

Ohio Ballot Measure Standards of Care Explained

“Adequate exercise and socialization”

Unfettered access during daylight hours to an outdoor exercise area that is at ground level and provides at least twice the amount of space per dog as required in division (D)(3)(b) of this section

Current regulations require a written annual exercise plan, but do not actually require exercise except in rare circumstances. Regular exercise is vital to maintain good body condition and psychological and cardiovascular health. In addition to physical harms, confinement in commercial breeding facilities without adequate exercise causes many animals to suffer from chronic anxiety, social isolation, inadequate stimulation, and the development of abnormal behaviors.

At least thirty minutes per day of socialization with humans, not including veterinary care

Current regulations require that adult dogs be provided with daily positive human contact and socialization beyond that which occurs during feeding and cleaning time, but does not specify how much contact is needed. Positive human contact decreases stress, lowers chances of developing behavior problems, and prepares both puppies and adult dogs, who will hopefully enter a home after they can no longer be bred, for life as a pet/family member.

Housing with other compatible dogs

Current regulations state that dogs *may* be housed with other compatible dogs, whereas this measure requires it. Dogs are highly social creatures and keeping them in solitary confinement is extremely inhumane. Housing dogs with other compatible dogs decreases stress and boredom, and provides dogs with companionship.



Figure 1. HSUS, 2014. North Carolina puppy mill rescue.

“Adequate food and water”

Access to nutritious food at least twice per day sufficient to maintain good health and physical condition

Current regulations require unspoiled and uncontaminated food at least once daily, whereas this measure requires food twice per day and requires that food to be healthful. Feeding twice per day ensures that a dog who misses a feeding due to distraction or due to the dominance of other dogs around food has another opportunity to eat before 24 hours has passed. The twice a day requirement also means staff are interacting with dogs and checking on them more often.

Continuous access to potable water that is not frozen and is free of feces, algae, and other contaminants

At a minimum, current regulations require clean drinkable water to be provided twice a day for at least one continuous hour, whereas this measure requires continuous access to water and clarifies the water cannot be frozen (a common problem in winter months.). Water is a vital resource for dogs, especially during the hot summer months, when drinking twice a day simply isn't enough. In addition, this new requirement will make enforcement easier, because under current standards, inspectors have no objective way of knowing when dogs found with no water were last provided with it.



Figure 2. HSUS undercover photo; dog with dirty water.

“Adequate shelter”

Sufficient indoor space for each dog to turn in a complete circle without any impediment (including a tether) and to lie down and fully extend his or her limbs and stretch freely without touching the side of an enclosure or another dog

Current regulation requires just outdoor enclosures to be large enough to allow each dog to sit, stand, and lie in a normal manner, and to turn around freely. This measure requires indoor space that allows dogs to move freely without touching the sides of the enclosure and without any impediment (including a tether) in addition to required access to outdoor space that is twice the amount of indoor space required in the measure. This simply ensures that dogs won't have to rub up against other animals or the side of the cages as they move.



Figure 3. USDA, 2015. Photo of mastiff at Stonehenge Kennel in Iowa.

Dogs other than puppies under eight weeks old and housed with their mother, shall have at least twelve square feet of indoor floor space per each dog up to twenty-three inches long, at least twenty square feet of indoor floor space per each dog between twenty-three and thirty-one inches long, at least thirty square feet of indoor floor space per each dog thirty-one inches or longer (with the length of the dog measured from the tip of the nose to the base of the tail), and at least one foot of headroom above the head of each dog when standing

Current regulations require enclosure size to be at least the square of the length of the dog plus six inches, and that must be doubled for the largest dog. That means a dog that is 16 inches long can spend her entire life in less than 7 square feet of space. This measure significantly increases enclosure size, which allows for dogs to retreat from distressing events, separate from other dogs as needed, move away from areas where they have defecated, and ensures that dogs have room to stretch their legs, play and exercise, all of which are important in preventing physical, social and behavioral problems. Having three different size standards, rather than a size standard for every individual dog, is easier for breeders to understand and comply with, and for enforcement agencies to monitor. In addition, current regulations only require at least six inches of headroom above the head of the tallest adult dog or puppy when standing. This measure doubles that size so dogs are not limited in vertical space within the enclosure.

