



Pet Animal Welfare Statute

Senate Bill 1139/House Bill 2669 – May 2005
Sponsor Senator Rick Santorum (PA)

PAWS amends the definition of “dealer” in the Animal Welfare Act to bring under USDA regulation and licensure:

any person who, in commerce, for compensation or profit, 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.

Exemptions are given for any person who, during any calendar year: sells less than 25 dogs or cats [wholesale or retail] OR whelps 6 litters of dogs/cats or less and sells only those bred and raised on premises.

Why do Senator Santorum/HSUS/DDAL want PAWS?

“..it is disturbing to see the number of **high volume breeders** who are careless and disregard their responsibilities to care properly for their animals.”

“Because the AWA only covers breeders and others who sell at wholesale, many **puppy mill** owners have successfully avoided AWA requirements by **selling directly to the public.**”

“PAWS addresses this growing problem. PAWS would regulate breeders who raise **seven or more litters** of dogs or cats each year. **This threshold test would differentiate those breeders who raise animals in mass numbers from those who are hobby breeders.**”

“In addition, this broad ranging legislation would cover importers and **other non-breeder dealers** who sell more than 25 dogs or cats per year”

“**Puppy mills** are large breeding operations that mass-produce puppies for commercial sale with little regard for the humane handling and treatment of the dogs.”

“The ability to use the **Internet** as a marketing tool for direct sales has only made **selling directly to the public more prevalent and popular.**”

Puppy mills?
More than 6 litters?
Threshold test?
Other Non-breeder Dealers?
Internet Sales?

Let's take a closer look.

Is More Than 6 Litters Mass Producing?

What about rare breeds and breeds with few numbers? Is it fair to restrict litters bred to preserve their breed?

What about breeds trying to eliminate health issues from their gene pool? Health problems would be hard to study and pinpoint in restricted breeding programs.

For cat breeders, a good program with genetic diversity almost requires this many litters of kittens.

**~~Number
Threshold~~**

Is More Than 6 Litters A Puppy Mill?

Breeders and puppy mills are not the same.

Nobody thinks that.

Are you sure?

Commenting on the closing of Woof & Co. chain pet store:

Laurie "Reggie" Reggiannini formerly of Boston Veterinary Specialists says: "One of the problems with pet stores is that they're always going to get puppies from puppy mills," Reggiannini said. A puppy mill is defined as when there is more than one breeding female in the kennel, she explained. [TownOnline, June 15, 2005]

"The breeders concern is their bottom line—not the animals' well being. Like puppy mills, breeders breed animals to conform to "breed standards" which promote "desirable" physical traits that often cause a variety of health problems." [Heather Moore - staff writer for PETA and a regular contributor to IMPACT press]

Regulate Other Non-Breeder Dealers

Rescue impact

- If you turn over a product to or perform a service for someone else, and that person pays you, it's a sale.
- AWA and the U.S. commercial code consider any property transaction for consideration a sale. That is what most rescue placements with adoption fees are.
- Whether or not the organization is nonprofit or not or makes a profit on those donations [adoption fees] or not is irrelevant.
- Although AKC's Jim Holt says: "True rescue organizations would be exempt because they are not carrying on this activity as a commercial activity." he follows that statement with: [The USDA will have to write regulations to define when an operation is operating "in commerce, for compensation or profit, . ."](#)

Internet Sellers

Santorum: “The ability to use the **Internet** as a marketing tool for direct sales has only made **selling directly to the public more prevalent and popular.**”

What difference does it make if the buyer and seller meet through the internet, a magazine, or a newspaper ad?

Does using the internet to connect with buyers make you “commercial”?

The internet is used by rescuers and by animal shelters and humane societies to re-home (sell) dogs and cats – is this practice to be abandoned because of a few sellers who abuse the internet?

Doesn't the internet also serve as one of the best educational tools breeders, and rescuers alike have had to inform the public?

PAWS is about breeder control



No PAWS

Quote from PETA spokesperson during interview with Neil Cavuto (Fox News) "If you buy an animal from a breeder, even a responsible breeder (she emphasized responsible breeder)...you are directly responsible for the death of an animal in a shelter."

From The Institute for Animals and Society 2004 Platform:

“Integral to the future success of the animal rights movement is our ability to position animal issues in the arena of public policy.” “..positive developments (e.g., the passage of pro-animal citizen initiatives) indicate that now is the time for action in the mainstream political arena.”

- Discourage the commercial breeding of animals for human companionship
- Pass uniform legislation to require that breeders who sell directly to the public through newspaper ads and the Internet be licensed, inspected and regulated.
- The animal advocacy community envisions an end to the commercial breeding and sale of companion animals in “puppy mills” and of native and non-native wildlife (exotics) in “bird mills” and “reptile mills”. http://www.animalsandsociety.org/animals_platform.htm

More Problems with PAWS

- PAWS establishes federal authority to regulate a personal hobby conducted in the privacy of your own residence
- PAWS will require tremendous funding from the government for so many inspections
- Current USDA regulations are written to cover commercial facilities, not in-home breeding programs.
- The language is unclear and in some cases conflicting. A law must be clear and not interpretive
- PAWS abandons the wholesale-retail determination for one based on the numbers of dogs sold in a calendar year.
- Nobody is answering the questions raised as to whether USDA will require registries to turn over their databases to track breeders over the set limit if PAWS should pass.
- The conflict of wording in PAWS and abandonment of retail-wholesale separation puts hunting dog sellers at risk of being licensed

Call the Senate Agriculture Committee

202-224-2035

Voice your objections to PAWS

Protect Your Rights



No PAWS