Revised Regulations for New Jersey Pet Shops

On June 20, 1988, one year since the New Jersey Division of Consumer Affairs closed public hearings to gather information and opinion regarding the state’s pet-shop operations and sales, newly revised regulations have taken effect. According to Bob Baker, field investigator for The Humane Society of the United States (HSUS), they are the strictest in the nation.

The new regulations are an expansion of rules originally adopted in 1975. Dogs and cats available for sale through pet shops are now required to be checked by a veterinarian within three days after receipt by a pet-shop owner. If the animal is not sold within fourteen days, the shop owner is required to have the animal checked again by a veterinarian before selling it, unless this is waived by a buyer.

According to James J. Barry, Jr., director of the New Jersey Division of Consumer Affairs, more than 400 complaints involving the purchase of animals were filed with the division from January 1987 to June 1988, with 250 complaints that dogs and cats were unfit for purchase.

The requirement that each cat and dog be examined by a licensed veterinarian at least once is based on the division’s belief that it is important to establish the condition of the animal’s health as closely to the time of sale as is reasonably feasible.

The definition of “unfit for purchase” has been expanded to include congenital or hereditary defects that severely affect the health of the animal. A six-month period is allowed for these defects to show up. Congenital defects that have frequently occurred include hip dysplasia, heart mur-

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Art Exhibit To Benefit The HSUS

Joni Wehrli’s exhibition of new paintings of Siberian Huskies and Alaskan Malamutes at the Trabia-MacAfee Gallery and “Blue Horses/Blue Wall: An Installation,” by John Lorinser in the Gallery Annex will be, in part, a benefit for The HSUS. Both artists, as well as the gallery personnel, are enthusiastic supporters of The HSUS. The shows will open on October 6, 1988, at the Trabia-MacAfee Gallery, 54 Greene St., New York City (SoHo District). A reception will follow from 6:00 p.m. to 8:00 p.m. The exhibitions will continue through October 29, 1988.

New York artist Joni Wehrli lives in SoHo with Elvis, a six-year-old Siberian Husky, and Travis, an eleven-year-old Alaskan Malamute. Both dogs are an inspiration for her art. The artist’s love and respect for dogs are exuberantly displayed in her paintings on wood. At this, her third solo exhibit at the Trabia-MacAfee Gallery, the paintings depict unabashed renderings of canine shenanigans.

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Justin McCarthy, who runs the Animals Farm Home in Ellenville, N.Y. (see MAWS Report, Spring 1988), has been formally charged with violating the state’s agriculture and markets law regarding cruelty to animals. He has been charged with sixteen counts of violating Sec. 353 of the law, which involves torture, injury, and mutilation of animals, as well as nine counts of violating Sec. 356, involving failure to provide proper food and sustenance to impounded animals. The maximum penalty for such violations is one year in jail and a $1,000 fine.

Humane officials have had to euthanize almost two hundred dogs, fifteen cats, and some livestock since November 21, 1987, when a sheriff’s raid, including HSUS staff, discovered the deplorable conditions. Animals were crowded into dark buildings, the stench of feces and urine was overwhelming, and dogs had begun to cannibalize others in a desperate bid to get food. A ruling bars McCarthy from accepting additional animals at the farm. The Ulster County Society for the Prevention of Cruelty to Animals (SPCA) has access to the farm to inspect the premises and care for and treat the animals. Animals born at the farm after February 28, 1988, must be sold by the new owners to seat a jury in the proceeding in Wawarsing Town Court, Ulster County District Attorney Michael Kavanagh has stated. A criminal trial is expected in October.

New York State, in other actions against McCarthy, has stripped him of his right to solicit donations, and the Internal Revenue Service (IRS) has put a $230,000 lien on the farm. According to Kavanagh, McCarthy received a letter from the New York Department of State that notified him the farm’s charitable status had been revoked. McCarthy’s failure to provide a certified audit was the reason cited. According to IRS spokesman Don Roberts, the lien was filed against the Animals Farm Home for its failure to turn over money that should have been deducted from employees’ payroll checks from the last quarter of 1985 through the middle of 1987.

The state attorney general’s office has asked a state supreme court judge to either dissolve the Animals Farm Home’s incorporation or replace McCarthy and the board of directors.

