

Testimony to support the Pet Supplies Donation Act

Good afternoon. My name is Sally Tom. I live in Silver Spring and I work at a big box pet supply store. Several years ago I asked our store manager why we threw bags and cans of dog and cat food, as well as other pet supplies, in the trash. He said the company feared being sued by a shelter or a rescue group if food donated by the company caused an animal in the care of the shelter or rescue group to become ill. In short, lack of protection against a very unlikely, hypothetical lawsuit leads to tremendous, real waste.

Four basic facts are critical to understanding why this bill should be passed.

One, this liability problem has been solved at the federal level for donations of food to organizations that feed people. The Bill Emerson Good Samaritan Act, passed in 1996 and amended in 2022, provides liability protection to organizations that donate food intended for human consumption. We have done it for people, let's also do it for our animal companions.

Two, huge amounts of edible, safe pet food end up in landfills for multiple reasons. Some of it is expired, but as you probably know, expiration dates are not based in science and "expired" food is usually quite safe to eat. Some pet foods end up in landfills because the packaging was re-designed to update the logos or the colors on the bags and cans. Some of it ends up in landfills because the retailer decided not to carry that product

any longer and threw it away to make room on shelves for new products.

Three, we're talking about an enormous amount of food. I asked a subsequent manager to guesstimate how much dry dog and cat food – also called kibble - our store throws away. After thinking about it for a while, he estimated that it would average out to 50 pounds a day. Combined, the two biggest pet supply retailers in the US have almost 3,000 stores. The math is easy: 50 pounds per day x 365 days year = 18,250 pounds per store x 3000 stores nationwide = 54,750,000 pounds of kibble wasted per year. This food belongs in the hands of shelters and rescue groups, in the tummies of homeless pets, not in mountains of kibble in our landfills.

And, unlike with human food, we're also talking about all other kinds of pet supplies: crates and cages; leashes, collars, and harnesses; beds, coats, and sweaters; over the counter medications, shampoos and conditioners, dietary supplements such as vitamins and oils; and toys – stuffed animals, balls, tug toys, etc. I personally find it particularly egregious that holiday themed merchandise that doesn't sell often goes to the landfill because stores don't have room to store it, it is marked with last year's date, or it's cheaper to throw it away than ship it back to a central distribution center for storage. That cute red velvet collar with a bow tie that you saw in your local pet supply store at Christmas time that didn't sell, even off the clearance shelf, will most likely end up in a landfill. Even if one didn't especially

care for pets, the thought of all that food and all those supplies ending up in our landfills is shocking and appalling.

Four, animal shelters and rescue groups always need donations, but they currently, right now desperately, urgently need this food and other supplies. The stresses in our economy spill over onto our pets. When people find they can't afford to feed or care for their pets, more pets end up in the hands of shelters and rescue groups. Donations of perfectly good (though expired) foods and supplies allow shelters and rescue groups to use their precious funds on services and goods that aren't normally donated, such as medical supplies, veterinary services, basic utilities, gas for their vehicles, staff salaries, etc.

I am happy to answer any questions you may have and I urge you to pass this critically important legislation. Thank you!