Protection from extreme temperatures and the elements, including access to indoor space with appropriate temperature levels for the age, breed, and health condition of the dogs and which, at a minimum, do not fall below forty-five degrees Fahrenheit nor rise above eighty-five degrees Fahrenheit when dogs are present

Current temperature regulations are vague, requiring temperatures to be regulated to eliminate any threat to the health and welfare of the dogs, bedding when temperatures fall below 50 degrees, and “sufficiently heated and cooled” indoor facilities—vague requirements that are difficult to enforce. The proposed measure specifies that dogs must always have access to an indoor space that is temperature-controlled, and sets clear definitions for high and low temperatures that are unacceptable for all dogs. Inspections of large-scale breeders have shown time and time again that they often fail to protect dogs from severe weather, and inspectors have found dogs and puppies frozen in cold



Figure 4. NE Dept of Agriculture, 2014. An AKC Breeder of Merit was found with dogs in the cold who had only frozen water.

temperatures or panting and dehydrated in hot temperatures. Without setting reasonable standards that most dogs will be comfortable in, every breeder could claim all their dogs are fine in extreme temperatures, and could even have a veterinarian sign off on this.

Enclosures that have completely solid flooring or ground surface

Current regulations require a resting place with solid flooring large enough to accommodate all the adult dogs and puppies in the enclosure at the same time, but the rest of the flooring may be gridded metal flooring with a protective coating. Requiring a single solid platform for a dog to stand on isn't enough. A dog needs enough solid flooring to be able to comfortably walk and run using its normal gait. Gridded flooring often flexes under the dog, causing them to avoid exercise. Gridded flooring is also drafty and makes it difficult for dogs to maintain their body heat in cold weather. Completely solid flooring ensures dogs are not subjected to discomfort that comes with standing/laying on wire or gridded flooring, which can lead to anxiety, depression, frustration, and more. Solid flooring prevents injuries associated with this, including paws and legs falling through flooring, becoming trapped, or developing pressure sores and boils from straddling gridded wire.



Figure 5. USDA. puppies were found with their legs falling through wire flooring. Date unknown.

[Enclosures] are not stacked or otherwise placed on top of or below another animal's enclosure

Current regulations allow stacking as long as there is no soiling by urine or feces from above, whereas the proposed measure prohibits stacking altogether. Cage stacking encourages overcrowding, limits the amount of light and fresh air that reaches the dogs, and causes sanitary problems. Stacked cages are nearly impossible for a caretaker to adequately clean, as the act of hosing down stacked cages tends to splatter wastes and filth on and around the surrounding cages. Caretakers using stacked cages have difficulty seeing dogs in the highest and lowest cages, accessing dogs who need treatment and removing feces and urine thoroughly. In fact, the only benefit to stacked cages is that it concentrates large numbers of dogs into a small, compact area – a hallmark of puppy mills.



Figure 6. HSUS. Hickman County, TN puppy mill rescue.

[Enclosures] are cleaned at least once per day to remove excreta, dirt, grime, and other waste

Proper cleaning and sanitation is vital to prevent the spread of bacteria, parasites and disease. This is a significant concern in Ohio, because dogs with diseases that can cross the species barrier, including canine brucellosis and campylobacter, have been found in commercial dog breeding operations. In October 2017, the CDC issued a disease outbreak advisory after 67 people in 15 states contracted antibiotic resistant campylobacter infections related to handling pet store puppies. Ohio had more reported cases than any other state. A single infected dog



Figure 7. USDA, 2011. Puppies in a feces-smearred crate at Janelle Yate's Cloverleaf Kennel in Willow Springs, MO.

can make many other dogs sick when unsanitary conditions are present, and one operation can send hundreds of sick dogs to pet stores all over the country.

“Adequate veterinary care”

Prompt treatment of any serious illness or injury by a licensed veterinarian

Current regulations merely require that dogs are monitored by the breeder and if there is evidence of disease, injury, or improper care the breeder must take “corrective actions” under veterinary guidance; the proposed measure requires that any illness or injury be treated promptly by a licensed veterinarian, meaning breeders must call their veterinarian to care for their dogs, as any good pet owner would, rather than attempt to diagnose and treat the animal themselves. Failure to have a dog with symptoms of illness professionally tested and diagnosed can lead to the worsening or spread of disease, and can in fact lead to widespread outbreaks, such as the recent outbreak of campylobacter infections reported by the CDC. Dog breeders are not trained, and do not have the equipment, to test dogs for the root causes of symptoms such as diarrhea, vomiting, coughing, and runny eyes and noses. To keep both animals and the people who handle them healthy, the diagnosis and testing of sick animals must be handled by a veterinarian.



Figure 8. Ohio Department of Agriculture, 2015. Puppy with head injuries at Andy Yoder's Backroad Kennel, in Millersburg, OH.

A hands-on examination of each dog by a licensed veterinarian at least once each year including, at minimum, a comprehensive physical examination, dental assessment, pain assessment, and body condition scoring

Current regulations require a yearly veterinary exam of each dog and a written plan for animal care, whereas this measure requires more specifics: physical exam, dental assessment, pain assessment, and body condition scoring. This more in-depth exam, combined with the requirement that injury and disease be treated promptly, should greatly decrease the suffering of breeding dogs whose health—especially their dental health—is commonly poor and ignored. Annual body condition scoring and pain assessment can help identify underweight, sick animals so that any underlying disease can be addressed before the animal suffers unnecessarily.



