

Governor Rendell, Secretary Wolf, Mr. Wehry, Ms. Bender, Mr Burd, USDA:

Hearts United for Animals has received a complaint from a person who lives in Lancaster County Pennsylvania regarding a commercial kennel owned by Mr. Leroy Leid located at 400 North Shirk Road Earl Township New Holland, PA. Attached at the bottom of this email is a photo that was taken by this person at the kennel on Sunday February 1, 2004. There are at least three small dogs, perhaps Bichons, located in outdoor rabbit style hutch kennels that have no obvious source of heat. The temperature at the time this photo was taken was ten degrees. Pennsylvania Regulation 7 Pa Code 21.24 states "Dogs shall be provided access to shelter which protects them against inclement weather, preserves their body heat and keep them dry. Housing facilities for dogs shall be constructed to provide for the health and comfort of the animals." Section 21.22 states that certain dogs may not be kept in outdoor housing without the approval of a veterinarian. Mr. Leid testified under oath during a zoning hearing in Earl Township on July 9, 2001 that he did not have approval of a veterinarian to maintain the dogs in outdoor housing. It appears that the housing for these dogs violates the Pennsylvania regulations. We request that the Pennsylvania Department of Agriculture immediately send an inspector to this facility to review the housing circumstances. If there are small dogs located in outdoor housing in below freezing temperatures with no heat source, we ask that you immediately confiscate the dogs and fine Mr. Leid for violation of the regulations.

Mr. Leid also testified during the above referenced zoning hearing that he "wholesales what I can't [sell] to Glenn Lawton up in Connecticut." This fact requires him to have a license from the United States Department of Agriculture, which according to our information he does not have. It also requires him to comply with the Animal Welfare Act. The AWA states in Section 3.3 that "the ambient temperature must not fall below 45 degrees for more than 4 consecutive hours when dogs or cats are present." It seems obvious that these dogs are in housing where the temperature is far below 45 degrees for more than 4 consecutive hours. Additionally, from the zoning hearing testimony Mr. Leid stated that he did not have a veterinary plan in place as required by the law and did not have approval of the veterinarian to keep the dogs in temperatures below 50 degrees. Consequently, we hereby request that the USDA immediately send an inspector to review the conditions at this kennel, confiscate the dogs that are being maintained in conditions that violate the law and fine Mr. Leid for those violations. Additionally, if in fact Mr. Leid does not have a license as required by the federal regulations, he should be fined for that violation that has continued for the last eleven years.

Additionally, in light of these extremely cold temperatures, we request that you also inspect the following Lancaster County kennels:

Southside Kennel (548 Hahnstown Road), Schoneck Kennels (1610 Steinmetz Road), Aaron Zimmerman (105 Linden Grove), Jenloren Kennel (226 Dry Well Road), Millwood Kennel (346 Millwood Road), Fisher Kennel (74 London Vale Road). We have information that indicates that the temperature in these kennels is below 45 degrees. We also have information that these kennels are selling to resellers and therefore require a federal license.

Hearts United for Animals speaks on behalf of over a hundred thousand animal lovers across the country. It is very difficult for all of us to understand how a kennel without any obvious heating or cooling source obtains a license to operate. We do not understand why a kennel is not required to completely comply with the regulations for all operating conditions before a license is issued. It is obvious to everyone who sees the photos of the kennels that the conditions are terrible for the dogs. Dogs who are forced to live in such extreme temperatures without a heat source are suffering. We can supply testimony from thousands of veterinarians and rescue workers that will attest to the suffering. We request that you immediately take steps to stop this misery. Our organization along with many other organizations stand ready to provide care for any dogs that are confiscated.

Thank you.
Lee Wheeler
Hearts United for Animals