



# RETAIL PET SALE BANS

## FAQs

### What are retail pet sale bans?

Virtually all animals sold in pet stores come from mills – inhumane commercial breeding facilities. Many people are familiar with the term “puppy mill,” but other animals sold in stores, like rabbits and cats, are also sourced from mills. Pet stores are a preferred sales outlet for mills because they allow the cruelty to remain hidden from consumers.

Retail pet sale bans prohibit pet stores from selling dogs and cats (and sometimes other animals like rabbits) who are commercially bred. Instead, pet stores can offer animals available for adoption from rescues and animal shelters. California<sup>1</sup> and Maryland<sup>2</sup> have enacted statewide retail pet sale bans, along with nearly 300 other cities and counties including Cook County (Chicago), Boston, Philadelphia, and El Paso.

Retail pet sale bans are a powerful way for communities to fight puppy mills because they limit the supply and demand of puppy mill dogs, reduce financial incentives for mill operators, and encourage adoption.

### WHAT ARE PUPPY MILLS?

Puppy mills are inhumane commercial dog-breeding facilities. Dogs are kept in crowded, filthy conditions without adequate exercise or socialization. Barren wire cages, inadequate (if any) veterinary care, and dirty water are hallmarks of puppy mills. Mother “breeder” dogs are bred frequently, giving birth to multiple litters every year. They are typically abandoned or killed when deemed no longer useful.

Puppy mill operators maximize their profits by producing large numbers of puppies as quickly as possible. As a result, unsanitary conditions, disease, and neglect are rampant. It’s common for dogs from puppy mills to suffer from genetic conditions, as well as deadly diseases including distemper, respiratory infections, mange, and various parasitic disorders. Dogs from puppy mills also frequently exhibit behavioral and psychological problems due to the lack of early socialization and being weaned too young.

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### HOW DO RETAIL PET SALE BANS PROTECT CONSUMERS?

Pet stores routinely defraud consumers by misrepresenting the health and origin of their puppies. These stores advertise their puppies as coming from “reputable” or “family” breeders when they are actually from puppy mills. Some puppies are touted as coming from breeders who are “AKC registered” – another meaningless term. The American Kennel Club (AKC) is funded largely by its own registration fees, incentivizing the organization to encourage breeders to register as many dogs as possible. Notably, the AKC is one of the staunchest opponents of legislation that would increase protections for dogs living in puppy mills.

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## FAQs (CONTINUED)



Stores have also provided inaccurate breeder license numbers and addresses, fabricated breeding certificates, and lied about providing veterinary care. Consumers realize that the stores' claims are false when their puppies become seriously ill, and sometimes die, soon after purchase. These families are left heartbroken and sometimes with thousands of dollars in veterinary bills.

This type of fraud is so prevalent that 22 states have “puppy lemon laws.”<sup>3</sup> These laws provide some protections for people who have purchased puppies who soon after become ill or die. Purchasers may be entitled to a refund, an exchange, or reimbursement for veterinary costs. These laws vary in their strength and may provide some economic relief, but do nothing to compensate grief-stricken families for the pain associated with losing a companion animal.

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### **DOESN'T THE FEDERAL GOVERNMENT ALREADY REGULATE PUPPY MILLS?**

The federal government has failed to meaningfully regulate puppy mills. Commercial dog breeders are regulated under the Animal Welfare Act (AWA). But the AWA provides only minimal protections and its enforcement by the U.S. Department of Agriculture (USDA) is frequently criticized for allowing inhumane practices to go unchecked.

Pet stores often claim that breeders licensed by the USDA are distinct from puppy mills, going so far as to advertise their dogs as “USDA-licensed.” But the reality is that many puppy mills are USDA licensed because the standard of care required by the AWA is so low. For example, dogs can live in wire cages with little

exercise and socialization. Furthermore, the USDA has an abysmal track record when it comes to ensuring facilities meet even these minimal standards. Instead, when confronted with a facility with AWA violations, the USDA usually issues warnings or negligible fines, or takes no action at all. Most facilities do not lose their licenses.

The USDA also does not employ enough inspectors to ensure facilities are in compliance. The USDA not only inspects puppy mills but also animals in research labs, circuses, and zoos. The agency last reported it employed 120 inspectors, who are responsible for ensuring compliance for more than 12,000 facilities.

Instead of passing a retail pet sale ban, some local governments (and states) have passed laws that allow the sale of puppies sourced from breeders that meet certain requirements – such as not having particular AWA violations. But again, due to the lack of enforcement by the USDA, these laws do little to protect animals. Even worse, in February 2017, the USDA removed public access to thousands of animal welfare records related to the AWA. Now it's extremely difficult for both consumers and law enforcement to determine whether a particular breeding operation has any violations.



## ARE THERE FINANCIAL BENEFITS TO RETAIL PET SALE BANS?

Yes. Local governments bear the financial burden of caring for and euthanizing animals in shelters. In Maryland, for example, a state task force found that 45,000 dogs and cats are euthanized in the state each year at a cost of \$8 to \$9 million annually.<sup>4</sup> Reducing the retail sale of puppies, kittens, and rabbits can encourage residents to adopt animals in need of homes – particularly when stores convert to a model where animals available for adoption are featured instead.

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## DO RETAIL PET SALE BANS THREATEN LOCAL BUSINESSES?

No. Thousands of small pet stores, as well as large national chains, operate under a profitable business model that does not include the sale of dogs, cats, and rabbits. Pet stores increasingly rely on grooming, doggie daycare, and high-end pet products to generate revenue. Some stores also partner with rescue groups and animal shelters to showcase adoptable animals. These partnerships are win-win. Animals in need of homes receive increased visibility and shoppers have an extra incentive to visit.

## DO RETAIL PET SALE BANS IMPACT HOBBY BREEDERS?

No. Retail pet sale bans only prohibit pet stores from selling puppies and kittens (and sometimes other small animals, like rabbits). Hobby breeders generally do not sell animals through pet stores, they work directly with clients because they want to meet them in person. Furthermore, many breed clubs strongly discourage or even prohibit members from selling puppies to pet stores. The bottom line is that small-scale breeders are not impacted by these laws.



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1 California AB 485 (Pet store operators: dogs, cats, and rabbits)  
2 Maryland HB 1662 (“No More Puppy-Mill Pups Act of 2018”)  
3 American Veterinary Medical Association (2018, July). *Pet Purchase Protection Laws*. Retrieved from <https://www.avma.org/Advocacy/StateAndLocal/Pages/pet-lemon-laws.aspx>  
4 Montgomery County, Maryland, Municipal Code § 5-405

