



By Arjun Joshi



Callie, age three, photo courtesy of Jenn Levito

When Jenn Levito, of Dresher, Montgomery County, adopted her German Shepherd, Callie, from the local rescue organization, she immediately knew that something was wrong. Callie was 7 months old at the time and she couldn't sit, lie down or relax unless she was in a crate. The rescue organization told Levito that Callie's former owner had purchased her from a puppy mill.



Victoria's Law:

Changing the Direction of Pennsylvania's Pet Market

By Dara Lovitz

A puppy mill (also known as a puppy farm) is a commercial breeding facility that maximizes profits by disregarding the health and welfare of its animals. Often with rotting cages stacked one on top of another that are rarely cleaned; intensive confinement of dogs who don't have enough space in the cage to stand up; insufficient food, water and fresh air; and inadequate (or nonexistent) veterinary care, puppy mills are notorious for their deplorable conditions. They sell through outlets that allow their cruelty to remain hidden, like pet stores and internet sites.

Levito observed that Callie seemed scared — really scared — all the time. “She was afraid of everything,” Levito explained. “Callie is

now 3 years old and we work on her anxiety every day, all day, but she still seems so frightened all the time.” Callie also bites at her side, sometimes breaking the skin, and chases her tail incessantly.

According to Dr. Franklin D. McMillan, veterinarian and author of the article “Psychological Characteristics of Rescued Puppy Mill and Hoarded Dogs,” compulsive behaviors such as tail chasing and self-mutilation are common among dogs from puppy mills.

“We try so hard to gain her trust and to help her feel safe enough to not engage in these behaviors,” Levito lamented, “but whatever she went through at the puppy mill seems deeply ingrained in her.”



Sophie died two weeks after purchase, photo courtesy of Nicole Latta

Puppy mill dogs often suffer serious illnesses and injuries and die at an early age as a result.

In addition to exhibiting distressing psychological behaviors, puppy mill dogs often suffer serious illnesses and injuries and die at an early age as a result.

Nicole Latta, of Aston, Delaware County, purchased a Shih-Poo puppy from Booths Corner Farmers Market in August 2020. She named her Sophie. A week after purchase, Sophie started vomiting through the night. At the emergency room, she tested positive for parvovirus, from which she died after three days in the intensive care unit.

Parvovirus is a highly contagious infection that manifests in vomiting, diarrhea, fever, and/or difficulty breathing. Puppies and senior dogs have a higher risk of dying from the disease because they have less body fluid in ratio to their body weight.

Parvovirus is spread through a dog's feces. A dog becomes infected when it comes into contact with an infected dog's feces (e.g., drinking from a contaminated bowl or licking its foot after stepping in the feces). The virus spreads easily among dogs that share close quarters. Parvovirus is rampant in puppy mill dogs because the dogs are intensively confined and visits from veterinarians are rare.

Latta created an online petition to shut down Booths and, in support of it, signatories made comments such as, "Our King Charles Spaniel Tucker who was purchased at Booth's Corner passed away from seizures at a young age" and "Came home [from the pet store] and just a day later with our new puppy to what looked like she was about to die [sic]. Took her to our vet and she tested positive for parvo and canine flu."

There are approximately 10,000 puppy mills in the United States; fewer than 3,000 of them are regulated by the United States Department of Agriculture (USDA).

USDA's (Lack of) Protection

The USDA is charged with enforcing the federal Animal Welfare Act (AWA). The AWA aims to, in pertinent part, "insure that animals intended ... for use as pets are provided humane care and treatment." Yet its rules governing dog breeding facilities hardly do so. Under the AWA, puppy mills and other breeding facilities may deny dogs adequate exercise, fresh air and socialization; expose dogs to frigid or sweltering temperatures for up to four hours; forcibly impregnate dogs over and over again without limit; and confine dogs to cages only six inches larger than their bodies.

The USDA, through its Animal and Plant Health Inspection Service, is in charge of inspecting facilities to make sure they comply with the above weak regulations. In Spring 2020, USDA representatives told USDA stakeholders that it had only 95 inspectors on staff who were charged with

overseeing more than 8,000 pet dealers, exhibitors and research facilities. The inspectors are instructed to follow the “teachable moments” policy, which provides that if they see certain instances of noncompliance, they don’t have to record it on their inspection report. They can thus ignore infractions that do not cause “noticeable pain or distress to an animal.” (Emphasis supplied.)

Pennsylvania’s (Lack of) Protection

According to the USDA’s January 2021 accounting, Pennsylvania has 136 licensed puppy mills. In fact, the commonwealth is among the top 10 states in the country with the highest number of licensed commercial breeders. Generally speaking, for every licensed puppy mill, there’s at least one unlicensed one, so an exact number of large-scale breeders is simply impossible to calculate.

Pennsylvania’s “Dog Law” offers greater protection than the AWA to dogs at breeding facilities. Under Pennsylvania law, the dogs’ cages must not have sharp edges that could injure the dogs, must allow for the dogs to stay dry and clean, must protect dogs from inclement or dangerous weather and must “provide space to allow each dog to turn about freely and to stand, sit and lie in a normal position.”

