



Changes to AWA: Nov. 2013

United All Breed Registry 888-908-9299

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The United States Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) made some revisions this fall to the Animal Welfare Act (AWA) in an effort to combat unethical retailers selling pets via the internet. The goal is to protect animals that are sold "sight unseen." The AWA was written in the 70's and never before has it explicitly addressed the topic of online sales.

So what does it mean for you?

If you breed pets and you have more than 4 breeding females on your property (that means animals with the capacity to be bred), as of November 18th you CANNOT ship puppies SIGHT UNSEEN without being licensed by APHIS. The buyer must see the animal in the flesh before purchase.

What else is new?

- If you sell puppies at wholesale as working or breeding animals, you are considered a dealer. **This is somewhat new** — it used to be all sellers of working or breeding animals.
- If you sell puppies at retail as working or breeding animals, you are not considered a dealer and are not subject to licensing requirements. **This is new.**
- If you are considered a dealer, you may be exempt from the licensing requirements if you meet **any one** of the following criteria:
 - **You are a retail pet store.** A retail pet store is defined as "a place of business or residence at which the seller, buyer, and the animal available for sale are physically present so that every buyer may personally observe the animal prior to purchasing and/or taking custody of that animal after purchase". **This is somewhat new** — the previous definition of "retail pet store" did not include the requirement for the buyer, seller, and animal to be physically present.
 - **You maintain four or fewer breeding females and sell at**



wholesale only their offspring that are born and raised on your premises. **This is somewhat new** — previously anyone with three or fewer breeding females who only sold their offspring etc. was exempt.

- **You maintain four or fewer breeding females and sell at retail** only their offspring that are born and raised on your premises. **This is new** — previously anyone selling pets at direct retail sale for the buyers own use was exempt. If you fit this definition you are also considered a “retail pet store”.

What’s not new:

- If you sell puppies as pets, you are considered a ‘dealer’ under the Federal [Animal Welfare Act](#). **This is nothing new.**
- Dealers must be licensed by the USDA. **This is nothing new.**

Related Links

[Details of the regulation changes](#)

[The final ruling in Federal Register](#)

[Press Release about the changes](#)

[Q&A Sheet from USDA \(PDF\)](#)

[Transcript of Sept. 10 Conference Call \(Q&A\) \(PDF\)](#)

[Audio Recording of Sept. 10 Conference \(40 mins.\)](#)