



## COMMERCIAL DOG BREEDERS FACING REGULATION IN WEST VIRGINIA....AGAIN

**\*\* LIMITS BREEDERS TO 50 DOGS \*\***

### **The Issue:**

West Virginia [House Bill 2883](#) has been introduced again, but with some changes from last year's version. This version of HB 2883 sets different classifications for Class I and Class II breeders and provides a slightly different definition for "commercial dog breeders". However, it does reintroduce a 50 dog limit for these breeders and places restrictions on breeding as well as a list of standards of care. **The measure has been sent to the House Committee on Agriculture.**

### **The Impact:**

A "commercial dog breeder" is defined in this legislation as "any person who maintains eleven or more unsterilized dogs over the age of one year and is engaged in the business of breeding animals for direct or indirect sale or for exchange in return for consideration". Exemption is given to those who have an occupational permit and are registered as a greyhound kennel with the West Virginia Racing Commission.

### Breeding Permits

House Bill 2883 requires these breeders to obtain an annual permit from the county that the breeding operation is located based on the number of dogs maintained for breeding as follows:

- Class I permit = 11-30 unsterilized dogs over the age of one year old at any time;
- Class II permit = more than 40 unsterilized dogs over the age of one year old at any time.

**NOTE:** The bill grants county commissioners the authority to set permit fees of up to \$250 for Class I permits, and up to \$500 for Class II permits.

### Limit Laws

The bill places a limit on the number of dogs a breeder may possess. It states that a "commercial dog breeder may not possess, control or otherwise own or maintain more than 50 unsterilized dogs over the age of one year for the primary purpose of breeding and selling the offspring exclusively as household pets."

### Breeding and Sale Restrictions

Breeders are also prohibited from breeding female dogs UNLESS they are between the ages of 18-months and eight years old and after a licensed veterinarian has deemed the dog suitable for breeding. Also, if a breeder sells directly to the public they must post a notice containing the breeder's name, address and annual permit number on each cage.

### Standards of Care

The bill provides a long list of housing and care standards for breeders to follow. Housing facility standards include sufficient shading, solid floors, protection from inclement weather and no stacking of cages. Veterinary care and food and water standards are also provided. A complete list of the standards can be found in the [text of the bill](#).

### Penalties

Any commercial dog breeder who violates any provision of HB 2883 is guilty of a misdemeanor and, if convicted, faces fines of up to \$1,000 or up to a year in jail, or both.

## **PIJAC Position:**

PIJAC strongly opposes legislation that includes an arbitrary limit on the number of dogs a breeder may have. There is no correlation between the number of animals in a facility and the quality of care those animals receive. Furthermore, a prohibition such as this limits the ability of dog breeders to maintain sufficiently diverse blood lines – This will result in an increase in adverse hereditary conditions, to the detriment of pets and pet owners.

## **Recommended Action:**

This legislation has been introduced, in similar form, several times in West Virginia over the last few years. PIJAC urges breeders, and others concerned about the right to keep pets, to contact [members of the committee](#) to voice opposition to the bill **as currently written**. Always be respectful when speaking with members of the legislature and their staff, but request a commitment to vote against the bill. You may wish to make the following points, in your own words:

- Commercial dog breeders are already licensed under federal law.
- Restrictions on the number of dogs a breeder may own does nothing to improve care of those animals. Laws should focus on appropriate standards of care, not arbitrary limits.
- License fees should be established in statute, not left up to the discretion of administrators.
- Standards under law should be consistent with prevailing standards of care nationally, including requirements under the Animal Welfare Act. Breeders should not be subject to different standards under a federal and state system.

PIJAC supports reasonable standards of care for animals in the pet industry, but opposes excessive regulation that imposes expensive and unnecessary burdens on those who breed and sell pet animals. **PIJAC members and other breeders in West Virginia are encouraged to contact PIJAC with concerns you may have about licensing requirements for breeders under a state law. Because this legislation has been introduced several times in the state, proponents may be building support for adoption of a bill in some form. PIJAC welcomes input from industry members on this issue.**

Contact PIJAC's Michael Maddox via email at [Michael@pjjac.org](mailto:Michael@pjjac.org) or by phone at 202-452-1525 ext 106. You may also visit the [Breaking News](#) page of PIJAC's website for updates on these other initiatives impacting pet owners and the pet trade.