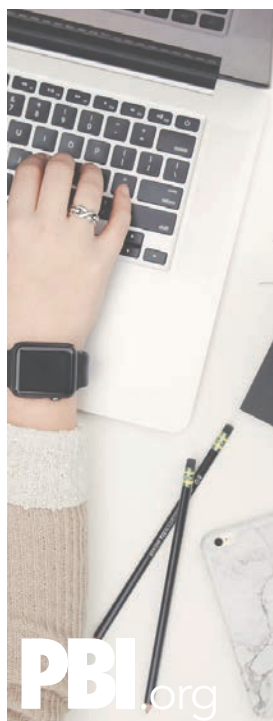
But while breeding facilities and puppy mills in Pennsylvania must comply with the Pennsylvania Dog Law, out-of-state breeders do not. And Pennsylvania pet stores are permitted to sell dogs that are imported from out-of-state breeders. In fact, thousands of puppies cross state lines every year to be sold in Pennsylvania pet stores.

Enter Victoria’s Law

With much bipartisan support, Senate Bill 234, has been introduced by Sen. Kristin Phillips-Hill (R-28) and Sen. Lisa Boscola (D-18) and is backed by an additional 27 co-sponsors. The legislation, called Victoria’s Law, would change the direction of Pennsylvania’s pet market. Under the law,

pet stores would not be permitted to sell commercial breeding facility dogs, cats and rabbits; rather, their market would be shifted to more humane sources, like shelters and rescues. The provisions would require pet stores to only source dogs from rescues that are registered as 501(c)(3) non-profits and that do not breed dogs or purchase dogs from breeders.

According to Phillips-Hill’s and Boscola’s December 2020 memorandum: “Pennsylvania puppy-selling pet stores could thrive by converting to a more humane business model, and organizations such as the Humane Society of the United States (HSUS) have programs to help pet stores with that transition. Former puppy-selling pet stores that have partnered with the HSUS have



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Laws prohibiting the sale of dogs and cats in pet stores have been upheld in several federal courts.

collectively adopted out nearly 35,000 homeless animals; which equates to 35,000 less mill puppies sold too. More than 370 localities in the U.S., including Pittsburgh and Philadelphia, as well as the states of California, Maryland, and Maine have passed similar laws.”

This bill will protect consumers from being duped into supporting puppy mills by requiring advertisers to include license numbers on their advertisements. It would give enforcement officers an opportunity to identify unlicensed breeders, as well as offer an extra incentive for breeders to comply with the law.

The Namesake

Victoria was a German Shepherd who was rescued from a Pennsylvania puppy mill after 10 years of intensive and repeated breeding. By the time she was rescued, she was completely paralyzed as a result of a genetic, neurological disorder called

Degenerative Myelopathy. She passed that disease down to the estimated 150 to 200 puppies she labored and delivered.

Opposition to Victoria’s Law

Puppy-selling pet stores and industry trade groups will be expected to fight this legislation again this year. Many dog owners are surprised to learn that the American Kennel Club (AKC) opposes policies like Victoria’s Law. The AKC is best known as the governing body of dog shows and the registry hub for purebred dogs. A large percentage of the AKC’s fees come from dog breeders (many of which are puppy mills). That likely explains why it spends millions of dollars in campaign donations and lobbying efforts to oppose animal-protective legislation like Victoria’s Law. The AKC has opposed a Rhode Island bill that would prevent dogs from being tethered more than 14 hours a day. It opposed a Massachusetts “cost of care” bill that set forth rules for law enforcement to seize an-



Victoria, the inspiration for Victoria’s Law, photo courtesy of Steve Herbert



imals from people suspected of animal cruelty and that would charge those convicted with animal cruelty with the cost of caring for the sick and injured animals. It opposed a law in Louisiana that forbade breeders from stacking wire cages. These are a few examples from a large collection of instances where the AKC has put money and political influence behind efforts to combat laws that protect animals by regulating breeders.

Is Victoria's Law Constitutional?

Laws prohibiting the sale of dogs and cats in pet stores have been upheld in several federal courts. Pet store plaintiffs claim that ordinances banning the sale of dogs violate, inter alia, the (dormant) Commerce Clause as well as their equal protection and due process rights. The federal courts have consistently dismissed the suits. In fact, as of the writing of this article, not one pet store ordinance has been struck down as unconstitutional.

Victoria, Callie, Sophie and Millions More

When Jenn Levito and her family made the mental connection between Callie's debili-

tating anxiety and the puppy mill from which she came, they became motivated to make a difference. They started educating others about Victoria's Law — personally identifying with it because Callie, like Victoria, is a German Shepherd. For her Silver Award as part of the Girl Scouts, Levito's daughter's project was titled "Emptying the Shelters by Ending Puppy Mills."

Levito says, "I can't comprehend how humans have grown and developed so much yet we sit back and allow such atrocities to continue to happen. There are millions more dogs like Callie — like Victoria — who need our help." 🐾

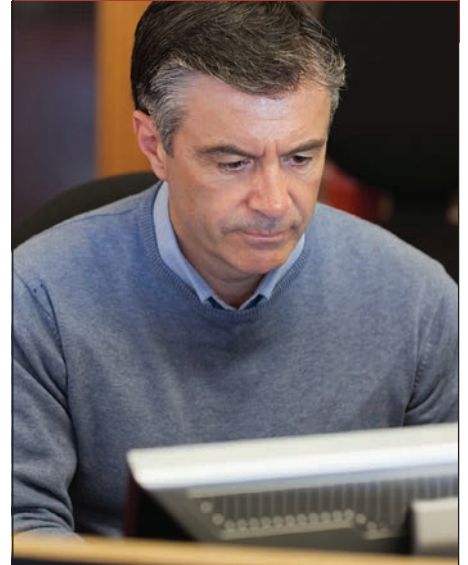
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