



UNITED STATES  
CONSUMER PRODUCT SAFETY COMMISSION  
4330 EAST WEST HIGHWAY  
BETHESDA, MD 20814

This document has been electronically  
approved and signed.

**BALLOT VOTE SHEET**

Date: July 21, 2021

TO : The Commission  
Alberta E. Mills, Secretary

THROUGH: Jennifer Sultan, Acting General Counsel  
Mary T. Boyle, Executive Director

FROM : Daniel R. Vice, Assistant General Counsel, Regulatory Affairs

SUBJECT : Federal Register Notice: Petition Requesting Rulemaking on Commercially  
Bred Dogs Sold to Consumers

BALLOT VOTE DUE: Tuesday, July 27, 2021

The Humane Society of the United States and the Humane Society Legislative Fund (petitioners) request that the Commission initiate a rulemaking to adopt a mandatory safety standard to require warnings of the risk to people of contracting *Campylobacter* infection, or campylobacteriosis, from contact with commercially bred dogs sold to consumers online or in retail stores.

In accordance with Commission Directive D302, *Internal Procedures for Petitions* (September 10, 2019), the Office of the General Counsel has drafted the attached notice for publication in the *Federal Register*, inviting comments on the petition for a period of 60 days.

Please indicate your vote on the following options:

- I. Approve publication of the attached document in the *Federal Register*, as drafted.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

II. Approve publication of the attached document in the *Federal Register*, with changes.  
(Please specify.)

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\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

III. Do not approve publication of the attached document in the *Federal Register*.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

IV. Take other action. (Please specify.)

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\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

Attachment: Draft *Federal Register* Notice: Petition Requesting Rulemaking on Commercially Bred Dogs Sold to Consumers

**Billing Code 6355-01-P**

**CONSUMER PRODUCT SAFETY COMMISSION**

**16 CFR Chapter II**

**Petition Requesting Rulemaking on Commercially Bred Dogs Sold to Consumers**

**[Docket No. CP-21-2]**

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Request for comment on petition for rulemaking.

**SUMMARY:** The Consumer Product Safety Commission (CPSC or Commission) has received a petition requesting that the Commission initiate a rulemaking to adopt a safety standard requiring warnings of the risk to people of contracting *Campylobacter* infection, or campylobacteriosis, from contact with commercially bred dogs sold to consumers. The Commission invites written comments concerning the petition.

**DATES:** Submit comments by [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Submit comments, identified by Docket No. CP-21-2, by any of the following methods:

*Electronic Submissions:* Submit electronic comments to the Federal eRulemaking Portal at: <https://www.regulations.gov>. Follow the instructions for submitting comments. CPSC does not accept comments submitted by electronic mail (e-mail), except through <https://www.regulations.gov> and as described below. CPSC encourages you to submit electronic comments by using the Federal eRulemaking Portal, as described above.

*Mail/hand delivery/courier Written Submissions:* Submit comments by mail/hand delivery/courier to: Division of the Secretariat, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone: (301) 504-7479. Alternatively, as a temporary option during the COVID-19 pandemic, you may email such submissions to: [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov).

*Instructions:* All submissions must include the agency name and docket number for this notice. CPSC may post all comments without change, including any personal identifiers, contact information, or other personal information provided, to: <https://www.regulations.gov>. Do not submit electronically: confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. If you wish to submit such information, please submit it according to the instructions for mail/hand delivery/courier written submissions.

*Docket:* For access to the docket to read background documents or comments received, go to: <https://www.regulations.gov>, and insert the docket number, CP-21-2, into the “Search” box, and follow the prompts.

**FOR FURTHER INFORMATION CONTACT:** Alberta E. Mills, Division of the Secretariat, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone: 301-504-7479; e-mail: [amills@cpsc.gov](mailto:amills@cpsc.gov).

**SUPPLEMENTARY INFORMATION:** On February 17, 2021, the Humane Society of the United States and the Humane Society Legislative Fund (petitioners), submitted a petition requesting that the Commission initiate a rulemaking to adopt a mandatory CPSC safety standard to require warnings of the risk to people of contracting *Campylobacter* infection, or campylobacteriosis, from contact with commercially bred dogs sold to consumers online or in retail stores. The Commission’s procedure for petitioning for rulemaking is described at 16 CFR Part 1051.

The petitioners state that *Campylobacter* bacteria causes campylobacteriosis, a serious infectious disease that has sickened nearly 150 people who contracted it from infected dogs sold in pet stores in more than 20 states. The petitioners state that *Campylobacter* infection is characterized by diarrhea (often severe), abdominal pain, fever, nausea, and sometimes vomiting. Furthermore, the petitioners state that infection can result in arthritis, temporary paralysis, irritable bowel syndrome, and Guillain-Barré syndrome. In people with compromised immune

systems, such as those with a blood disorder or who are receiving chemotherapy, *Campylobacter* may spread to the bloodstream and cause a life-threatening infection. Petitioners further state that the public is unaware of the risk of contracting this serious infection from contact with dogs in pet stores because infected dogs may appear clean and healthy. The Centers for Disease Control and Prevention has stated that the outbreak strain of *Campylobacter* associated with dogs sold at retail has been resistant to antibiotics used to treat the illness.

The petitioners request that CPSC promulgate a mandatory safety standard to establish requirements that dogs bred commercially for distribution in commerce to consumers be accompanied by clear and adequate warnings of the risk to people of contracting campylobacteriosis from contact with the dogs and that the standard contain requirements with respect to the form of the warnings.

The Commission seeks comments concerning this petition.

The major factors the Commission considers in deciding whether to grant or deny a petition regarding a product include the following items:

- (1) Whether the product involved presents an unreasonable risk of injury.
- (2) Whether a rule is reasonably necessary to eliminate or reduce the risk of injury.
- (3) Whether failure of the Commission to initiate the rulemaking proceeding requested would unreasonably expose the petitioners or other consumers to the risk of injury which the petitioners allege is presented by the product. 16 CFR 1051.9(a).

In considering these factors, the Commission will treat as an important component of each one the relative priority of the risk of injury associated with the product about which the petition has been filed and the Commission's resources available for rulemaking activities with respect to that risk of injury. 16 CFR 1051.9(b).

The CPSC Policy on Establishing Priorities for Commission Action, 16 CFR 1009.8, sets forth the criteria upon which Commission priorities are based.

The petition is available on the CPSC website at [insert website link] or <http://www.regulations.gov>, under Docket No. CP-21-2, Supporting and Related Materials. Alternatively, interested parties may obtain a copy of the petition by writing or calling the Division of the Secretariat, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-6833.

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Alberta E. Mills  
Secretary  
U. S. Consumer Product Safety Commission