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Dear CVMA Board of Governors/House of Delegates Member:

I am writing to urge you to vote to reverse the decision of the CVMA Board of Governors to sponsor AB 1634 (The California Healthy Pets Act) as last amended on May 31. AB 1634 is an ill advised, divisive bill that cannot achieve the objective of reducing the numbers of dogs and cats entering and being euthanized in California animal shelters. My reasons for opposing AB 1634 are detailed below.

Very sincerely yours,

Dr. Hjerpe

**1. AB 1634 is a bad prescription for animal health in California.  
Spaying/neutering female and male dogs prior to one year of age, and  
neutering male dogs at any age is accompanied by increased health risks:**

A recent scientific study reported that increased health risks were associated with neutering male dogs, and that these risks exceeded any potential health benefits from the procedure. Neutering increased the risk for developing 4 types of cancers, as well as hypothyroidism, progressive geriatric cognitive impairment, obesity, orthopedic disorders and adverse reactions to vaccinations. The risk for developing one type of cancer (osteosarcoma) was greatest when male dogs were neutered prior to reaching 1-year of age <[www.naiaonline.org](http://www.naiaonline.org)>.

The spaying of bitches was also associated with increased health risks for 4 types of cancers, as well as hypothyroidism, obesity, urinary tract infections, urinary incontinence, recessed vulva, vaginal dermatitis and vaginitis. These increased health risks in spayed bitches were essentially balanced, however, by reduced risks for mammary tumors and pyometra. Unfortunately though, the risks for developing the latter 3 conditions and one type of cancer (osteosarcoma) were especially elevated when bitches were spayed before reaching 1-year of age <[www.naiaonline.org](http://www.naiaonline.org)>. The risks discussed here do not even include the additional, potentially fatal, risks associated with the surgical procedures. There

are also concerns that the athleticism of sporting dogs and field trial dogs could be adversely affected as a result of these procedures.

Along these same lines, I recently received the following communication from Amy F. Dahl, PhD: “I commend to your attention recent findings on the consequences of spaying and castration of dogs, bearing on California’s AB 1634. The expressed intent of this bill is to reduce euthanasia of unwanted pets, but mandating early spay/castrate may well have the opposite effect. Behavioral and health consequences of gonadectomy are likely to increase dogs’ risk of owner surrender—anecdotally the cause for most shelter euthanasias.

As a research scientist turned dog trainer, I have for some time followed research on the effects of gonadectomy in dogs. While some medical findings, such as the high incidence of Canine Cognitive Dysfunction in castrated males, are definitive, scientific support for the commonly supposed behavioral benefits has been lacking. Studies indicating benefits have not adequately ruled out subjectivity and bias. In some studies owners were told to expect certain changes, and asked afterward if they had observed them. Others relied on biased samples. Their findings may merit further study, but cannot be taken as fact.

In creating and validating a reliable instrument for assessing behavior in canine research, Dr. James Serpell of the University of Pennsylvania School of Veterinary Medicine found unexpected correlations with spay/castrate status. He and associate Dr. Deborah Duffy evaluated thousands of dogs to investigate the effects of gonadectomy on behavior. They reported that spayed and castrated animals were more likely than intact dogs to be fearful, sensitive to handling, and aggressive. Altered dogs also exhibited higher rates of coprophagia, rolling in feces, excessive self-grooming, and excessive barking.

Dr. Duffy presented these findings at a symposium on the effects of gonadectomy, which also documented urinary incontinence, UTI (urinary tract infections), and genital abnormalities in spayed bitches, and increases in prostate cancer and Canine Cognitive Dysfunction in castrated males. Both sexes faced doubled risk of anterior cruciate ligament (ACL) rupture when altered.

As a dog professional and “owner resource,” I see many owners who surrender their dogs when faced with aggression, barking, incontinence, and other behavior and health problems. Forcing more owners to subject their pets to increased rates of these disorders cannot be the solution to the problem of euthanasia in shelters.”

