

35 Baird Place  
St. John's, Newfoundland  
Canada A1B 2A7  
March 25, 2009

Leo Muise  
Executive Director Legislation & Compliance Services,  
Department of Agriculture  
P.O.Box 2223  
Halifax, NS B3J 3C4  
424-0337  
[muisej@gov.ns.ca](mailto:muisej@gov.ns.ca)

Dear Mr. Muise:

I am writing today to voice opposition to the Animal Protection Act (Bill 186) Amendments to include Cropping, Docking, and Dew Claw Removal as banned procedures in the Act. I have been a dog owner for over 35 years and during that time I have spent much time educating myself in all aspects of breeding and animal husbandry. I am now a Doberman owner. I have bred and/or owned many pure-bred breeds including: German Shepherds, Beagles, Irish Setters, and Afghan Hounds.

I am a strong believer in animal welfare and the necessity of legislation to ensure animal protection. I believe that all animals should be treated equitably and that there should not be differing standards of cruelty for animals housed on and off farms.

Animal legislation must be comprehensive and written to effectively confront real cruelty to animals without infringing on individuals rights to care for and make decisions about animal husbandry. I have spent much time reviewing Bill 186 and thinking about its implications. The more time I spend, the more I become dismayed by how it may be implemented by the SPCA. The fact that the SPCA believes that cropping, docking, and dew claw removal in non-farm animals, conducted under proper surgical practices, is indicative of animal cruelty, is very disturbing. It has made me realize that the enforcement of legislation should be in the hands of an independent government department who is objective in their administration of the Act.

Any Animal Protection Act must be first and foremost based on unreasonable pain, suffering, or undue hardship or neglect. The inclusion of cropping, docking, and dew claw removal under animal cruelty, when interpreted as causing undue "pain or suffering or undue hardship," in my opinion, will open the door to use the law to institute personal and political beliefs about animal care that are unfounded and beyond the definition of distress as outlined in the Act.

For example, the primary purpose of my particular breed - the Doberman - is guard work and human companionship. As a working dog, cropping, docking, and dew claw removal is done for functional reasons. Docking, for example, is not done to all dogs. It is only done for those breeds whose tails are easily injured. Damage does not occur just under working situations for these breeds, but also in the home. Because the tail receives little blood circulation; when injured, its inability to heal often requires that the tail be amputated. For breeds whose tails are thin, with little hair for protection, or those with a history of not healing, docking is necessary. It prevents far more distress than leaving a tail undocked. 1

Contrary to claims that we crop, dock, and remove dew claws for cosmetic purposes. These procedures are done to preserve the function of the breed as outlined in the Breed Standard. The standard is grounded in the history, purpose, and working characteristics of the individual breeds. It is the responsibility of the breed clubs under the CKC to be the guardians of the standard, ensuring that the working function of the breed is protected and carried on by breeders through their breeding programs. Ear cropping for example, emulates the superior hearing of the erect ear that has evolved in all wild canids. Removing breeders' rights to such animal husbandry procedures will change these breeds forever, decreasing their ability to do the work for which they were bred.

Many countries can now attest to the fact that for many breeds, the ban on cropping and docking has basically desiccated these breeds to only a few breeding programs, and may in future, place the existence of these breed in danger. It is important that we learn from the experiences of other countries who have instituted similar bans, and who can attest to the fact that the ban on cropping and docking was instituted without any credible grounds. 2

"The lay person often believes that "animal husbandry practices [which] range from dehorning cattle to prevent injury to

herd-mates and farm hands, to methods for housing livestock, providing adequate nutrition, devising breeding strategies, and managing pets that live in the household, [are inhumane].... People with little [understanding] ... Of these procedures, sometimes believe that they are cruel, and conduct campaigns to ban them." ([www.naiaonline.org](http://www.naiaonline.org))

The cruelty of cropping, docking, and dew claw removal is not supported by any evidence, scientific or otherwise. In fact, all scientific evidence points to the fact that these procedures are minimally invasive when conducted under proper surgical practices. "No one to date has ever proved that [cropping, docking, or dew claw removal] causes any more than momentary discomfort .... No scientific or convincing arguments exist to support changing a tradition which has existed, for very good reasons, for hundreds of years."

