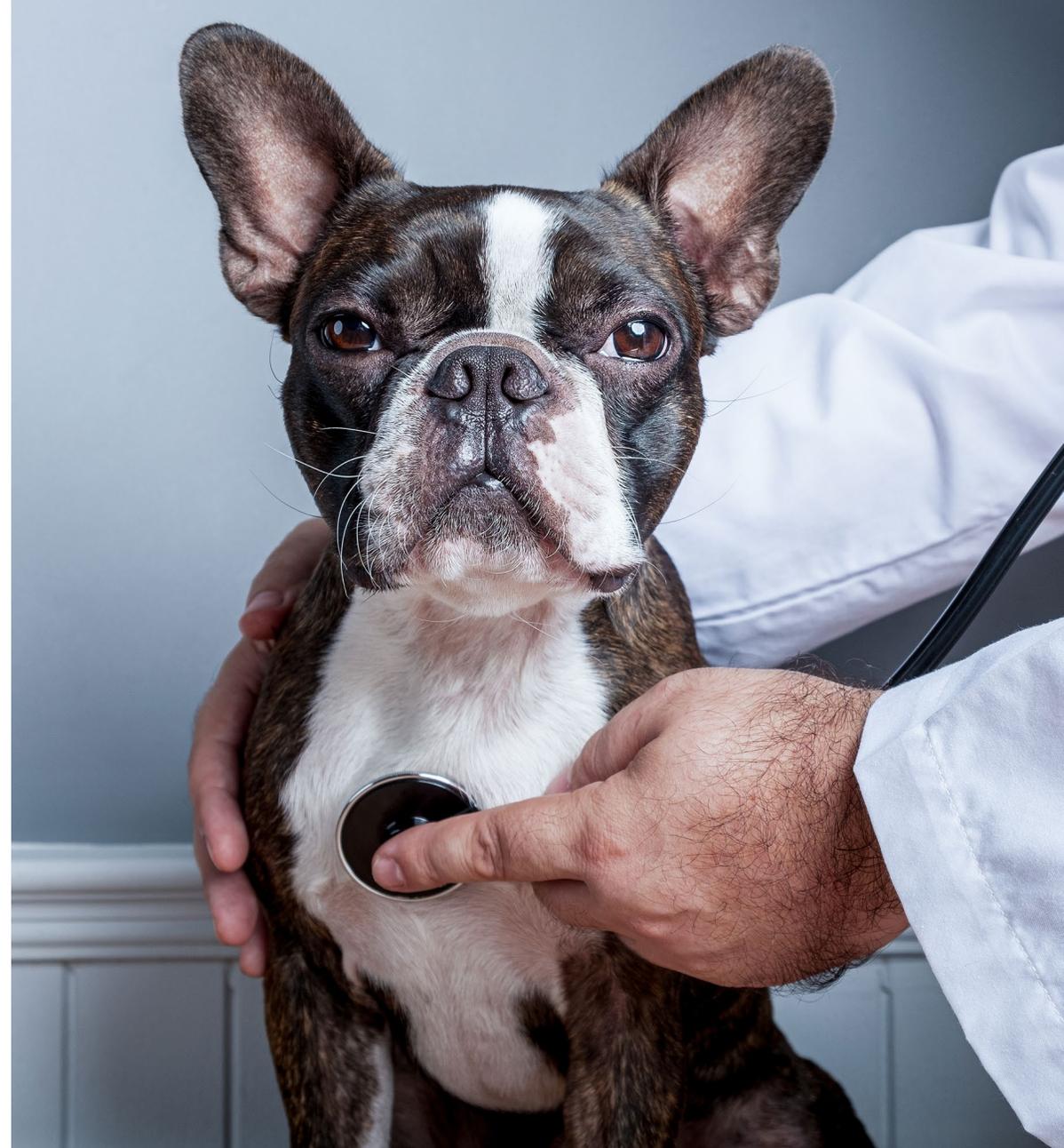
Advocacy Opportunities: Breed Standards

- Review and update club websites to reflect that breed standards are owned by clubs, not AKC.
- Do standards need updates to remove “extreme”, or comparative explanations why “extreme” is used?



Advocacy Opportunities: Breed Health

- Conduct literature review and research on breed's health issues, draft statement of club activities addressing it.
- Publish information about what health studies have already been funded.
- Help fund additional research.



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Advocacy Opportunities: Public Events

- Engage lawmakers: Invite them to attend shows, create opportunities to educate, offer PR.
- Host local Meet the Breeds event.



