

## **Future of Dogs: PUPS - Federal Anti - Hobby Breeder Legislation.**

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PUPS is here. Announced the first of June, 2010, a piece of legislation that allows inspections of our homes, possible seizure of our pets, requires us to give up our right to privacy, and amends the AWA so that most hobby breeders are now included if you offer puppies for sale by internet, phone or newspaper.

As written this bill will devastate the fancy.

The PUPS bill defines anyone as a high volume retail breeder "who, in commerce, for compensation or profit,

(i) has an ownership interest in or custody of 1 or more breeding female dogs; and

(ii) sells or offers for sale, via any means of conveyance (including the Internet, telephone, or newspaper), more than 50 of the offspring of such breeding female dogs for use as pets in any 1-year period."

(iii) A "breeding female dog" for purposes of the Act is defined as "an intact female dog aged 4 months or older."

(iv) The bill explicitly states that the retail pet store exemption under the Act does not apply.

Overseas and kennels outside the USA are all exempt.

HSUS says that since so many states are introducing their own legislation, it's time for a national amendment to the Animal Welfare Act.

This act is to make our 'websites' basically store fronts, and dogs we have listed for 'sale,' trade or transfer or have an ownership interest in go into that '50.'

Now before you get too comfortable with that 50-dog number, realize that any 'interest' in a dog is terminology that is a bit nebulous and will only be strictly defined if we can take it to the courts. Most of the time your dogs will be long gone by the time you get to court.

Do any of these things apply to you?

- 1) Co-Ownership;
- 2) Contractual requirement that the dog be sent back to you if the owners can't keep them;
- 3) Breeding rights of any kind, such as ownership of semen;
- 4) Puppy back agreements.

How many dogs do you have an ownership interest in? Are any producing puppies at all?

There are not exemptions such as dogs you decide to keep for yourself; if you advertise a litter, all those puppies count, sold or not.

PUPS is actually worded in such a way that a Samoyed owner with a single 4-month old female may be a commercial kennel. (Read more on that below.)

This bill is craftily designed in such a way that it can take out all the top breeders in our, and ALL, breeds. It is TARGETED at US. Anyone breeding more than a decade would probably fall under this 'high volume retail breeder' option. In some cases, anyone with just a couple litters can fall into this definition.

Before you say that doesn't matter, I'd like you to look at your pedigrees. How many of those master breeders developed the dogs that are behind YOUR dog? It's not the single owners with one litter every 5 years that usually produces the breed greats. It's the people who devote a decade or more of their lives working within a family of dogs; it's the biggest kennel names in our breed.

Obviously a single 4-month-old puppy cannot physically produce 50 puppies in a year, no matter what the Animal Rights say. (I once heard an HSUS activist say dogs were bred every 8 weeks year in and year out.) But note: That SINGLE dog is the bottom line this legislation is looking for and the '50' is a red herring. The 'offer for sale.' part is dangerous as well. But this legislation doesn't target commercial breeders, which get a pass on it. IT TARGETS THE DOG FANCY.

Commercial kennels don't 'co own.' We do it for mentoring and to keep dogs from going into estates upon death and falling into the hands of people who do not have the devotion to dogs that 'we' do.

Please hear this loud and clear: Those of us who follow legislation NEVER pay much attention to the numbers, as the Animal Rightists freely admit they put those in there to change them. The goal is to get inside our homes and requires licensing so they can track our dogs.

### SEIZURE 'BY THE NUMBERS'

Today I saw the announcement of an AKC judge brought up on charges for having sold 25 dogs (PA law) without a license.

These laws are designed in ways that now allow the seizure of our dogs with NO cruelty charges or criminal behavior TO dogs. It's all just in the numbers.50/25. In IL it was 6; in MN it was 3. Several times the sale of one puppy has been the definition of a commercial kennel. Simply HAVING intact dogs is now a crime.

IA's bill says if you have over 3 intact dogs you are a commercial kennel, open to inspection business hours Monday - Friday. Don't register? Your dogs can be legally taken and sold from a shelter if you have more than 3 and are not licensed.

## COMMERCIAL KENNEL REQUIREMENTS

At a recent AKC talk, a comment was made that in Missouri, inspections can come from as many as 7 or 8 different directions: municipal, city, state, federal, etc. The every year 7 or 8 inspections are not as bad as the 'complaint' driven ones that can be so easily used by the Animal Rights groups, as we saw in IA where dogs were taken.

It's almost impossible for a home to meet commercial kennel requirements, much less the new 'exercise' requirements in the PUPS bill.

Air exchange needs to be a certain number of times per day, floors must be non porous and bleached, and a crack in the cement can be a violation. Water temperature to clean the floors must be 185 degrees so it won't be your living room carpet. In fact, puppies in your living room would be a violation possibly subject to seizure. Rooms must have floor drains. Outdoor runs must be shaded even if inside access is available to air-conditioned quarters.

Violations happen for any number of things: water not covered, or standing water anywhere; food not being in air tight containers; rooms must have 'only' cleaning supplies and dog supplies such as food, with no personal things such as furniture which can't be sanitized.

While you can get a veterinarian exemption listed on the license for a particular dog, basically any dog over 12 weeks of age will be required to have daily exercise that allows the dog to maintain normal muscle tone, reach full 'running' stride, not be forced or repetitive, and be in a separate enclosure if the primary one doesn't allow a full running stride. There can be no sharp protruding edges (such as most kennel fencing has) and paws cannot extend through.

As I read commercial kennel requirements, most homes cannot comply. Ever.

## SUMMARY

So where does this leave us?

With a very dangerous bill. Please note the PIJAC alerts, NAIA, SAOVA and SCA communications. At this writing the bill is not in hearings, but you can write to the committees that are going to hear it.

Please contact your legislators regularly. Mine are on speed-dial and get weekly calls. We all condemn substandard care of dogs. WE are the animal experts. We need

to write, call and fax our legislators and let them know these bills do not help the dogs. Ask for help on things to send along for we've got some things that'll help. If you've never written, ask for sample letters.

If we sit back and let them legislate home breeding away from us to the degree where none of us can afford the facilities to do it, then dogs will be bred illegally or in commercial kennels.

That is a nightmare none of us want to see.