

Memorandum Urging Approval

COMMITTEE ON ANIMALS AND THE LAW

Animals and the Law #3 - GOV

September 4, 2015

S. 5946
A. 8058-B

By: Senator Avella
By: M. of A. Rosenthal
Senate Committee: Rules
Assembly Committee: Economic Development
Effective Date: 90th day after it shall have become a law

AN ACT to amend the general business law, in relation to requiring pet dealers to provide instructions on the care of small animals.

SECTION AND LAW REFERRED TO: General Business Law Section 391-t

THE COMMITTEE ON ANIMALS AND THE LAW **SUPPORTS THIS LEGISLATION AND URGES ITS APPROVAL**

S.5946/A.8058 would amend the general business law to require reliable information on generally accepted care to be given to anyone purchasing a small mammal, reptile or amphibian.

Pet dealers and other retailers commonly sell small mammals and reptiles or amphibians to the public who may be unaware of the many different needs of the specific class of animal or species they are purchasing. Diet and nutrition are of particular importance, and even within a particular species, there can be many differences in the type and quantity of food that needs to be provided to maintain health. In addition, the type of care and environment provided directly affect the quality of life of the animal. Many of these species are acquired from drastically different environments than are commonly available in a person's home. Purchasers need to be aware of the specific requirements of the animal they are purchasing. Providing this information would help them decide whether or not they can properly care for the animal.

Opinions expressed are those of the Section/Committee preparing this memorandum and do not represent those of the New York State Bar Association unless and until they have been adopted by its House of Delegates or Executive Committee.

Providing information directly, rather than depending on a customer to obtain such information online or from other sources, is important to prevent improper care. There are many sources of information available and not all sources may be reliable. Information provided online can be confusing. Pet dealers can provide better and more reliable information than the vast body of information posted online. In addition, requirements that information be obtained from reliable sources and that written instructions be filed with the Department of Agriculture and Markets annually will help assure that the information is reliable and that an animal owner is aware of needed care and nutrition for a specific species.

Based on the foregoing, the New York State Bar Association Committee on Animals and the Law **SUPPORTS this legislation and urges its approval by the Governor.**

Chair of the Committee: Natalie A. Carraway, Esq.