



AMERICAN  
KENNEL CLUB®

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Wednesday, March 8, 2023

The Honorable Matt D. Klein, Chair  
Minnesota Senate Commerce and Consumer Protection Committee  
2105 Minnesota Senate Building  
St. Paul, Minnesota 55155

**RE: AKC Opposes SF 1317 – Limiting Minnesotan’s Freedom to Purchase Pets**

Chair Klein and members of the Senate Commerce and Consumer Protection Committee:

The American Kennel Club (AKC) writes today to offer comments on Senate File 1317. We respectfully ask you to not advance SF 1317, which would unreasonably restrict consumer choice, effectively eliminate Minnesota consumer protections for many dog purchasers, and have a negative impact on dogs and dog owners throughout the state.

**RETAIL SOURCING RESTRICTIONS CREATE INCENTIVE FOR UNREGULATED ANIMAL PRODUCTION**

The American Kennel Club shares concerns about the well-being of all pets. AKC is the world’s largest purebred dog registry, our affiliated clubs operate America’s largest breed rescue network<sup>1</sup>, and for over 135 years we have been proud to be the only non-profit purebred registry devoted to the health and well-being of all dogs. We advocate for responsible dog ownership and support strong enforcement of current local ordinances, Minnesota state laws, and the federal Animal Welfare Act.

Our commitment to the well-being of all dogs and our extensive experience with both rescue and purpose-bred dogs compels us to weigh in on this issue and oppose SF 1317. Proposals that restrict pet shop sources, whether at the state or local level, are founded on the same model that makes **a false, unverified, and uncorroborated assumption: that professionally-bred dogs sold by retail pet shops are raised in poor conditions.**<sup>2</sup> In doing so, they undermine the very pet dealer regulations that work to protect consumers and advance responsible breeding practices.

Furthermore, by pushing pet sellers to showcase pets that come from unregulated and random sources, such proposals would remove the most regulated and vetted source of pets from the market, and **exacerbate sourcing problems by creating a perverse demand for dogs that are not subject to, and do not benefit from, animal welfare regulations or the health tests and reporting that result from them.**

We urge you to consider these specifics:

- SF 1317 is a Minnesota version of 2023 legislation introduced in other states, including Connecticut, Florida, Hawaii, Kentucky, and Texas, among others. This demonstrates that **SF 1317 is not intended to and does not address Minnesota-specific issues**, but is instead a part of a national legislative agenda seeking to shut down America’s most regulated dog breeders by forcing pet shops to sell dogs sourced only from retail rescue sources.
- **SF 1317 would effectively eliminate current consumer protections for Minnesota dog purchasers.** Minnesota’s puppy purchaser protection laws (Minnesota Statutes, section 325F.79, et seq.) do not apply

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to sales by humane societies, nonprofits performing the functions of humane societies, or animal control agencies.

- According to the American Pet Product Association<sup>3</sup>, approximately **44% of Americans obtained their pet from a retail rescue, traditional breed rescue, shelter, or similar source**. The U.S. currently has a large market for “rescue pets”, and with it, significant economic incentive for individuals or organizations who can avoid regulatory oversight by irresponsibly breeding or flipping pets directly to meet this demand. By comparison, **only 4% of Americans obtained a pet from a traditional retail pet shop**.
- **The U.S. Centers for Disease Control and Prevention estimate that approximately one million dogs are imported into the United States on an annual basis.**<sup>4</sup> The vast majority of these dogs come with little valid health information, receive little regulatory or welfare oversight, and are likely destined for the large, unregulated U.S. retail rescue market.
- Assuming no growth in U.S. human population or demand for pet dogs, the demographic replacement rate for owned pets in the United States demands eight million pet dogs each year. Small hobby dog breeders who register their litters with the AKC simply cannot meet this demand. Rather than limiting future pet owners to internet scams or unregulated sources of pets, access to high-quality, professionally-bred pets from a regulated source should remain an option for Minnesotan households.
- Pet shop sourcing bans do little to address any actual issues of cruelty or negligence. Instead, they are likely to cause harm to responsible Minnesota residents who seek a quality purpose-bred pet but who may not have access to a local breeder, do not want to be put on a long waiting list, etc.
- Residents may wish to purchase a dog from a pet shop where they can still benefit from receiving their new pet’s substantiated health history and with which they can maintain ongoing customer relationships to support their pet ownership. Laws that impose pet shop sourcing restrictions, however, limit these consumers’ freedom of choice and the ability of residents to responsibly select pets based on the breed, health, and temperament traits that they seek and believe will make a good match for their lifestyle. Pet shops can be a humane, viable option for many families, as reputable shops will carefully source their animals and are themselves subject to oversight.
- When people are forced obtain a pet that is not the right fit for their lifestyle, that pet is more likely to end up in a shelter. We believe a better approach is to keep pets out of shelters in the first place. Instead of pet shop bans, one of the best ways to keep pets out of shelters is by educating prospective dog owners and enabling them to obtain a pet that is the right fit for their lifestyle. Great pets come from a variety of sources, including breeders, responsible rescues, and regulated pet shops and shelters. But in every case, **freedom of choice to select the right pet is the crucial first step to success**.
- **The American Kennel Club recommends** requiring pet shops to adhere to appropriate care standards and prohibiting them from purchasing animals from any breeder that has been found to have committed a direct violation of USDA animal welfare regulations or three or more indirect violations of USDA regulations related to the health or welfare of an animal in the last two years. Such safeguards not only protect animal welfare but also preserve consumer choice and businesses in your community.

