



March 7, 2023

**RE: Comments Regarding SB 1317: Amendment to prohibit the sale of dogs and cats by a retail pet shop**

Dear Chairman Klein and Members of the Senate Commerce and Consumer Protection Committee,

As the advocacy voice of the responsible pet care community, the Pet Advocacy Network represents the interests and expertise of retailers, companion animal suppliers, manufacturers, distributors, pet owners, and others involved in the many aspects of pet care across the United States. Our association works to promote animal well-being and responsible pet ownership, foster environmental stewardship, and ensure the availability of healthy pets through our work at the local, state, and federal levels. We routinely advocate for legislative and regulatory proposals to protect the health, safety, and availability of companion animals.

**On behalf of the responsible pet care community, we ask that you vote no on SB 1317, a bill that would prohibit the sale of cats and dogs by retail pet shops.** Such a ban, which prevents stores from selling dogs and cats and sometimes mandates that pet stores must source dogs and cats from rescue organizations, creates an infeasible business model that has proven to close pet stores. When California enacted a similar policy statewide, 93% of pet stores selling dogs and cats in the state closed permanently.

All of us in the responsible pet care community are dedicated to ensuring that appropriate care of animals is the primary focus of any law or regulation and there is a solution to be had here without creating an underground, unregulated system of pet sales in Minnesota.

While well-intentioned, **retail pet sale bans do not stop bad breeders who are unregulated, unlicensed and are not held accountable to any animal care standards.** We agree that bad breeders who mistreat or neglect animals must be put out of business, but prohibitions on the retail sale of dogs or cats are not the answer.

These bans harm highly regulated pet stores while eliminating a transparent and trusted source of pets that provides purchasers with legal protections, while at the same time driving prospective pet owners to unregulated, unlicensed, and potentially unscrupulous pet-sellers.

Which is why these types of bans ultimately fail in stopping to stopping the unregulated, unlicensed high volume dog breeders and bad actors, and is why we are asking that you vote NO on SB 1317.

Pet stores and the licensed breeders they work with are a highly regulated, best-in-class source of pets that are inspected regularly, provided veterinary exams, and keep detailed records of the condition and care of their animals:

- The U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) established and enforces humane care standards under the federal government's Animal Welfare Act that regulate the transportation, purchase, sale, housing, care, handling, and treatment of animals for use as pets.
- Breeders with five or more breeding females that are not USDA-licensed are prohibited from selling to pet stores.

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- USDA-licensed breeders are routinely inspected to ensure they are complying with humane standards for veterinary care, shelter, food, and clean water.
- Pet stores are also regulated by state laws regarding animal care and warranties and are required to keep records related to the health, veterinary care, and source of the animals they sell.

Beyond the legal requirements, our members feel a responsibility to the animals themselves. They work with families to find the ideal pets for their individual situations because that is the best way to ensure successful lifelong pet relationships. Pet stores are a valuable and transparent option for prospective pet owners that provide peace of mind and the opportunity for families by allowing them to personally interact with and choose a pet that will be the best fit for their circumstances, and SB 1317 would remove that option from them.

These pets have been raised under federal and state care standards, have detailed medical histories, and in many cases, are protected by a consumer warranty<sup>1</sup>. Pet stores have a significant incentive to adhere to the highest standards of care and sourcing because they depend on their reputation, and positive word of mouth to stay in business.

The best option for pet ownership for some families are the pure- or purpose-bred puppies offered by pet stores. They may need a specific breed due to health considerations – 30 percent of Americans suffer from pet allergies<sup>2</sup>. Or, with young children, they may not be able to take on the behavior risks of bringing a dog or cat with an unknown history into their home – 47 percent of rehomed dogs are relinquished because of pet problems, including aggressive behaviors<sup>3</sup>. If a future pet owner needs or wants a specific breed due to such common circumstances, their options will be severely limited without pet stores.

Without pet stores to personally interact with and select their new pet, families may turn to online sources, where they could fall victim to the “puppy scams” that have surged in recent years—tricked into sending unrecoverable money for a nonexistent dog. While there are reputable and responsible online sellers, the Better Business Bureau has stated that fake online puppy sellers and puppy scams have dramatically increased by 39 percent since 2017<sup>4</sup>, and up to 80 percent of sponsored online ads for puppies may be fake<sup>5</sup>. Victims of these puppy scams often have no legal recourse because they purchased from a source without regulatory oversight and without a purchase warranty to protect them.

Without the legal recourse of a warranty, such as those offered by many pet stores and required in many states, families are left with huge, unaffordable veterinary bills. In California, veterinarians saw an increase in

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<sup>1</sup> American Veterinary Medical Association. <https://www.avma.org/advocacy/state-local-issues/resource-guidance-pet-purchase-protection-laws>

<sup>2</sup> Asthma and Allergy Foundation of America. <https://www.aafa.org/pet-dog-cat-allergies/>

<sup>3</sup> ASPCA, Pet Statistics. <https://www.aspc.org/helping-people-pets/shelter-intake-and-surrender/pet-statistics>

<sup>4</sup> BBB Alert: Beware of Puppy Scams This Holiday Season – Findings by BBB Reveal a Surge in Complaints and Scam Reports. (n.d.). <https://www.bbb.org/article/scams/18964-scam-alert-beware-of-puppy-scams-this-holiday-season>

<sup>5</sup> Puppy Scams: How to Protect Yourself from Fake Online Pet Sellers. (2017, November). <https://www.bbb.org/article/scams/14213-puppy-scams-how-to-protect-yourself-from-fake-online-pet-sellers>



consumers purchasing sick dogs from unregulated sources shortly after the state implemented a ban on the sale of dogs, cats, and rabbits at pet stores in 2019<sup>6</sup>.

According to the American Veterinary Medical Association, 22 states already provide legal recourse to people who purchase animals from pet stores that are later found to have a pre-existing illness or medical condition. These protections often include replacement of the animal, a refund of the purchase price, and/or reimbursement of veterinary expenses, generally up to the purchase price of the animal. As a result, pet stores are further incentivized to work with quality breeders to ensure that the dogs they offer are healthy and well-bred.

Rather than penalizing law-abiding and responsible pet store owners, the best way to put the bad actors out of business is to evaluate, improve, and increase enforcement of federal and state animal care laws, including setting and enforcing sourcing restrictions and establishing strong and uniform standards of care while applying them to *all* sources, including pet stores, rescues, shelters, and licensed breeders.

**We ask that you vote no on SB 1317**, and we appreciate your consideration and the opportunity to work together to find ways to meaningfully address bad actors while protecting animals, consumers, and small business without limiting pet choice in Minnesota.

Sincerely,

Alyssa Miller-Hurley  
Senior Director of Government Affairs

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<sup>6</sup> ABC 10 San Diego <https://www.10news.com/news/team-10-puppy-dies-four-hours-after-sd-family-buys-it-vets-say-new-law-may-be-part-of-the-problem>

