

## **BANNING THE SALE OF PUPPY MILL DOGS IN PET STORES**

In the last 2-3 years, more than 40 localities across the country have enacted ordinances to ban the sale of puppy mill dogs in retail pet stores. These ordinances are extremely and increasingly popular with local advocates across the country, and rightly so. We anticipate that these ordinances will continue to increase in the foreseeable future, and in some cases we know that state-level legislation is being contemplated. The HSUS opposes the sale of dogs bred in substandard, inhumane conditions wherever those sales occur, and of course that includes retail pet stores. Subsequently this has become a hot button issue for the Stop Puppy Mills Campaign.

### **BENEFITS**

Properly worded ordinances send a strong message that a given community does not support puppy mill cruelty. They protect consumers who may unwittingly purchase sometimes sick or genetically compromised puppy mill puppies from pet stores. They promote the acquisition of shelter/rescue dogs instead of commercially bred dogs – causing increased shelter animal placement, decreased euthanasia, and a resulting fiscal benefit to the locality. Nationally, they pressure the commercial pet industry to clean up its act. Poor animal care standards among breeders/suppliers is causing them to lose markets – including major markets like Los Angeles, Chicago, etc., leaving them to choose between ceding those markets forever or forcing their breeders/suppliers to demonstrably and dramatically improve living conditions for dogs.

### **OBSTACLES**

In many cases, ordinances are championed by local advocates who contact their councilmembers and aldermen directly, and we only learn about the effort after the fact. Unfortunately, in some cases the language promoted is less than ideal. In some cases, cities that have enacted ordinances are being sued by store owners -- supported by the powerful commercial pet industry -- and HSUS is forced to spend resources defending laws that would have been more appropriately worded if we had been involved in their creation. In short – this issue is popping up all over the country and we need to do a better job of being proactive rather than reactive.

Because laws governing pet sales vary greatly from state to state and even town to town, there is no “cookie cutter” legislation that we can provide to advocates. In some states, for example, state law prohibits localities from enacting ordinances that govern pet sales more stringently than is allowed for in state code. That being said, thanks to APL, we know generally what should and should not be included in any proposed ordinances.

### **TAKING ACTION**

If you are contacted by an advocate who wants to pursue a retail pet sales ban, or if you want to lead an effort yourself, please loop Dale and Melanie in as soon as possible. We will work with you to...

a. Determine what, if any, type of related ordinance is legally possible in your state and what the language should include (potentially leading to a language request from APL).

- b. Determine how many stores in your target jurisdiction sell puppies and where they acquire those puppies.
- c. Review the USDA inspection reports for the breeders who supply the stores in your locality, to draw a proven link between puppy mills and those stores.
- d. Identify the right advocates to engage, e.g., pet store owners who don't sell puppies, veterinarians, shelter/animal control heads, disgruntled customers, advocates with an established relationship with a council member, etc.
- e. Find your local animal sheltering (intake/euthanasia) statistics
- f. Identify rescues/shelters/animal care groups who are willing to work with pet stores to convert to a humane business plan featuring the sale and/or adoption of "homeless" animals rather than dogs who are purposely bred for retail.
- f. Develop support materials and a strategic action plan for enactment.

#### **KEY LANGUAGE ELEMENTS**

Because each state and local jurisdiction is different, APL will be consulted for any specific language. Generally speaking, in states where a ban on sales of commercial bred dogs is permissible under state law), the ordinances should include a findings section detailing the reasons for and purpose of the law, clear definitions of key terms, exemptions for shelters and rescues, a penalties section, and a prohibition or restriction that applies even-handedly to local stores/breeders and out-of-state stores/breeders.

#### **MESSAGING**

At all times, please be mindful that in many cases we will be asking local officials to support an ordinance that will be characterized by long-standing local businesses as one that will force them to close their doors, lay off employees, default on leases, etc. That characterization is simply not true. Our goal with respect to the stores themselves is to help them convert to a financially viable business model that is in keeping with community values -- that allows them to thrive while actually being a part of the solution to animal and community welfare problems. And the success stories are there to prove it works. We can't underscore enough that our position with respect to restricting retail sales of commercially bred pets is in no way anti-pet store. Rather, it is anti-cruelty, anti-overpopulation, pro-consumer and pro-business.

To summarize, please loop us in early! We can help!

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