It has become common for animal rights/protection groups in the U.S. to advocate for closing down U.S. dog breeders by restricting the public sources of pets to random or unknown sources (often mislabeled as “rescues”). Doing so is a next step in their agenda to stopping the breeding of dogs and human interaction with animals.

As the nation’s largest breed rescue network, AKC strongly supports *responsible* rescue. We recognize the appeal of assisting dogs from unknown origins, particularly from other countries. However, putting regulated

U.S. breeders out of business—despite **USDA’s reports of a 96% compliance rate of its federal Animal Welfare Act licensees and registrants**<sup>5</sup> and the **Minnesota Board of Animal Health’s reports of a 96% compliance rate of Commercial Dog and Cat Breeder Program licensees**<sup>6</sup>—in favor of animals from undocumented sources with unknown health and temperament histories has the potential to create enormous public health risks, including increased zoonotic disease transfer from animals to humans.<sup>7</sup> This would also reduce overall oversight of canine health and welfare, weaken consumer protections available for purpose-bred dogs, and continually undermine breeders who produce purpose-bred dogs.

The most effective way to shut down irresponsible breeders, irresponsible rescues, and irresponsible pet sellers is to stop them from making money from the sale or transfer of unhealthy pets. Our recommendation (see final bullet point, *above*) would hold pet shops accountable for the pets they sell and mandate reimbursement for the purchase/fees or veterinary care for an unhealthy pet in cases where illnesses at the time of transfer were not disclosed to the new owner. Shelters and rescues should also be held to the same standards.

Many are unaware that the American Kennel Club represents the largest breed rescue network in the United States. We are proud that our national breed clubs take great care of the animals that come into their rescues. Unfortunately, there are rescues and transports that do not provide such diligent care of their animals. We believe strong enforcement of current federal and state laws and regulations for breeders, pet shops, and pet dealers, and regulating shelters, rescues, and transports, to ensure dogs sourced through those channels receive the same level of humane care and oversight is a better policy solution.

The American Kennel Club welcomes any opportunity to work with you and local communities to address your concerns without punishing responsible breeders, pet shop owners, or Minnesota’s pet owners. Please do not hesitate to contact me directly at 919-816-3503 if I may be of assistance in any way.

Sincerely,



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<sup>1</sup> “Facts and Stats,” *American Kennel Club National Breed Club Breed Rescues*, accessed October 20, 2020, at <https://www.akc.org/press-center/articles-resources/facts-and-stats//akc-national-breed-club-rescue/>.

<sup>2</sup> For example, see Kavin, K., “When ‘Puppy Mills Rescue’ Blurs the Line Between Saving and Selling Dogs, Questionable Practices Inside the High Profile Nonprofit National Mill Dog Rescue are not What Most People Expect ‘Rescuing’ to Be”, *The Huffington Post*, July 14, 2019, accessed October 20, 2019, at [https://www.huffpost.com/entry/national-mill-dog-rescue-puppy-mills\\_n\\_5d07cdd2e4b0953278381e02?ncid=APPLENEWS00001&guccounter=1](https://www.huffpost.com/entry/national-mill-dog-rescue-puppy-mills_n_5d07cdd2e4b0953278381e02?ncid=APPLENEWS00001&guccounter=1).

<sup>3</sup> APPA National Pet Owners Survey, 2021.

<sup>4</sup> “Guidance Regarding Agency Interpretation of ‘Rabies Free’ As it Relates to the Importation of Dogs Imported into the United States”, *The Federal Register*, vol. 84. No. 21 pp. 724 – 730. January 31, 2019.

<sup>5</sup> *2021 Animal Welfare Impact Report*, accessed February 15, 2023, at [https://www.aphis.usda.gov/publications/aphis\\_general/2021-impact-report.pdf](https://www.aphis.usda.gov/publications/aphis_general/2021-impact-report.pdf).

<sup>6</sup> Annual Report, Fiscal Year 2022, Minnesota Board of Animal Health, accessed March 8, 2023, at <https://www.bah.state.mn.us/media/annual-report.pdf>.

<sup>7</sup> See Cima, G., “State authorities see disease risk in imported dogs, November 14, 2020, accessed October 20, 2020, at <https://www.avma.org/javma-news/2019-12-01/state-authorities-see-disease-risk-imported-dogs>.