Position statement on pet vending
FROM THE PUBLIC AFFAIRS DEPARTMENT

Key facts...

★ The RSPCA believes there should be an overarching look at all the different ways people buy, deal and trade in animals.
★ Poor breeding, dealing and trading practices can have a significant impact on animal welfare not just for the young being sold but also their parents.
★ The RSPCA believes that the legal framework of relying on a Pet Animals Act that is over 60 years old needs updating; this was promised under the Animal Welfare Act but never happened.
★ We would support legislation that looks at all aspects of pet vending, that sets out a clear and evidence-based legal framework with animal welfare at its heart.
★ The RSPCA believes a good starting point would be to look at the provision of Regulations under the Animal Welfare Act with species-specific Codes of Practice.
★ These could bring in an updated licensing regime with animal welfare at its heart enforced by local authority licensing officers.
★ If this is to be effective then it is important that sufficient resources and training are made available to those officers tasked with enforcement.

Trends in the way pet animals are sold

The types of, and ways, pet animals are sold and traded has changed enormously in the 63 years that the Pet Animals Act 1951 (PAA) has existed. Pet shops are no longer the major players in the pet trade that they once were. For example, shops now account for less than 5% of puppies sold, whereas most people now obtain their puppies from commercial breeders (around 50%), backstreet breeders, the internet and neighbours (around 25-30%) and rescue organisations (around 15-20%)¹. This is underlined by the small number of local authorities that license pet shops to sell puppies, estimated by the Pet Industry Federation to be 2% in 2008², a figure that had decreased even from this figure by 2011. The advertising of pet animals on the internet has replaced traditional methods of sale and shows that any attempts to simply address one aspect of the problem is likely to shift it to another area.

With the advent of online selling the internet has become a major medium through which breeders, dealers and traders advertise and sell pet animals. The Westminster Government has started to look at this area, by endorsing the Pet Advertising Advisory Group (PAAG) standards for adverts on websites³. This is an important step forward, and has been successful in improving advertising standards on those internet sites that have signed up to them, but have been less successful with those sites that have ignored them and of course can provide no guarantee for animal welfare. The RSPCA is concerned that there is a link between the trade and import in pet animals, in particular puppies, and the sale of these animals on the internet and that as the rules are tightened in some areas the less reputable traders will focus on those unregulated sites. Further work needs to be carried out to assess this relationship.

Impact on animal welfare

Poor breeding, dealing and trading practices can have a significant impact on animal welfare not just for the young animals being sold but also their parents. Being transported long distances can have a negative impact on their health and welfare and for some importers mortality rates are a factor they simply add

³ http://paag.org.uk/ (accessed 14.08.14)

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into their business. Some animals will be removed from their mothers too early, receive poor socialisation or not be correctly vaccinated; all of which could have a lasting impact on their lives and the lives of their new owners. Additionally they can be transported in poor conditions suffering from poor ventilation, noise, overcrowding and extremes of temperature to name but a few of the problems.

While these problems can occur with a range of pet animals the RSPCA is aware of evidence in relation to puppies. For example, between January 2013 and January 2014 the RSPCA received 1,601 calls concerning sick or mis-sold puppies. This is unlikely to show the full extent of the problem as many would have been reported to trading standards or police, or not have been reported at all. Of the calls where the point of sale was noted (609), 87% were obtained via an internet advert, the second highest method of acquisition being newspaper adverts at 5%.

**Problems with current legislation**

Current breeding legislation only applies to dogs and dates back over 40 years, there are no controls or licensing regimes concerning other species. Additionally this legislation only provides a licensing regime for those who breed animals for ‘commercial purposes’ and does not appear to cover hobby, back-street or opportunist breeders. While there seems to be confusion amongst enforcers about what constitutes a licensable breeding establishment, it certainly appears that many of the breeders who fall into the latter categories are likely to be making commercial gain from their activities and it is arguable they should be covered by such a regime.

Alongside this, the current licensing regime pays little attention to the welfare of the animals concerned and this is out of step with the thinking and legislative framework set out in the Animal Welfare Act 2006 (AWA) which places ensuring the welfare needs of animals at its heart. Indeed, breeding legislation was supposed to be updated as part of new Regulations under the AWA however this has not yet occurred.

This should also be seen in conjunction with the legal regime that covers the sale of and trade in animals. The main piece of legislation concerning the sale of animals is the PAA and this sets out a licensing regime for pet shops and prevents pets from being sold in the street. However the way pet animals are sold and traded has changed significantly in the 63 years since it was passed; for example the internet is a major source for such trade which was not even in existence when the law was passed.

Trade in pet animals is not just a local issue but an international one with puppies (and to a lesser extent kittens) being moved across Europe under both the commercial and personal system. It is very likely many other animals are moved around Europe and elsewhere for the pet trade.

**Way forward**

Looking at the devolved administrations some developments are occurring in this area. Most recently the Welsh Government has passed new regulations under the AWA which place tighter controls on puppy breeders and a greater emphasis on animal welfare, with an increased focus on the role of socialisation and enrichment for puppies. Additionally in Scotland there is legislation, introduced under the Scottish equivalent of the AWA, which provides a licensing regime for puppy and kitten dealers and regulates the trade in young cats and dogs, particularly those transported into Scotland from Ireland.

While the RSPCA recognises there is no easy solution to these complex welfare problems we do believe that Westminster should consider these issues urgently and look at reviewing the legislation. We believe a good starting point would be to look at the provision of Regulations under the AWA with species-specific Codes of Practice. These could bring in an updated licensing regime with animal welfare at its heart enforced by local authority licensing officers. If this is to be effective then it is important that sufficient resources and training are made available to those officers tasked with enforcement.

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4 Breeding of Dogs Act 1973 which was updated by the Breeding and Sale of Dogs (Welfare) Act 1999
5 TRACES and PETS respectively
6 The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014
7 Licensing of Animal Dealers (Young Cats and Young Dogs) (Scotland) Regulations 2009

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