

## Regulation of Commercial Animal Dealers

The U.S. Department of Agriculture (USDA) has a history of concern for the health and well-being of animals. Congress passed the Animal Welfare Act in 1966 and has repeatedly and extensively amended it.

The law requires the humane care and treatment of certain animals sold as pets at the wholesale level, transported in commerce, and used in research or exhibits. Individuals using or working with such animals must be licensed or registered by USDA. They also must comply with regulations and standards enforced by the Department's Animal and Plant Health Inspection Service (APHIS).

Although the Act generally does not cover domestic pets in retail stores, APHIS inspects the wholesale dealers that supply such stores with dogs and cats.

While the majority of these animal breeders and dealers are committed to raising and selling physically and psychologically healthy pets, regulation is necessary to ensure that all of these operations provide adequate care.

### Standards of Care and Recordkeeping

Businesses in the commercial pet trade must maintain APHIS standards for veterinary care and animal management. The requirements cover housing, handling, sanitation, food, water, and protection against extremes of weather and temperature. Federal animal care standards ensure minimally acceptable standards of care. Regulated individuals and businesses are encouraged to provide care that exceeds the specified minimum. Those who are unable or unwilling to consistently meet the minimum standards of care are subject to heavy fines and licensing actions, including suspension, revocation, and disqualification.

Breeders and dealers must also employ either a full-time veterinarian or arrange for a veterinarian to visit their businesses regularly. An outside veterinarian employed by a facility must establish a written program of veterinary care and submit it to APHIS for review.

To prevent lost or stolen animals from entering trade channels, APHIS requires breeders and dealers to keep records that identify the source and disposition of all regulated animals that come into their possession.

### Shipping and Handling

APHIS enforces specific regulations and standards governing the transport of animals by commercial carriers. These rules help ensure that licensed dealers, contract carriers, and intermediate handlers treat regulated animals humanely.

Transported animals must meet established minimum age and health certification requirements. They must be housed in safe, sound containers with adequate space and ventilation and provided with protection from extreme temperatures. Animals arriving at a terminal must be promptly picked up and must receive proper care until they are retrieved by the receiving party.

### Licensing and Inspections

The animal breeder or dealer must obtain a license from APHIS. Before getting the license, APHIS officials inspect the prospective animal facilities to determine if they are in compliance with Animal Welfare Act standards and regulations. If the facility is in compliance with the Act, USDA issues the license, and business can begin.

To ensure that the standards are maintained, APHIS periodically conducts unannounced inspections of the business and its animals. If the inspector finds problems, APHIS instructs the owner to correct them. If violations are severe or are not corrected by a given date, APHIS can take legal action to enforce the requirements.



Penalties can include a fine, suspension or revocation of license, confiscation of animals, or even a prison sentence in the most severe cases.

### **Working Together**

The Animal Welfare Act protects many animals involved in the commercial pet trade, but it does not cover all animals in all situations. Animals sold in pet stores, owned by individuals, or housed in shelters and pounds are generally not covered by the Act. Fortunately, most State and local governments also have laws that protect animals. APHIS encourages concerned individuals to work with Federal, State, and local officials as well as local humane organizations to help eliminate the cruel treatment of animals.

### **Additional Information**

For more information about the Animal Welfare Act or the Animal Care program, contact  
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