

USDA INSPECTOR GENERAL REPORT

By Jim Hughes

Well, how do you like them apples!!! It would seem that the Office of Inspector General has done an audit of the Animal Welfare Act and has found itself disappointed by their lack of enforcement. Well, we have not been too happy with them either, but for different reasons. Now, if the OG is unhappy, and the Humane Society is unhappy, and the breeders that are regulated are unhappy, and the news media seems to be telling us that John Q. Public is unhappy, then I have a suggestion. Why don't we just eliminate APHIS altogether and save the taxpayers \$874 million dollars? Or at least the animal control portion for \$21 million dollars?

If no one is happy, at least the USDA inspectors must be inspecting fairly. When my boys were growing up, each claimed I was showing favoritism to the other. I figured if I could keep them both complaining, then I was doing a pretty fair job of walking down the middle.

In 1966, Public Law 89-544, the Laboratory Animal Welfare Act was passed by Congress. This act was amended in 1970 to P. L. 91-579, dropping the laboratory and just calling it the *Animal Welfare Act* to cover all warm blooded animals used in research, exhibition, and the wholesale pet trade. This law was again amended in 1976, again in 1985, and again in 1990. In 2002 and again in 2008 this law was again amended, each time adding new regulations or re-interpreting the old regulations. Now we are looking once again at proposed changes due to the I.G. report.

Of course, Senator Durbin is taking this golden opportunity to introduce the PUPS BILL. This is just a warmed over version of the PAWS bill that then Senator Santorum had introduced and nobody could live with. Much of the objectionable verbiage is left out of the PUPS bill or changed to make it more compatible. I feel that this one might pass, due to all the bad publicity that H\$U\$ has thrown our way. The big selling point is that it is designed to close the loophole allowing the internet sales breeder to escape regulation.

I have always believed a fact that I was taught in college, "Those that can, do, those that can not, teach, and those that can do neither, work for the government". I have associated with many Veterinarians over the span of my life. In fact, I had always intended to go to vet school until I finally realized that I wanted to raise animals, not doctor somebody else's. But the practice of Veterinarian Medicine is an honorable profession and I encourage young high school students to consider it as their life work.

We now must consider a term I came across the other day. It was a reference to the political lawyers that graduate from Harvard or other Ivy League schools. I interpose it to the veterinarians who work as government regulators for the Department of Agriculture or as inspectors in poultry and meat processing plants. "High I.Q. Morons" fit the bill nicely. These H.I.Q.M's sit on their As—s in Washington D.C. and write regulations to govern an industry that they have no practical knowledge about and then find that they must change these regulations no less than 7 times and now are considering another change. Nobody ever asked me what I thought about these regulations. When I traveled to Washington to discuss these changes or when one or more of these H.I.Q.Ms, came to the Midwest to tell us what they had decided on while pretending to ask for our opinion, the phrase I heard the most was, "It seems to me" as the reason for a new regulation or a position paper on an old one, changing one of the many regulations for

what I considered a worse one than. We had already grown accustomed to living with the first one. I could use up this whole magazine citing examples. Had expert advice from one or more experienced breeders been asked for, this “seems to me” phrase could have been changed to “that will work or that won’t work”, and we could have avoided these 7 or 8 changes.

The IG audit has found 14 points that it suggests changes to. APHIS has agreed to all but two, and these are being studied. They want a new or modified Dealer Inspection Guide, eliminate a “No Action” solution for a violation, a need to retrain inspectors to enforce new regulations, raise penalties for violations, and document proof of violations with photographs, and licenses for all internet sales breeders. There are 99 inspectors working 15,722 inspections per year. The average inspector performs 159 inspections per year. In 2008 there were 4604 licensed breeders and 1116 licensed brokers in operation. The inspector can give a breeder 1 day to 1 year to clean up a violation. The average time allowed is 16 days. New inspectors go through a training course of 5 to 6 weeks. I would like to see that course include a little crap shoveling and sitting up all night trying to save a sick newborn.

You need to go to <http://www.usda.gov/oig/webdocs/53002-4-SF.pdf> and read the 60 pages of the report and look at the pictures that caused this very negative audit from the OIG. I grant you the argument that this is a tiny sampling of our kennel population, but just one of this type of neglect is one too many. If we tolerate this kind of neglect within our midst, then we deserve what we get as an industry. Missouri has a new plan called “Bark Alert” that encourages people to report animal neglect to the Dept. of Ag. This plan has the opportunity to be abused by people who have an “axe to grind” or who are just too ignorant to really understand what constitutes abuse or neglect, but it does afford another breeder, who is just trying to protect his industry, the opportunity to remedy the abuse shown in the picture presented in this 60 page report. Frank Losey is trying to get a list together of all people who condemn these illegal, unscrupulous, sub-standard, irresponsible kennel operators. We want these people out of our business before they bring the whole industry into oblivion.

A lot of the problems with USDA enforcement come from the breeder resenting the Mickey Mouse, nit picking regulations that do not amount to a hill of beans. Ninety nine percent of us strongly support regulations that really do suppress cruelty and neglect inflicted upon animals, no matter what the species. If the H.I.Q.Ms would invite some really High I.Q. genius with a wealth of experience **in the actual raising of dogs** to Washington to help them re-write these rules and regulations, we could support and welcome the involvement of government into our daily lives to help save our industry. **We do not want to be known as the industry of “NO”.**