

Memorandum Urging Approval

COMMITTEE ON ANIMALS AND THE LAW

Animals #14-GOV

September 15, 2017

S. 4570-A

By: Senator Tedisco

A. 1839-B

By: M. of A. Rosenthal

Senate Committee: Agriculture

Assembly Committee: Codes

Effective Date: 120th day after it shall have become a law

AN ACT to amend the agriculture and markets law, in relation to establishing standards regarding microchip technology used for identification of companion animals.

LAW & SECTION REFERRED TO: Sections 111-a, 111-b and 380 of the Agriculture and Markets Law.

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

This bill would amend the Agriculture and Markets Law by adding three new sections. The bill would add Section 111-a, which states that the commissioner shall adopt and promulgate rules and regulations that provide for standardization of technology used in microchips implanted in companion animals (dogs or cats) and microchip readers so that such readers are capable of reading any chip to identify the animals and/or owners of record. The bill would also add Section 111-b, which addresses the registration of microchips implanted in companion animals and states that when microchips are implanted into companion animals (dogs or cats) and registered by, or on behalf of, such animals' owners, registration information shall be managed in compliance with regulations developed pursuant to Section 111-a of this article. The bill would further add Section 380 to the Agriculture and Markets Law which addresses the examination of seized animals or animals taken possession of. Section 380 states that no later than twenty-four hours, or as soon as practicable, after a companion animal that is a dog or cat has been seized or taken possession of by a municipal animal control officer, except for animals that have been surrendered, steps shall be taken to check the dog or cat for all forms of identification, including tags, microchips, tattoos, or licenses. If practicable and if the necessary technology and equipment are available, steps shall be taken to make available to the public, via the internet, a photograph, location and description of the animal to assist the owner in finding the animal. Information about the animal may be

withheld if deemed appropriate to facilitate finding the owner or otherwise protect the safety of the animal. No later than twenty-four hours after the animal comes into the possession of municipal animal control, or as soon as practicable, reasonable efforts are to be made to identify and provide notice to the owner of the animal.

It is common, yet unfortunate, that dogs and cats become lost and are separated from their owners. Use of microchip identification can provide information on the lost pet and their owner, and microchipping can be an effective means of reuniting lost pets with their owners. Often the size of a grain of rice, microchips are implanted under the skin of the animal, and function as small transponders that require a special scanner to retrieve the pet owner's contact information that is contained in the microchip. According to a study published by the Journal of the American Veterinary Medical Association, microchipped dogs were reunited with their owners about 52% of the time, and microchipped cats were reunited with their owners about 39% of the time.

While microchips have become a useful tool in reuniting dogs and cats with their owners, one issue with the technology is that different types of microchips and microchip readers have been used since the initial development of microchips for animal identification. This lack of standardization in the technology has resulted in some scanners not being able to retrieve information stored on certain microchips. Universal scanners do exist that can detect all microchip frequencies, and these universal scanners improve the chances of detecting and reading microchips implanted in a dog or cat while eliminating the need for multiple scanners.

This bill requires the Commissioner of Agriculture and Markets to create and implement rules and regulations to standardize microchip technology in New York State. The bill also requires that the registration of microchips and the information gathered from registration be compliant with the rules and regulations developed by the Commissioner of Agriculture and Markets. The bill would further require that organizations receiving animals, except animals that have been surrendered by their owners, examine the animal within twenty-four hours of intake for marks, tags, tattoos, licenses or microchips. Reasonable efforts must be made to contact the owner, including the use of the internet and social media. Such efforts would increase the chances of reuniting a lost dog or cat with its owner by standardizing microchip identification and making use of modern technology and social media.

By enacting this bill, New York State would make the process of reuniting lost pets with their owners easier and more efficient while lessening the burden and expenses of shelters and those caring for lost dogs and cats.

For the foregoing reasons, the Committee on Animals and the Law **SUPPORTS** this legislation and **URGES ITS APPROVAL** by the Governor.