



Legislation Text

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Res. No. 407

Resolution calling upon the New York State legislature to pass legislation that would crack down on puppy mill practices and empower municipalities to legislate in this area.

By Council Members Crowley, Brewer, Dromm, Gentile, Gonzalez, James, Koppell, Lander, Nelson, Palma and Halloran

Whereas, According to the American Society for the Prevention of Cruelty to Animals (ASPCA), a national animal protection and advocacy organization, puppy mills are large-scale commercial dog breeding operations where profit is given priority over the well-being of the dogs; and

Whereas, Puppy mills seek to breed the greatest number of dogs, without regard for the suffering of the animals, physical defects and disease; and

Whereas, The ASPCA states that puppy mills operate in deplorable conditions, that are overcrowded and unsanitary; and

Whereas, Dogs in puppy mills generally will not receive adequate veterinary care, food, water and space; and

Whereas, Some animal rights organizations estimate that there are 4,000 puppy mills in the United States and these mills are responsible for the production of about half a million dogs per year; and

Whereas, In New York State the sale of animals are governed by the Agriculture and Markets Law and General Business Law; and

Whereas, The State Agriculture and Markets Law addresses the standards of care that pet dealers must provide to animals including the maintenance of proper housing for the animals, such as sufficient space for movement, ventilation, proper temperature, lighting, sanitation, adequate food and water and regular veterinary

care; and

Whereas, Pet dealers must also maintain documentation regarding each animal in their possession including the name and address of the person from whom each animal was acquired, the original source of the animal, the date of acquisition and the identity of the animals is purchaser; and

Whereas, State General Business Law also regulates the sale of dogs by pet dealers; and

Whereas, These regulations require that prior to the sale of a dog, the pet dealer must have a veterinarian examine the dog and determine the animal's breed, age and whether the animal suffers from any health conditions and the animal must receive a rabies vaccine; and

Whereas, The pet dealer must disclose to the purchaser the breeder's name and address, the source of the dog, the date of the dog's birth, the date the dog was received by the pet dealer, the dog's breed, sex, color and identifying marks, a record of the dog's inoculations, a record of veterinary treatment, a signed statement that the dog doesn't have a disease and that there are no known congenital or hereditary conditions that adversely affect the dog at the time of sale, a requirement that the dog be licensed, and information on spaying and neutering; and

Whereas, While these laws represent existing safeguards more must be done to protect these vulnerable animals; and

Whereas, Recent puppy mill-related arrests involved animals that were bred to be sold in New York State, further underscoring that New York provides a market for puppy mill animals; and

Whereas, There are also national efforts to crack down on abusive puppy mills; and

Whereas, United States Senators Richard Durbin and David Vitter have introduced the Puppy Uniform Protection Statute (PUPS), legislation aimed at closing a loophole in the Animal Welfare Act that allows thousands of commercial breeders to go unregulated; and

Whereas, This federal legislation would require all breeders who sell more than 50 puppies per year to be federally licensed and inspected and mandate that commercial breeding facilities provide dogs with 60

minutes of exercise each day, as well as eliminate the existing loophole for dealers that sell animals over the Internet; and

Whereas, In addition, authority should be granted to local officials to investigate and regulate puppy mills and other inhumane practices against animals occurring within their jurisdictions; and

Whereas, Such authority should allow New York City to mandate that pet dealers conspicuously post the source of their dogs so that consumers can be aware where these dogs are originating from; and

Whereas, Other reforms should include the creation of a “Puppy Mill Free” certificate program, that pet dealers would need to apply and establish that they receive their dogs from reputable breeders that comply with all applicable humane treatment laws, as this would serve to further protect these animals and consumers; and

Whereas, New York City should also have the authority to create a registry of pet dealers that are puppy mill free; and

Whereas, Only through strong local enforcement and empowerment can localities adequately respond to the threat and inhumane treatment occurring at puppy mills; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State legislature to pass legislation that would crack down on puppy mill practices and empower municipalities to legislate in this area.

JM
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