**2. Although AB 1634 would drastically reduce the numbers of puppies born in California, it would not reduce the numbers of puppies and adult dogs living within the State, and it would cause seriously negative unintended consequences.**

One of the most outrageously deleterious effects that would result from implementation of AB 1634 would be a drastic reduction in the numbers of in-home raised puppies available for purchase by the citizens of California. Most of these puppies are produced by breeders who whelp only a litter or two each year from their own proven breeding stock, and these puppies are often raised in their homes. These people are not raising these puppies primarily because of the income they receive from it. They are, primarily, doing this for the pure enjoyment and satisfaction they derive from this activity. These home raised puppies receive constant attention and affection from the minute they are born until the day they are sold. The result is well-adjusted puppies that are happy, self-confident, accept training well, and are less inclined to bark excessively, behave aggressively or bite.

Drastically reducing the numbers of puppies born in California would not reduce the demand by California residents for puppies. Puppies would be imported from other states, smuggled in from Mexico, or purchased sight unseen over the Internet to fill this demand. Californians who would prefer to buy a puppy (rather than an adult shelter dog) would often have to select their new pet from populations of mass-produced, poorly socialized puppies of unknown genetic and health status that were raised impersonally in large kennels. This situation could not possibly be in the best interests of either the animals or their new owners.

### **3. The supporters of AB 1634 have exaggerated the numbers of animals that are currently entering and being euthanized in California animal shelters, as well as the total annual cost of operating these shelters.**

The supporters of AB 1634 have contended that nearly one million lost or abandoned animals enter California animal shelters each year, at an average annual cost of between \$250 and \$300 million, and that about one-half million of these animals are euthanized annually.

The person(s) developing these figures for the AB 1634 campaign began by obtaining shelter statistics kept by the California Department of Health Services, Veterinary Public Health Section (VPHS), in connection with their responsibility for rabies control. All animal shelters in California are mandated to provide annual reports to VPHS, which must include the numbers of dogs and cats entering and being euthanized during the preceding calendar year. However, because a few of the 64 animal control jurisdictions, especially those from small, rural counties, were not always complying, the supporters of AB 1634 “adjusted” the raw data so as to “correct” upwards the total numbers of dogs and cats officially reported as entering and being euthanized, in order to “compensate” for the under-reporting. The precise methodology utilized for doing this has not been disclosed.

Their figure of “nearly one million dogs and cats received and 500,000 euthanized each year” was achieved by going back to 2002, when their “adjusted” figures indicate that 993,068 dogs and cats were received and 568,637 euthanized. The raw VPHS totals for 2002 show 830,270 dogs and cats received and 382,431 euthanized.

The annual cost figure of \$300 million (for operating all of the animal shelters in California) was arrived at by determining the total cost of operating one animal shelter in a “high cost” area of the State (Los Angeles City) during 2005. That figure was then divided by the total number of dogs and cats received by that shelter that year. This average cost per animal (\$308) was then multiplied by the total number of animals entering each year in all California animal shelters, from 1995 through 2005. By going back to 2002, a year during which their “adjusted” data shows California animal shelter populations peaking, they were able claim (without adjusting for inflation) that the total cost of operating California animal shelters that year was \$306 million.

**4. Whether or not AB 1634 becomes law, it is very unlikely that the cost of Animal Control in California would be significantly reduced:**

Because feral cats would continue to reproduce, owned animals would continue to escape from their homes and yards and become lost, irresponsible owners would continue to allow their animals to roam freely and abandon them, and a few animals would continue to bite people, there will always be a need for Animal Control. Since many of the expenses associated with Animal Control are fixed expenses, substantial reductions in animal shelter populations would not necessarily result in lower budgets. Certainly, the large reductions in animal shelter populations achieved between 1980 and 2005 (Table 1a) were not associated with significant savings to local taxpayers.

**5. Previous experiences with local mandatory spay/neuter (MSN) ordinances have shown that, not only do they fail to significantly reduce the numbers of animals entering and being euthanized in animal shelters, they are also often associated with negative unintended consequences.**

A number of experiences with local MSN ordinances have not reduced (and have sometimes even increased) the numbers of dogs entering and being euthanized in animal shelters. Other unintended consequences associated with such legislation have been decreased compliance with dog licensing and rabies vaccination regulations, decreased income from sale of dog licenses, increased enforcement costs and budget deficits for the animal control units. The unsuccessful experiences with MSN ordinances in San Mateo County, CA, Los Angeles City, Forth Worth, TX, Montgomery County, MD, King County WA, Camden County, NJ, and Aurora, CO, can be reviewed on the Internet. <<http://saveourdogs.net/>>.

