

February 19, 2020

Matthew Weeman DVM, MS, PAS-nutrition

Position: Favorable with Amendments to HB 445

Chairman Barve, Vice Chair Stein, and members of the Environment and Transportation Committee,

As a veterinarian who works with both small and large animals, I believe I am uniquely positioned to provide testimony to our state legislators on this bill.

During our recent advocacy day, we learned that hundreds of letters in support of this legislation have been submitted to each of the legislative representatives responsible for making a decision on this important legislation.

MDVMA is making this bill a priority because it is important to take a stand to protect the clinical training and judgment of our profession. Veterinarians have been entrusted to make welfare decisions on behalf of animals and in the interest of public health. Veterinarians are uniquely trained to make these decisions and they are highly skilled practitioners. Veterinarians are the experts when it comes to animal welfare. As one of those veterinarians, I do not care if it is a popular position among the constituency when it comes to decisions that impact my patients or the interface between my patient's, practice and public health. I understand our elected representatives do. However, constituent popularity in cases like this tends to reflect the impulses of animal rights organizations and not those of every day individuals. The typical Marylander is not thinking about cat declaws and whether or not it should be legal as a matter of principle.

The MDVMA has taken a stance of favorable with amendments on this bill. The proposed amendments would allow veterinarians to be the ultimate decision maker in regards to the health and well-being of veterinary patients. I understand there are perhaps a few veterinarians who are in favor of banning declaws but unfortunately, they have yet to provide a substantial body of evidence that indicates cats who have been declawed today are suffering. Our legislators should be demanding this peer reviewed research prior to making such critical decisions in regards to the appropriateness of the declaw procedure.

Likewise where is the definitive proof that tells us we aren't compromising the welfare of these animals by standing between them and veterinary providers? New York, the first state to ban declaws made exceptions for medical purposes and the ban, which went into effect in 2019 has not provided us with substantial amounts of time to analyze the effects of the legislation. Why is there a rush to create this mandate within the state of Maryland?

I don't understand the impulsive urge of state legislators to get involved with this. For perspective state legislators have believed constituents want: cage free eggs, free range chicken, rBST free milk, and bans on antibiotics but in reality the cage free eggs are not selling, the free range chicken is being discounted at a tremendous loss and rBST milk is not a premium product, it's now standard. Our legislature banned therapeutic administration of antibiotics for dairy cows last year and we have yet to figure out how to safely implement that plan. Maryland lost

approximately 30% of its dairy farms last year. This present bill is not about dairy farms or food animals but we do have the ability to reflect on the actions of this state's legislature to determine the negative impacts the decisions it makes in regards to veterinary medicine can have on the constituents of this state. When we lose our dairy farms we compromise food security for Marylanders. I am of the firm belief that few of our state representatives take the time to appropriately consider these impacts. The practice of veterinary medicine is complex and we are concerned that this bill seeks to regulate veterinary medicine through legislative authority. Veterinarians are already subject to the board of veterinary medical examiners review and oversight.

Additionally, as a profession, the American Veterinary Medical Association has taken a stand on declaw and has firmly defined the standard of care in regards to the procedure itself. As a profession, veterinarians are responsive, there has been no evidence to support the legislatures need to impulsively regulate it. We urge you to please avoid making a deleterious decision in regards to the practice of veterinary medicine within our state.

This is animal rights driven legislation that is effectively undermining the health and well-being of animals and the public. I don't care if there are thousands of declawed cats in a shelter in AA county. As a scientist I know that means nothing. That's a useless correlation. Where is the suffering? There are tens of thousands of homeless cats that aren't declawed. The MDVMA determined from a survey released to its members that the vast majority are not performing declaws and those who are perform very few annually.

