

[THE DEPARTMENT OF HEALTH'S BOGUS COMMITMENT TO ANIMAL WELFARE](#)

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At a recent hearing before the NY City Council Health Committee on stricter laws to regulate NYC pet shops, it was assumed that none other than the City's Department of Health would be in charge of enforcing any new laws.

Except for [Shelter Reform Action Committee](#), no one at the hearing challenged whether the DOH should have *any* role (much less an expanded one) involving animal welfare.

The problem is that DOH has no bureaucratic interest in animal welfare ... only in protecting people *from* animals. So, continuing and expanding the DOH's power over animals is a fatal error ... fatal for animals ... but great for DOH bureaucrats.

At the hearing Deputy Health Commissioner Daniel Kass (also an AC&C Board member) testified on behalf of the DOH. His testimony was *under oath* – a fact we hope may come to haunt both Mr. Kass and the DOH. (**NOTE:** For a video of Mr. Kass's testimony, click on this [link](#). Go to minute 14:second 10 when Kass begins his testimony.)



Deputy Health Commissioner Daniel Kass Testifying (under oath) on 4.30.14

Kass assured the Health Committee that the DOH is eager to enforce stricter regulation of pet shops but to do so, the DOH “will require additional staff... and funding” (17min./10sec). Meaning: the DOH wants more taxpayer dollars so it can increase the number of DOH bureaucrats in its ranks.

But what's been the DOH's record to date on regulating pet shops under current laws? Unfortunately, no one questioned Kass on that subject.

Professing to prove the DOH's *bona fides* regarding *all* matters involving animal welfare, Kass ticked off the various powers the DOH holds:

Animal Care & Control: Kass said the DOH “oversees” the AC&C. Kass was far too modest. The DOH *controls* every aspect of the AC&C: its budget, its board, its buildings, and even what

the AC&C can say to the public. Every week DOH inspectors go to the shelters purportedly to assess shelter conditions and ensure the humane care of the animals.

To that effect, no one asked Kass whether, over the AC&C's 19-year history, DOH Inspectors have ever found anything amiss at the AC&C. And yet, this is the same government agency that will regulate pet shops to ensure that animals are properly "sourced" and well cared?

Good luck on that.

Carriage Horses: The DOH regulates conditions of carriage horses. (**QUERY:** Other than the carriage horse industry and the DOH, is there anyone else satisfied with the DOH's oversight of NYC's carriage horses?)

Dog Licensing: The DOH is in charge of dog licensing, having taken over this duty from the ASPCA in 1995. Kass testified that "studies and surveys" (which he didn't identify) show there are 500,000 dogs in New York City. (**NOTE:** 500,000 is the same number cited by the [DOH four years ago](#). No one challenged Kass. Back in 2010 the ASPCA challenged that 500,000 figure, saying it grossly **underestimated** the number of dogs in the City.)

Of those claimed 500,000 dogs, Kass said 100,000 were licensed (meaning a 20% compliance rate.). (**NOTE:** Back in 2010 the [DOH also claimed 100,000 were licensed, representing a 20% compliance rate.](#))

No sooner had he uttered the number "100,000," an assistant whispered into his ear. Kass straightened up and said: "Er, so, er, sorry, 83,000 are licensed." (See [link](#) beginning at 28 minutes)



Whispering into the Ear of Deputy Health Commissioner Kass

Meaning, since 2010 ...DOH has orchestrated a *decrease* in licensing compliance... from a claimed 20% figure (as if that were something to brag about) to less than 17%. But Kass told the Committee: "We [the DOH] have worked pretty diligently to increase those numbers."

Diligently?

This decrease occurred despite promises the DOH made 4 years ago to undertake "campaigns" to increase compliance. Despite the DOH's abysmal failure, there have been no

repercussions. Instead, Kass assured the Health Committee that the DOH is consulting with various groups to find new ways to increase licensing.

The DOH doesn't need to consult with anyone. [Back in 2012 Bill Bruce](#) of the successful Calgary, Canada shelter educated the DOH as to what's needed: a carrot and stick approach. The carrot is to offer real value for licensing one's dog. The stick is to back up the laws with real enforcement (fines, citations).

In contrast, the DOH offers neither incentives nor enforcement. Back in 2010, the number of citations issued (between the Parks Department and the DOH combined) [was less than two dozen](#). (If only we knew how many citations have been issued since 2010.)

The base rate for dog licensing (\$8.50) hasn't been raised in decades, and over the past few years the DOH has complained that \$8.50 doesn't even cover its administrative costs. While we agree that the base rate should and must be increased, no one has *ever audited* the DOH's dog licensing activities: the monies collected; DOH's outreach to the public; ease of licensing; and the DOH's claimed administrative costs.

License fees can be an important source of funding for an animal shelter. Unfortunately, the DOH cannot be trusted either to encourage licensing or to handle the fees properly. Now, IF the AC&C were a truly independent charity, it would have a real incentive to be in charge of licensing. Instead, the DOH continues botching this power.

Animal Population Control Fund: In 2010 New York State law designated the DOH as the entity to collect and dispense monies from an "Animal Population Control Fund" (APCF) to be funded from the \$34 licensing surcharge for UNfixed dogs. Kass explained how APCF proceeds are used to support spay/neuter services in the City. *No one has ever audited* the DOH's handling of the APCF: how much money is collected; how much is dispensed, how much the DOH deducts for administrative expenses, how the DOH selects recipients of the funding. Instead, the APCF remains a secret pot of money over which there is no transparency or accountability.

While Kass' purpose in his testimony was to prove how the DOH is committed to animal welfare, we believe it proved the opposite. The DOH should not be involved with any matters involving animal welfare.

Simply, the Department of **Health** is **UN**healthy for animals.