Cropping, for example, serves many purposes. First, it prevents attackers from controlling the dogs via grabbing the dog's ears (or tail) during confrontation. Second, there is plenty of veterinary evidence that pendulous ears have a greater incidence of ear mites, yeast infections, and hematomas, and that a long, dropped ear is far more likely to increase the likelihood of chronic ear infections.<sup>3</sup> Third, and most important, it is imperative that a guard dog has the best alarm system we can give them. They must be able to see, hear, and react at a moments notice. Any characteristic that hampers this is a detriment to the dogs ability to perform its duty. Cropping, provides the Doberman with erect ears and hearing on par with wild dogs.

The upright ear is the natural ear on all wild canids (wolves, rabbits, coyotes, foxes, etc.) and their canine cousins for good reason. Evolution and the survival of the fittest has seen to it that all wild dogs are equipped with the most effective hearing device - an erect, cupped ear. The dropped ear seen in many pure-bred dogs does not exist in nature because it is far less efficient in terms of hearing. <sup>4</sup> Cropping emulates the hearing of the wild canid. It is essential that to perform its duty, the Doberman be a cropped breed.

"The removal of dew claws is necessary in order to avoid later damages and illnesses.... They are often injured and the nail can grow into the skin causing considerable inflammation. The dog can easily catch them on different objects because they just hang on the side of their paws as a non-functioning objects, and can therefore damage themselves quite seriously. It is therefore in the interests of the law to recommend that these claws are removed as early as possible in the PREVENTION OF CRUELTY to animals." (letter from Prof. Dr. R. Fritsch Leader of the Clinic of Veterinary Surgeons Justus-Lieberg-University to the German Kennel Club <http://www.cdb.org/vets/fritsch.htm>)

Docking and dew claw removal is not a painful procedure for a puppy when done during the first week of life. At that age, the tail bone of a pup is still soft and the nervous system is undeveloped. The puppy is "born relatively immature... naked, blind, deaf, very immobile, and very helpless. Their nervous system at birth is not even fully developed." Research shows that pups at this age do not feel pain. <sup>5</sup> (letter from Prof. Dr. R. Fritsch Leader of the Clinic of Veterinary Surgeons Justus-Lieberg-University to the German Kennel Club <http://www.cdb.org/vets/fritsch.htm>)

In summary, I am concerned that exemptions given under the Act for "reasonable and generally accepted practices of animal management, husbandry or slaughter" (PREVENTION OF CRUELTY TO ANIMALS, Section 21 (5) (3)) are being overridden by misinformed individuals who have little understanding of the functional reasons for cropping, docking, and dew claw removal in dogs. Even the way your Bill classifies these procedures as "cosmetic," implies that they are unnecessary and only for the beautification of various breeds. This could no further be from the truth! It is necessary to ask on what credible grounds these procedures should be banned by your Act. Why are these procedures included in an Act designed to Prevent Cruelty to Animals when they are clearly not cruel?

Much support for the cropping, docking, and dew claw amendment has been from groups who are not trained in the history and function of the various breed. It is imperative that this legislation targets real animal neglect such as puppy mills & dog fighting operations, and is not used to enforce the opinions of radical animal rights groups and the general public who do not understand the reason for these procedures in the function of working animals. <sup>6</sup>

The future of over 174 breeds remains in your hands. Please protect the ability of working breeds to efficiently do the work they were designed to do.

Sincerely,



PaulineStockwood

## Footnotes:

1 In the breeds which have been traditionally docked, injuries are all too common if left undocked. Since docking was banned in Sweden in 1989, there has been a massive increase in tail injuries amongst previously docked breeds. Within the 50 undocked Pointer litters registered in that year with the Swedish Kennel Club, 38% of dogs suffered tail injury before they were 18 months old and in 1991, the number of individuals with tail injuries had increased to 51% of the group. This in just two years. In one breed alone! <http://cdb.org/matty>.

2 "... Cropping is banned in another of the great pioneer Doberman countries, Holland, and there have been reports of major drop-off in breeders and breeding. Tail docking was banned in Sweden, and there are reports that breeders could not sell their pups, which many people felt no longer looked like Dobermans. (Source: The Doberman Pinscherby Rod Humphries and Joanna Walker p. 109: (published 1999) )

"The CDB is regularly contacted by Breed Rescue groups ... with regard to puppies which have been left undocked because a casual breeder did not have access to a veterinarian prepared to dock the tails. These dogs have subsequently been disposed of or turned out on the streets because the breeders are unable to find anyone prepared to buy them. Such cases ... serve to underline the very clear fact that the majority of owners, whether of show dogs or domestic pets, continue to wish their dogs to conform to conventional breed standards." (CDB Submission - Part One Submission to DEFRA26-04-02)