Figure 9. USDA. Photo of a dog with severe dental disease.

Core vaccinations and parasite control as recommended by the American Veterinary Medical Association

There are currently no regulations requiring vaccinations and parasite control for commercial breeding dogs in Ohio. It is irresponsible to wait until dogs become clinically ill to address their health care, when basic vaccinations are available to prevent painful and life-threatening diseases. Core vaccinations and deworming treatments protect dogs and people from dangerous and sometimes fatal diseases, the most well-known of which is rabies. AVMA recommendations are included here because this is something that may change in time as new vaccines are developed and new disease threats emerge. A brief check of the AVMA website will allow breeders and their veterinarians to locate the most up-to-date standards for the health of all animals and the protection of the public.

Documentation of all veterinary examinations, treatments and euthanasia procedures, and the preservation of such documentation for a period of three years

Current regulations have minimal veterinary documentation requirements, whereas the proposed measure requires documentation of any medical care provided and requires the records to be kept for 3 years. Documentation is vital to the enforcement of any veterinary requirement. It is a basic need for any responsible breeder, especially those who handle dozens or even hundreds of animals, to keep track of veterinary records as a matter of sound business practice. Without such documentation, it is difficult for anyone to know which treatments were provided to which animals and when. Documentation also assures the health and wellbeing of both animals and humans should a contagious disease outbreak occur, by making it possible to trace the source.

Performance of any surgical...procedures only by a licensed veterinarian

Current regulations require a veterinarian to perform most surgical procedures, but not dew claw or tail docking, whereas this measure requires all surgical procedures to be performed by a licensed veterinarian. Veterinarians are trained to provide these procedures with minimal pain and distress to the animals, as well as minimal risk of infection. In our most recent Horrible Hundred report, a breeder docked puppies' tails by twisting them off without any anesthesia; such practices, while heinous, are not unusual in puppy mills, and can cause great pain and distress to the animals.

Performance of any... euthanasia procedures only by a licensed veterinarian

Current regulations allow euthanasia to be performed under the supervision of a veterinarian, whereas the proposed measure requires a veterinarian to perform the euthanasia. This requirement prevents breeders from utilizing some of the most inhumane practices common in puppy mills, such as shooting, drowning or poisoning unwanted breeding dogs.

“Safe breeding practices”

Dogs are screened for congenital disorders that are common or prevalent in the breed

No current regulations; this requirement is important to prevent the breeding of dogs whose puppies will likely have birth defects and also so that such disorders may be treated. Congenital disorders can be painful and crippling, and may limit the health or lifespan of a dog, as well as cost their owners thousands of dollars to treat. But some of the most common disorders are not obvious in puppyhood, nor are they picked up as part of a standard wellness exam. Hip dysplasia, congenital heart defects and certain eye disorders that can cause blindness are a few examples of common inheritable conditions that can cause pain and suffering in generation after generation of dogs. Responsible breeders take care to screen their breeding stock for the disorders that are common in each breed, and will remove adult dogs from their breeding program if they are found to have such disorders. Such dogs should be re-homed.

No dog is bred unless the dog is free from health conditions that may be disabling to the mother if bred, or disabling or likely to significantly affect the lifespan or quality of life of the offspring, as documented by a licensed veterinarian upon examination

No current regulations; important because puppy buyers commonly report their dogs suffer from at least one significant congenital or inheritable condition and the cost to treat those conditions can climb into the thousands of dollars. There are at least 334 known congenital and inheritable disorders affecting more than 180 different dog breeds.



Figure 10. HSUS. A dog with puppies at a Mississippi breeding operation.

no female dog is bred to produce more than two litters in any eighteen-month period, nor more than six litters in her lifetime

No current regulations; important because the constant breeding of dogs in puppy mills is very hard on mother dogs, leading to many physical ailments, including calcium deficiency from the demands of constant pregnancy, which can result in brittle bones, missing teeth and dental disease. These restrictions on breeding are consistent with those in other states and recommended by dozens of national breed clubs. For example, the American Boxer Club's Code of Ethics stipulates that "bitches should be bred only between the ages of eighteen months and six years and should not whelp more than twice in any three consecutive estrus cycles," and the National Labrador Retriever Club's Code of Ethics states that "a bitch should not be allowed to produce an excessive number of litters. Sufficient time should be allowed between litters for the bitch to recuperate."



Figure 11. A malnourished and diabetic breeding dog that was surrendered from an unidentified Ohio puppy mill. Photo: Columbus Dog Connection.