

From: "AKC's Government Relations Department" <mba@akc.org>

Date: September 2, 2011 3:47:41 PM EDT

To: westlake@zwi.net

Subject: New Rule Will Limit Importation of Puppies for Resale in the United States



September 2, 2011

http://www.akc.org/news/index.cfm?article_id=4474

Yesterday, the United States Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) distributed proposed rules that **provide guidance to federal agencies tasked with enforcing a 2008 law that amends the federal Animal Welfare Act. This measure limits the importation of dogs under the age of 6 months into the United States for the purpose of resale.** The proposed rule is necessary to implement this law and further ensure the health and welfare of America's dogs. The AKC believes the proposed regulations, as written, are a reasonable interpretation of the statute.

HISTORY:

As far back as 2007, the AKC Government Relations Department worked with members of Congress and federal agencies to ensure the reasonableness of parts of the federal agricultural authorization (the "farm bill") that impact dogs. Since the bill became law in 2008 as the *Food, Conservation, and Energy Act*, the AKC has continued to work with APHIS to ensure that any proposed regulation that focuses on dogs ensures the health and safety of American dogs and the wellbeing of the dog-owning public.

Strong enforcement of the Animal Welfare Act as amended law is supported by the American Kennel Club and other animal welfare organizations, recognizing that a large number of puppies are being bred overseas and imported into the United States in order to bypass the welfare regulations and standards required of American breeders. In many cases, irresponsibly bred and undocumented foreign puppies end up at shelters, rescues or other informal or unregulated retail venues. Diseases borne by such animals can create public health issues for both animal and human populations.

WHAT THE PROPOSAL DOES:

The new regulations provide specific guidelines needed by US Customs to prevent the continued "dumping" of unregulated foreign puppies for resale onto

US markets. The underlying law (7 U.S.C. 2133) defines resale to include “any transfer of ownership or control of an imported dog of less than 6 months to another person, for more than de minimis consideration.”

Specifically, the rules ***“prohibit the importation of dogs from any part of the world into the continental United States or Hawaii for purposes of resale, research or veterinary treatment, unless the dogs are in good health, have received all necessary vaccines and are at least 6 months of age”.***

Dogs intended for resale, research, or veterinary treatment may be allowed into the U.S. as long as they obtain an import permit from APHIS, import that dog within 30 days of the proposed import date stated on the permit, and abide by other requirements including:

- **The dog is not younger than 6 months of age.**
- **Dogs imported into the United States for resale, research, or veterinary treatment must be accompanied by an import permit issued by APHIS.** This would help ensure that the requirements for importing dogs are understood and met by the importer.
- **Detailed health and rabies vaccination certificates are provided for each dog imported into the United States.** The certificates must be in English and signed by a licensed veterinarian. The veterinarian must provide his license number on the certificate. By providing proof of having received vaccinations necessary to protect against distemper, hepatitis, leptospirosis, parvo, parainfluenza—DHLPP—and rabies, personnel at a port of entry will be able to best determine that each dog is in good health for importation.
- **Improved identification and tracking requirements.** Under the regulation, importers and exporters are required to provide personal identification and contact information and detailed information for each dog imported. This will help APHIS to determine whether dogs are eligible for importation, to identify dogs at a port of entry, and to contact appropriate parties if any questions arise concerning the importation.

The proposed rule also provides sanctions for those who attempt to import dogs without complying. In addition to penalties already available under the Animal Welfare Act, non-complying importers will be required to provide for the cost of care (including appropriate veterinary care), forfeiture, and adoption of the dog, at his or her expense. This will help ensure the welfare of dogs imported into the U.S., serve as a punishment for violators, and provide a deterrent against potential non-compliance.

The import permit does not guarantee entry into the US, and any dog may be refused entry for non-compliance with requirements.

WHAT THE PROPOSAL DOES NOT DO:

These proposed rules do not prohibit individuals from bringing foreign dogs into the United States for their own use or breeding programs, nor target certain breeders for undue hardship.

For further details and to view the proposed regulations, [click here](#).

WHAT YOU CAN DO:

Comments on the proposed rules will be accepted until October 31, 2011. If you would like to comment, please [click here go to the Federal eRulemaking Portal](#) and click "*Submit a Comment*".

For more information, contact:

- Dr. Gerald Rushin, Veterinary Medical Officer
Animal Care, APHIS
4700 River Road Unit 84
Riverdale, MD 20737-1231
Phone (301) 734-0954