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Advocacy Opportunities: Club Operations

- Examine how your club enforces its ethics rules.
- Parent clubs: Conduct a membership recruitment campaign.
- Hire PR assistance, utilize resources.
- Organize club communications, create written role descriptions.
- Parent Clubs: Create connections/ liaisons with regional/local breed clubs.

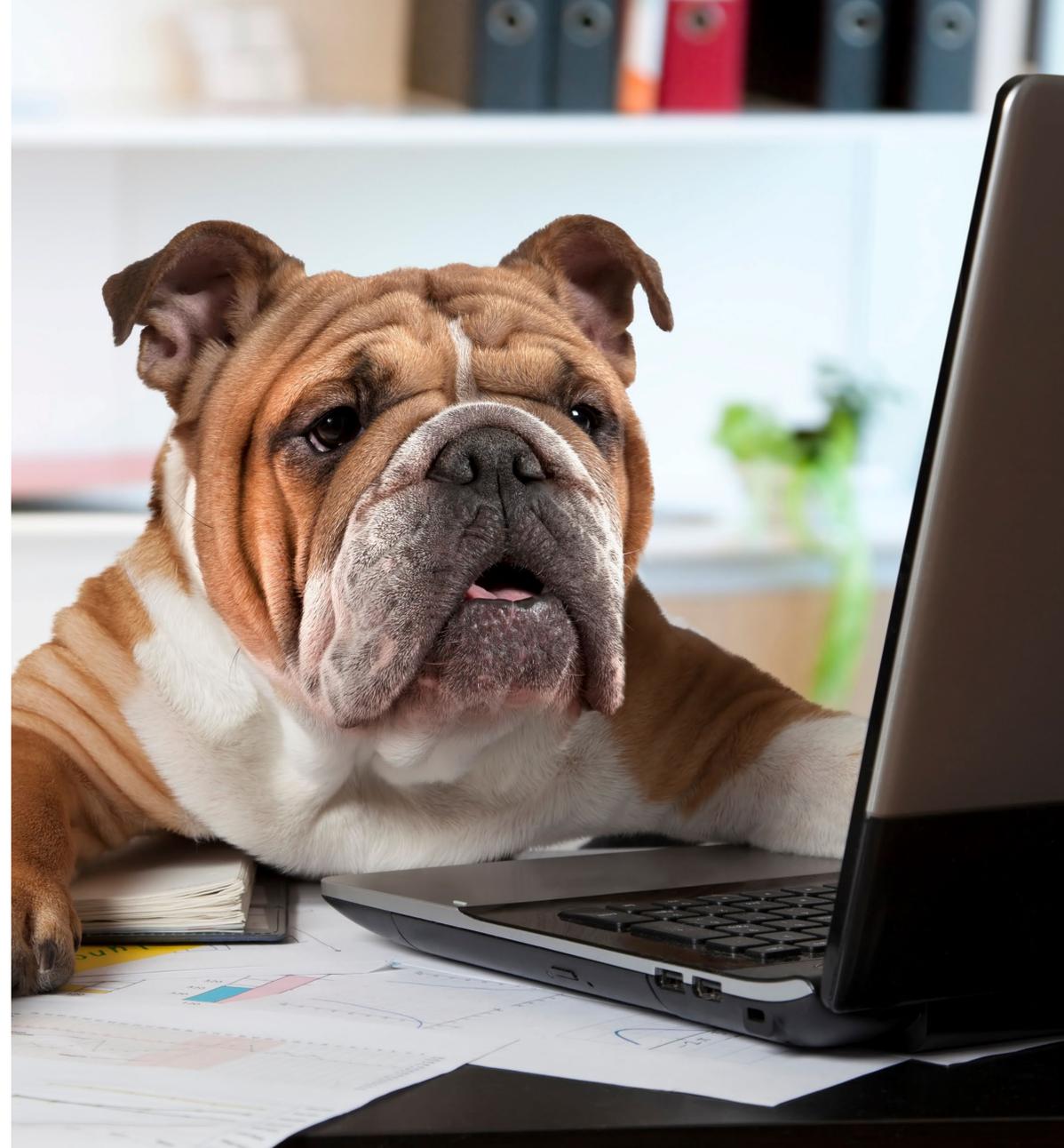


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Advocacy Opportunities: Policy Alternative

Consumer Protection (i.e., “Puppy Lemon Law”) Legislation:

- Equitable and fair minimum standards.
- Codify honoring of more specific puppy sales contracts.



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Release the Hounds!

(aka, Q&A/Open Discussion)





Thank you for joining us!

For more information:



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