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John Lorimer lives in Los Angeles and New York. His paintings and sculptures have been in solo exhibitions in New York, Chicago, and Los Angeles. A lifetime of fondness for all animals, especially horses, led him to create an installation with a herd of midnight-blue horses standing on the gallery floor facing a midnight-blue wall. For further information call the gallery at (212) 226-3552.

Upcoming Events

- **LEGISLATIVE UPDATE**
  - **DELAWARE**—Amended its animal-fighting law to include all animal fighting and baiting and cockfighting as “Class A” misdemeanors, punishable by a fine of not more than $1,000 or imprisonment for not more than two years, or both. Violators include a person who owns, possesses, keeps, or uses an animal for fighting; a person who permits or causes any such fighting; a person who shall rent or obtain space for the purpose of fighting, or shall knowingly allow fighting to occur on his property.
  - **NEW JERSEY**—A bill to impose a lifetime of severe penalties including the control of vicious dogs and require their owners to carry extra liability insurance was vetoed by Governor Thomas Kean.
  - **NEW YORK**—Spay-neuter bills A. 4964A and S. 3581A were defeated in Albany. These bills would have made it mandatory for any person adopting a cat or dog from an animal shelter to have the pet altered.
  - **PENNSYLVANIA**—H.R. 2227 has been introduced by Representative Paul McHale (Allentown). This bill will ban the importation and sale of wild-caught birds, similar to a law enacted in New York State.

- **Upcoming Events**
  - **PEOPLE AND POOCHIES**—November 13, 1988
    - Morris County, N.J.
  - **18TH GREAT SWAMP DEER HUNT PROTEST**—Great Swamp, N.J.
    - December 8, 1988 (Opening Day)
    - ISUS/MARO REGIONAL CONFERENCE
  - **HUNTS/MARO REGIONAL CONFERENCE**
    - April 6, 7, 1989
    - Location to be announced
  - **For further information, contact the MARO at (201) 927-5611.**
HSUS Honors Bennett Mazur

For seven years, Ben Mazur, the recipient of The HSUS's Certificate of Appreciation, has served in the New Jersey Assembly and championed the humane cause. Foremost on his list of achievements for animals were his efforts to ban the steel-jaw leghold trap. Mazur fought tirelessly in assembly floor debates, news interviews, and finally in the courts to see that the barbaric trap is never used in New Jersey again. In addition, Mazur has cosponsored legislation to allow tenants to keep pets, to ban the immobilizing agents used for euthanasia for both dogs and cats, to divide the Fish and Game Council into game and non-game, and to ban the sale of wild-caught birds.

In presenting the award, MARO Director Nina Austenberg said, “Animals in New Jersey have a strong voice—that of Bennett Mazur.”

Bennett Mazur receives the HSUS Certificate of Appreciation from MARO Director Nina Austenberg.

Draize Protest

“We won’t buy their mouthwash—we don’t buy their whitewash,” chanted seventy-five animal activists, including Nina Austenberg and Adelle Dooner, of the MARO staff. The New Jersey Animal Rights Alliance organized the group to rally support for Senator Russo’s bill, S.109, to ban the Draize test, in which substances are injected into rabbits’ eyes. The bill, which passed the senate earlier this year, has been held hostage in the assembly committee. Senator Russo addressed the crowd and urged continued pressure from animal-welfare groups to put an end to the barbaric test.

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murs, and patellar luxations.
As under the original rule, people who purchase a pet certified as unfit have the right to return the pet for an equal exchange or full refund, or to keep the pet and be reimbursed for veterinary fees incurred for the diagnosis. The reimbursement may be up to the purchase price of the pet.

“The many animal-welfare organizations, HSUS members, and concerned groups that testified at the public hearings and submitted written testimony made these regulations a reality,” said Mid-Atlantic Regional Office Director Nina Austenberg.

Reflect for a moment....

HOW CAN I HELP ANIMALS EVEN WHEN I NO LONGER SHARE THEIR WORLD?

By your bequest for animal protection to The Humane Society of the United States, your will can provide for animals after you’re gone. Naming The HSUS demonstrates your lasting commitment to animal welfare and strengthens the Society for this task. We will be happy to send information about our animal programs and material that will assist in planning a will.

Please send will information to:

Name ____________________________________________
Address __________________________________________
City ___________________ State ____________
Zip code ____________________________

Mail in confidence to Murdaugh S. Madden, Vice President/General Counsel, The Humane Society of the United States, 2100 L Street, NW, Washington, DC 20037.