I firmly believe that what we are seeing is a new arm of the animal rights agenda here and precedence will matter. The state legislature must not delegate animal welfare decisions to the public, animal rights agencies or the cat sanctuaries. As a profession we are functioning responsibly and ensuring that when a declaw is performed there is a high standard of care. *For this reason, as a veterinarian I am opposed to delegating my scope of practice to the state legislature.* There is simply no reason for it. State legislators who vote in support of this bill are voting to de-legitimize the veterinary professionals of this state who have made it clear, that we, as the experts on animal welfare have this under control. We are capable of functioning as a profession and self-regulating. We are capable of ensuring the health and well-being of our patients. We are capable of adjusting to and elevating the standard of care and ultimately, we are capable of serving as the decision maker, in consultation with our clients about what is the most appropriate way to take care of their pets.

At the end of the day declaws aren't being performed regularly because less people want them and veterinarians have indicated they take the decision to perform this procedure seriously, they counsel clients prior to doing so-as is now required by the AVMA and they are required to adhere to the standard of care which includes certain operative techniques as well as multi-modal pain therapy or risk punitive professional measures by their respective state board of veterinary medical examiners who looks to the AVMA as a resource when defining the "standard of care".

Today's legislation regards declawing cats, a procedure that our own state medical association has determined to be performed rarely, yet is still at times necessary. Why aren't we talking about a breeder ban on ear cropping which arguably has no medical purpose? The answer is

simple. It's not as easy to freak people out about cutting the tip of a dog's ear off. That's the beauty of the veterinary profession, we are a profession and as such we self-regulate with the explicit needs of our patients and clients in mind. I'll say again: the publicly available surveys show that consumers want free range and cage free eggs, group raised veal, rBST free milk, pigs that aren't birthed in gestation crates etc. Yet, when it comes time to actually pay the premiums for these products the industry is being forced to downgrade the food items and sell them as conventional in order to get the consumer to accept it. While this legislation is about cats and not agriculture the premise is the same: our legislators will soon need to detect the anomaly and realize they aren't being guided by well-meaning constituents they are being guided by close-minded, objectively focused activists.

It is true that most veterinary institutions are no longer teaching the declaw procedure. Probably because so few are being performed and, ultimately, it's not generally a referred procedure. Most practitioners are qualified to declaw a cat and uphold the highest standard of care when doing so. If we are going to allow any procedure not taught in veterinary school to be banned at the whimsy of "constituents" the list is going to become quite extensive. I didn't learn how to practice in school. Perhaps that will come as a shock to our state legislators but like with any profession, professionals learn from the collective body that supports them. School is merely a stepping stone in practice.

I happen to believe ripping the sex organs from animals is a pretty painful practice and last I checked we didn't consult the animals prior to performing that procedure. Removing the ovary of a cat has no more benefit to her than removing her claw. It's done for the human. In some ways it's done in the interest of public health. Our legislators should be careful to understand the precedent they set when they are limiting the scope of veterinary medicine by legislative mandate. Upon banning declaws will activists use this as an opportunity to ban other necessary procedures in the name of animal rights?

In 2011 The Humane Society of the United States made a push to amend Ohio's constitution to "protect the welfare of animals". The Governor (Strickland) was heavily favored to win his re-election bid at the time and Ohio farm bureau, with his help came up with a backdoor agreement to keep the initiative off the ballot. They thought they knew what the constituents wanted. They didn't. Their polls told them the story that the activists had overwhelmingly constructed by utilizing their vastly engaged membership in creating an orchestrated response. Strickland lost in a landslide and OFBF has struggled to maintain legitimacy ever since.

This proposed ban on declaws is going to be a pivotal piece of legislation we, as a state will look back on. I hope our state legislators can have the integrity to listen to the veterinary professionals and oppose, or at least, markedly amend this legislation to make certain we don't come to realize the powerful negative potential of such legislation.

Resources:

<https://www.fb.org/market-intel/cage-free-eggs-were-once-expected-to-dominate-the-egg-market>

<https://www.iasoybeans.com/news/articles/food-label-fatigue-consumer-survey-shows-iowans-find-branding-claims-misleading/>

<https://www.forbes.com/sites/serenitygibbons/2019/04/27/why-your-customer-surveys-are-probably-inaccurate/#2e18949465bf>

<https://www.avma.org/resources-tools/avma-policies/declawing-domestic-cats>

Sincerely,

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