



OPPOSE SB470 – An Act Banning the Sale of Cats & Dogs in Commercial Pet Shops [Sen. Patrick O’Connor (D)]

Referred to Joint Committee on Environment, Natural Resources and Agriculture

WHAT THIS BILL DOES:

This bill would force pet shops to sell only dogs and cats that come from a nonprofit shelter, humane society, or animal rescue organization. The only exception would allow pets bred and raised by the owner of the pet shop in a separate facility. Violations would trigger a \$2,500 fine.

WHY YOU SHOULD OPPOSE THIS BILL:

By forcing pet shops to sell only dogs and cats of unknown origins, this bill would take away many of the choices people seeking pets are looking for. It would criminalize legal businesses and force many of them out of business, make unavailable a popular type of pet (purebred dogs and cats raised in government regulated facilities), and lower the quality and health of pets available to the public.

Animals currently sold by pet stores are heavily regulated and inspected. These shops are required to sell only dogs and cats that come from commercially licensed breeding establishments which are regulated and inspected by the USDA under very exacting Animal Welfare Act regulations. The rules penalize even such things as single spider webs or a tiny amount of rust; USDA approved facilities are immaculate. This bill will ban the sale of pets from these known, regulated and inspected sources, and allow pet shops to sell only pets from unregulated and uninspected sources (i.e., shelters, rescues, and other similar organizations).

By forcing pet shops to sell only dogs and cats of unknown origins, this bill would take away many of the choices people seeking pets are looking for: a consumer protection guarantee, a trainable animal too young to have acquired bad habits, the choice of purebreds with particular characteristics, and healthy pets with known backgrounds that are socialized to humans and bred by experienced breeders devoted to raising animals responsibly and ethically. If this bill becomes law, potential pet owners would be limited mostly to teenaged and adult rescue animals, as there are very few young puppies or kittens in shelters. The pets will have unknown backgrounds and unknown health and behavioral issues, sometimes even be feral and unused to human handling. For the few puppies, it will be difficult to predict how the dog will mature: small or large; slim or pudgy; quiet, lively, or aggressive. Health problems are much more common in shelter animals than in pet store animals, but because of the pets’ unknown backgrounds the stores will not be able to offer guarantees.

The law would put many pet stores out of business. Fewer customers would be interested in their pet offerings and they would lose the additional sales of food and supplies new pet owners need. The stores may not even be able to acquire shelter pets – the shortage of shelter animals is so severe that shelters have imported over 18,000 dogs a year into Massachusetts from other states and overseas. The shelters do not want to give up this lucrative trade; shelters in New England have already rebuffed some pet stores. In New Jersey, the only state that has passed this law, the shelters balked and pet stores had to do their own importing, often leading to health problems. Since 2006, at least 300,000 rescues a year have been brought into the US from foreign countries. If this bill passes, the shelters will have cornered the market on pets and have an illegal monopoly for themselves. Prices would soar and consumers would be forced to settle for poorer temperament and less healthy pets. The decision about what type of pet to acquire should be made by consumers themselves, not by an arbitrary government mandate.

FOR MORE INFORMATION:

Massachusetts Federation of Dog Clubs and Responsible Dog Owners
John Seeley, acjohn@aol.com, 978-456-8644
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08/26/17

SENATE No. 470
The Commonwealth of Massachusetts

PRESENTED BY:
Patrick M. O'Connor

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in
General*

Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:
An Act banning the sale of cats and dogs in commercial pet shops.

PETITION OF:

NAME: DISTRICT/ADDRESS:

*Patrick M. O'Connor - Plymouth and Norfolk, Sheila C. Harrington - 1st Middlesex,
Jason M. Lewis - Fifth Middlesex; Josh S. Cutler - 6th Plymouth, James M. Cantwell - 4th Plymouth,
Danielle W. Gregoire - 4th Middlesex, Daniel J. Hunt - 13th Suffolk, James M. Murphy - 4th Norfolk, David
F. DeCoste - 5th Plymouth, Susan Williams Gifford - 2nd Plymouth,
Kevin J. Kuros - 8th Worcester, Carmine L. Gentile - 13th Middlesex, Marjorie C. Decker - 25th Middlesex,
Kate Hogan - 3rd Middlesex, William C. Galvin - 6th Norfolk, Chris Walsh - 6th Middlesex, Natalie Higgins -
4th Worcester, Jack Lewis - 7th Middlesex, Jennifer L. Flanagan - Worcester and Middlesex, Mark C.
Montigny - Second Bristol and Plymouth*

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act banning the sale of cats and dogs in commercial pet shops.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority
of the same, as follows:*

1 Section 39A of chapter 129 of the General Laws is hereby amended by striking the first
2 paragraph and replacing it with the following new paragraphs:-

3 1. Prohibition of sale in pet shops. Except as provided in subsection 2, a pet shop may
4 not sell, deliver, offer for sale, barter, auction or otherwise dispose of a cat or dog.

5 2. Exceptions. The following are exceptions to the provisions of subsection 1:

6 (a) A public or private charitable nonprofit animal shelter, humane society or animal
7 rescue organization;

8 (b) A pet shop offering a cat or dog owned by an entity in paragraph A for purposes of
9 adoption of the cat or dog by a member of the public; or

10 (c) A pet shop offering for sale a cat or dog that was born and raised by the owner of the
11 pet shop in a separate facility.

12 3. Penalties. A person who violates this section commits a civil violation for which a
13 fine of \$2,500 is adjudged.