



Testimony of: Deborah A. Howard, Founder/President, Companion Animal Protection Society (CAPS)
Submitted to: House Committee on Business and Labor
Regarding: HB 2915 which prohibits retail pet shops from offering to sell or selling dogs or cats
Date: February 12, 2023

Chairman Holvey, Vice-Chairwoman Elmer and Honorable members of the Committee, on behalf of CAPS and its supporters in Oregon, I thank you for considering my testimony on behalf of HB 2915, with qualified support. We strongly urge you to remove the grandfather clause in the bill.

Mission

Founded in 1992, the Companion Animal Protection Society (CAPS) is the *only* national nonprofit dedicated *exclusively* to protecting companion animals from cruelty in pet shop and puppy/kitten mills. CAPS addresses animal suffering through investigations, legislation, education, media relations, consumer assistance, shelter reform and rescue.

Background

When consumers buy puppies and kittens from pet shops, they condemn the parents to further inhumane treatment in mills – large commercial breeding facilities, most of which are USDA-licensed, that mass-produce puppies and kittens for resale in pet shops and online. By its very nature, the pet shop and puppy/kitten mill industry creates an endless cycle of animal overpopulation, mistreatment, and consumer deceit, causing needless shelter euthanasia and costing defrauded consumers millions of dollars each year.

CAPS' Expertise

With decades of experience focusing exclusively on all aspects of the pet shop and puppy/kitten mill industry, CAPS is uniquely qualified to provide expert testimony and investigative evidence. We have strong relationships with key players in all levels of government, other nonprofits, and the media. CAPS is the *only* national organization that investigates *inside* USDA-licensed dog and cat breeding facilities (more than 1,000 to date). Our investigators have worked undercover at the largest USDA dog broker in the country and at the most notorious dog broker/breeder, who had a facility with 900 adult dogs and 400 puppies and was convicted and lost her USDA license based on our evidence.

Ordinance Work

CAPS has generated and worked on municipal ordinances banning the retail sale of pet shop puppies, kittens and IB in cities and states across the country. Times and Newsweek have covered CAPS' work as the *national* leader in the pet shop ordinance movement. Since our West Hollywood ordinance passed in 2010 – the genesis for the ordinance movement in the United States and Canada – municipalities in the United States and Canada have passed more than 400 ordinances.

Pet Shop Investigations

CAPS is well-versed in pet shops that sell puppies and kittens. Two of our investigators worked undercover at Petland franchises. "Dateline" featured some of our Petland evidence in the hour-long segment, "A Dog's Life," which took 13 months of close work between the producer and CAPS. The exposé, which examined every aspect of the pet shop/puppy mill industry, won a Genesis award. CAPS has conducted undercover investigations of *every* pet shop selling puppies/kittens in New York, California, Massachusetts, Connecticut, New Jersey, Washington and Oregon, and around half of the pet shops in Florida. We have also investigated pet shops in numerous other states. After investigating the pet shops, we investigate the puppy and kitten mills selling to them.

Critter Cabana

In August and September of 2020, CAPS investigators went undercover to Oregon's two Critter Cabana pet shops (the only pet shops in the state) to gather evidence for retail ban legislation. Neither store would provide breeder information. Oregon's pet shop lemon law requires pet shops to provide breeder names, addresses, and USDA numbers to prospective buyers. The store must also tell them if the breeder had 0-2, 3-10, 11-39 or 40 or more litters in the year prior to the day the puppy being looked at was born.

The Critter Cabana website claims they use local breeders, yet cages stated that certain dogs were born in Idaho and Washington. A request to the state for Certificates of Veterinary Inspection (interstate health certificates) produced nothing. We believe the pet shop is transporting puppies across state lines without CVIs.

CAPS' lead investigator investigated the two Critter Cabana stores in October 2021. Employees at both stores fraudulently stated that conflict-of-interest laws superseded the state's pet shop lemon law, which is why they couldn't disclose breeder names. One employee inadvertently provided the name of a Catahoula breeder in Oregon. The CAPS investigator drove 90 minutes to this kennel, which was a run-down backyard breeding operation. The owners rent the home. With a facility that looks like this, it is no wonder that Critter Cabana doesn't want to disclose breeder names.

<https://www.caps-web.org/critter-cabana/>

A CAPS Investigation of Critter Cabana video exposé

<https://www.caps-web.org/critter-cabana-wilsonville/>

Critter Cabana Wilsonville investigation report

<https://www.caps-web.org/critter-cabana-newberg/>

Critter Cabana Newberg investigation report

<https://www.caps-web.org/slanc-catherine/>

Catherine Slaner investigation report

Grandfather Clause Needs to be Removed

In addition, CAPS' investigation of the three pet shops grandfathered into the Washington retail ban revealed deception about the source of puppies and the use of a large broker, J.A.K.'s Puppies, which sources from deplorable puppy mills, some of which CAPS has investigated. J.A.K.'s Puppies also created two fraudulent rescues to circumvent California's retail ban laws. We worked with the Iowa Attorney General to shut down these fake rescues.

<https://www.caps-web.org/washington-pet-shops/>

In light of Critter Cabana's fraudulent and misleading actions documented by our investigations and the failure of Washington's law to remove bad shop operators, we strongly urge the legislature to remove the grandfather clause from HB 2915.

Conclusion

Banning the retail sale of dogs, cats and rabbits in Oregon – and making shelter and rescue animals available through retail establishments and mobile adoption – will save lives. Many more people will have opportunities to meet and adopt these animals when they are available outside of shelters and rescue facilities. Please follow the lead of California, Maryland and New York by completely banning the sale of dogs and cats and not grandfathering in pet shops which continue to buy from the puppy and kitten mill industry or backyard breeders.

I urge the committee to vote to pass HB 2915 with the grandfather clause removed. This legislation will help put an end to the cycle of suffering created by the horrific pet shop and puppy/kitten mill industry. Thank you for your consideration.