**6. The shelter cat problem and the shelter dog problem are two distinctly different problems, have different causes, and will require different solutions. Because a very high proportion of shelter cats are feral, AB 1634 could not possibly provide a solution for this very intractable problem.**

### **The Shelter Cat Problem:**

Shelter cat statistics have only been available since 1995, but the state of affairs revealed by those numbers is very discouraging. From 1995 through 2000, the annual numbers of cats entering and euthanized in animal shelters trended consistently lower. Since then, however, the numbers have taken a turn for the worse: During 2005, 224,205 cats were euthanized, which is an 11% INCREASE from the 201,937 that were euthanized in 2000. During 2005, 346,173 cats entered California animal shelters, which was a 22% INCREASE over the 283,426 entering in 2000. At the present time, the numbers of cats entering California animal shelters are roughly equivalent to the numbers of dogs (345,590 cats vs. 346,173 dogs in 2005). The number of cats euthanized during 2005 was actually 72% greater than the number of dogs euthanized (224,205 vs. 130,261) (Table 1a) <[www.naiaonline.org](http://www.naiaonline.org)>. The main reason for this higher rate of euthanasia in cats is that most of these euthanized cats were feral, and feral cats (except for the kittens) are very poor candidates for adoption.

Most adult cats entering California animal shelters are feral and have no owners, and most of the kittens entering are the offspring of feral mothers. Because of this, AB 1634 could not possibly have a major impact on the cat problem. At the present time, approximately 85% of owned cats are voluntarily spayed/neutered by their owners. Because owned cats are not licensed, and because many of them are kept indoors (where only the owners know they exist), the marginal rate of compliance with AB 1634 by owners of intact cats would, probably, be very low.

Of the 5 tools which have been used so effectively for combating the dog problem, i.e., (a) public education; (b) leash laws; (c) free or low cost spay/neuter programs; (d) pricing differentials for licensing intact and altered males and females; and (e) vigorous marketing of shelter animals for adoption by the public, only (a), (c) and (e) are applicable to the cat problem. Tools (a) and (c) are applicable only to owned cats, and tool (e) is only applicable to owned cats and feral kittens. Although new technologies for controlling reproduction in feral populations of cats could be on the horizon (such as administration of reproductively active vaccines or pharmaceuticals, by injection or in feed or water) the most effective tool at hand is catch and release spay/neuter programs, and this is a relatively labor intensive, expensive and inefficient method of population control.

It is time to recognize that we are not going to make much additional progress on the cat problem, until we are willing to begin spending some money

on both basic and applied research, in order to develop some new tools and new strategies for dealing with the problem of reproduction in feral cats. Supporters of AB 1634 have failed to acknowledge the reason for the intransigence of the cat problem, and have been disingenuous in consistently lumping cat and dog shelter statistics together, in order to exaggerate the magnitude of the animal shelter population problem for which they claim to offer a solution.

### **B. The Shelter Dog Problem:**

Of dogs currently entering California animal shelters, approximately (a) 45% are captured by animal control employees, (b) 25% are turned in by non-owners, (c) 25% are surrendered by their owners, and (d) 5% are transfers from other shelters or are there for dog bite quarantine <[www.doggonecalifornia.org/](http://www.doggonecalifornia.org/)>. Although it cannot be proved, it is highly likely that most of the owners of group (a) and group (b) dogs have much in common with owners of group (c) dogs.

Of the dogs currently entering California animal shelters, approximately (a) 20% are reclaimed by their owners, (b) 30% are adopted by new owners, (c) 39% are euthanized, (d) 5% are transferred to another shelter, and (e) 6% escape, are stolen or die of natural causes [www.doggonecalifornia.net/](http://www.doggonecalifornia.net/).

Most dogs currently being surrendered to California animal shelters by their owners are adult dogs that, for various reasons, their owners no longer wish to keep <<http://saveourdogs.net/>>. The present situation is in marked contrast to earlier times, when animal shelters were usually full of unwanted puppies. Even if AB 1634 were to become law, and all of these adult dogs were spay/neutered before 4 months of age, most of them would still end up in animal shelters.