"The laws governing docking... [in Australia] has seen an alarming decline in numbers. To quote the Dobermann Club of South Australia, Inc. "In 1986 there were 3,466 Dobermans on the ANKC National Register and in 2006 only 618." We are not the only country being overtaken .... Act before you come under attack, for they would see us all wiped from the face of dogdom as a result of their ignorance of the real facts, not the falsehoods they are peddling to politicians who know nothing about dogs." (Source: The Doberman Pinscher Magazine. Feb 2008 p. 582007 Australian National Doberman Championship by Peter Luyten )

3 Research on dropped versus erect ear infection rates shows that 12.6% of dogs with pendulous ears versus 5% of dogs with erect ears had otitis externa. (Masuda, A., Sukegawa, T., et. al, Journal of Veterinarian Medical Science, Nov. 2000, 62 (11): 1177-82)

"Treating chronic ear infections can be a frustrating experience for the pet, the pet owner, and the attending veterinarian. The frustration comes from the fact that the infection can keep reoccurring and the pet owner not adequately understanding the disease process.

Most of the chronic ear infections that are referred into our hospital have a history of repeat visits to the veterinarian for ear cleanings and the owner instilling ointments or drops into the ears. The ears typically improve for a short period of time, but the infection reoccurs weeks or months later. This process may continue for years. To cure an infection several criteria have to occur. The infection must be able to drain properly, you need a dry environment, and medications need to be able to reach the source of the infection in adequate concentrations. The external ear canal does not easily allow any of these criteria to occur." (<http://www.earcrop.com/ear/earcropping.HTML>)

4 The effectiveness of the erect ear in terms of hearing has been born out through scientific research.

"In China and Japan animals are considered to be an integral part of their national earthquake warning systems.... It has been suggested that one possible explanation for animals "predicting" earthquakes is that their superior auditory sensitivity allows them to hear seismic activities that precede earthquakes(12).... To further explore the possibility of an auditory cue, the sample was divided into dogs with lopped ears whose ear flaps attenuate sounds somewhat (N=122) compared to dogs with pricked ears (N=71)..." It was found that "there is an increase in observable activity and anxiety in dogs in the 24 hours preceding an earthquake. Observations that dogs with poor hearing are not affected, and dogs with lopped ears are less affected, hint that animals are responding to an auditory cue. " (Can Dogs Predict Earthquakes? A Possible Auditory Answer by Stanley Coren, Psychology Department, University of British Columbia, 2136 West Mall, Vancouver, Canada V6T 1Z4. E-mail: [scoren@psych.ubc.ca](mailto:scoren@psych.ubc.ca).)

5 "The animals in the Nesthockern group are born relatively immature, completely naked, blind, deaf, very immobile and very helpless. Their nervous system at birth is not even fully developed.... After about 10-14 days, when the animals eyes are opened (until then it has been more like an embryo) it is possible to determine the normal value of the impulse. In 1941, Volkhov determined that animals, at this period of life, had very little feeling of pain....

Schmidker wrote in his doctorate in 1951 about the feeling of pain in new-born puppies: "Incomplete development of the nervous system at the time of birth and the very high chronaxie value in connection with the fact that the animal is not able to react effectively to pain, gives us every reason to believe that the actual feeling of pain is very low in the new-born of this group of mammals (dogs). In other words, at this age and biological condition, it would have no absolute meaning to talk about pain". You therefore do not have to worry or fear that the dog will be made to suffer pain or psychological pain, if the tail has been docked or the dew claws removed in the first few days after birth." (letter from Prof. Dr. R. FritschLeader of the Clinic of Veterinary SurgeonsJustus-Lieberg-Universityto the German Kennel Club <http://www.cdb.org/vets/fritsch.htm>)

6 "Pressure to ban ear cropping today comes mostly from false and outdated beliefs and from a lack of information about modern surgical techniques. Animal rights organizations – which oppose the purposeful breeding of dogs generally and purebred dogs specifically – are also opposed to ear cropping, claiming that it is barbaric and cruel.

NAIA strongly opposes bans on ear cropping because:

They are based on false and misleading information,

They legitimize activist campaigns to unnecessarily restrict the rights of animal owners,

They inject politics into practices that should remain the right and responsibility of animal owners and the medical professionals they consult.

Those owners and breeders who like the drop-eared look have the option to fore-go cropping. Those who prefer the look and believe it has benefits should also have the right to choose. Therefore, NAIA supports the right of dog owners and veterinarians to choose ear cropping and to perform the surgery using modern medical techniques." (National Animal Interest Alliance (NAIA), USA /[www.naiaonline.org](http://www.naiaonline.org))