PAWS

We come to the proposed legislation endorsed by the AKC. As we heard from Dr. Holt, the AKC met with groups like the Humane Society of the United States (HSUS) and DDAL mere days before PAWS was introduced. Yet the AKC refused to meet with the CFA, NAIA, PIJAC or other strong and steadfast allies at any time before PAWS' introduction.[21]

So, what does PAWS do?

The bill is difficult to read. It renumbers all of the existing subparagraphs in 7 USC §: 2132 - the AWA definition statute. Substantively, PAWS redefines "dealer as follows:"

(e) The term "dealer" means any person who, in commerce, for compensation or profit, delivers for transportation, or transports, except as a carrier, buys, or sells, or negotiates the purchase or sale of,

(1) any dog or other animal whether alive or dead for research, teaching, exhibition, or use as a pet,

(2) any dog for hunting, security, or breeding purposes, or

(3) any dog imported from outside the United States, unless the dog is imported by the person for the use and enjoyment of the person, except that this term does not include-

(i) a retail pet store except such store which sells any animals to a research facility, an exhibitor, or a dealer, or which sells any dogs imported from outside the United States; or

(ii) any person who, during any calendar year-

(I) (aa) sells not more than 25 dogs or cats at wholesale or to the public; or

(bb) does not whelp more than 6 litters of dogs or cats and sells only dogs or cats bred or raised on the premises of the person directly at retail to persons who purchase such animals for their own use and enjoyment and not for resale; *and*

(II) derives not more than $500 gross income from the sale of other animals;[22] (Emphasis added).

A flowchart to explain when a hobby breeder is regulated under the AWA is set forth as follows [link opens in new window]: [23]

As can be seen from the flowchart, many roads lead to the classification of hobby breeders as dealers under PAWS, subjecting hobby breeders to the rigorous inspections and standards of the AWA and its regulations.

[Downloadable Dealer Equation Flowchart - PDF Format]

[21] The reason for the lack of communication should be self-evident. Allied groups would have recognized the AKC's reversal of course as capitulation and abandonment.

[22] (Emphasis added)

[23] I am grateful for the hard and dedicated work done by Sharon Coleman and many others of the Animal Council for her allowing me to use this flowchart, as well as for the numerous resources and good counsel which she and they have provided me in order to prepare this paper.

http://web.archive.org/web/20070203101023/www.dfow.org/h12.htm