The most common reasons given for abandonment of these adult dogs include: the owner is moving; landlord complaints; dog expenses; lack of time to care for the dog; lack of facilities for the dog; too many pets; animal health problems; personal problems; and aggressiveness and biting. Many of these stated reasons pertain to situations that could have been anticipated, and a prudent person would not have made the decision to acquire the dog in the first place. It has been aptly stated "The real problem at California animal shelters is not due to an excess of irresponsible breeding. It is an undersupply of responsible ownership" <<http://saveourdogs.net/>>. Only public education and increased peer pressure on irresponsible owners are likely to be useful for dealing with this aspect of the dog abandonment problem.

**7. Present programs of (1) public education, (2) leash laws, (3) free or low cost spay/neuter opportunities for low income Californians, (4) moderate price differentials for licensing of intact and altered male and female dogs, and (5) vigorous marketing of shelter dogs for adoption by the public have been working effectively to reduce the numbers of dogs being received and euthanized by California animal shelters:**

The earliest year for which statewide animal shelter dog data is available is 1980, during which 669,063 dogs entered and 437,776 were euthanized. Since then, the annual totals for numbers of dogs entering and dogs euthanized have consistently trended lower (Table 1a). In 2005, 130,261 dogs were euthanized, which is a 46% reduction from the 240,975 that were euthanized in 2000, a 54% reduction from the 282,599 that were euthanized in 1995, and a 70% reduction from the 437,776 that were euthanized in 1980. Steady progress has been and is being made in reducing the numbers of healthy shelter dogs that are euthanized, using the tools that are at hand, and with only very limited local use of MSN legislation (Table 1a) <naiaonline.org/>.

Even the “adjusted” data provided by supporters of AB 1634 acknowledges that the combined number of dogs and cats euthanized between 1995 and 2005 declined by 29% (603,806 vs. 430,240). However, by combining the dog and cat data, the improvement in the dog data is obfuscated by the lack of progress with cats.

The numbers of dogs entering California animal shelters are also steadily declining. The number of dogs entering during 2005 was 346,173, a 20% reduction from the 430,924 entering during 2000, a 33% reduction from the 515,045 dogs entering in 1995, and a 48% reduction from the 669,063 entering in 1980 (Table 1a) <naiaonline.org/>.

Even the “adjusted” data provided by AB 1634 supporters, although also obfuscated by cat data, confirm this long term downward trend in the numbers of animals entering California animal shelters, a 19% reduction between 1995 and 2004 (941,207 vs. 758,792 dogs and cats).

8. At present rates of reduction (9% per year over the five-year period from 2001-2005) the numbers of dogs euthanized in California animal shelters could fall below 71,000 per year by 2010, and below 38,000 per year by 2015. Now is not the time to panic and adopt an unpopular, draconian measure like AB 1634, which cannot solve the problems, and which is likely to be associated with unintended negative consequences.

**Table 1a- Numbers of Dogs and Cats\* Entering and Euthanized in All California Animal Shelters during 1980\*, 1990\*, 1995, 2000, 2005 and 2006\*\***

<b>Year</b>	<b>No. Entering</b>	<b>No. Euthanized</b>	<b>% Euthanize</b>
<b>Dogs</b>			
<b>1980</b>	669,063	437,776	65
<b>1990</b>	546,937	329,322	60

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<b>1995</b>	515,045	282,599	55
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<b>2000</b>	430,924	240,975	56
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<b>2005</b>	346,173	130,261	38
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<b>2006</b>	292,531	107,022	37
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**Cats\***

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<b>1995</b>	379,873	291,512	77
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<b>2000</b>	283,426	201,937	71
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<b>2005</b>	345,590	224,205	65
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<b>2006</b>	267,507	171,728	64
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**Combined Dogs and Cats\***

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<b>1995</b>	894,918	574,111	64
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<b>2000</b>	714,350	442,912	62
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<b>2005</b>	691,763	354,466	51
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<b>2006</b>	560,038	278,750	50
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\*There are no data available for cats from prior to 1995. \*\*Official CDHS, VPHS shelter data reports. Additional 2006 data may become available at a later date

cc: All California veterinarians



