

Overview of Commercial Dog Breeder Act
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LSC/CLE

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Timeline

- Numerous legislative proposals over a seven year period
 - Various opinions among breeders, animal-rights advocates, farmers, veterinarians and others
 - Sticking points included who would regulate breeders, the threshold for being regulated and the standards of care
- Sub. S.B. 130 signed into law by Gov. John Kasich on December 11, 2012
- The Commercial Dog Breeders Act became effective on March 13, 2013
- Appoint an advisory board within 60 days

Enabling Legislation

- Established the Commercial Dog Breeding Advisory Board
 - The State Veterinarian in the ODA plus:
 - A member of a humane society
 - A county dog warden
 - A veterinarian
 - A member representing animal rescues
 - A member representing a professional dog breeding association
 - A member representing the public
- Members are appointed for three years

Enabling Legislation

- Duties of the Board
 - Review proposed rules
 - Advise the Director on the administration of the act and the rules

Register with the ODA

- High volume dog breeder: maintains breeding dogs that produce 9 litters per year and sells 60 puppies
 - Requires annual license application and a fee
- Dog retailer: anyone who buys, sells, offers at wholesale for resale, or sells or gives 1 or more dogs to a pet store annually
 - Requires annual license application and a fee
- Animal rescue for dogs: must register with ODA, but can not operate for a profit
 - No fee

Registration Exemptions

- Exemptions
 - Medical kennels
 - Research kennels
 - County, municipal or non-profit organization animals shelters
 - Veterinarians
- Requires the Director to conduct inspections, and provides for enforcement through civil penalties, citations, and injunctive relief

Application Fees

- High Volume Dog Breeder
 - \$150 sells 9-15 litters
 - \$250 sells 16-25 litters
 - \$350 sells 26-35 litters
 - \$500 sells 36-45 litters
 - \$750 sells 46 ore more litters
- Dog Retailer
 - Application fee - \$500

Financial Responsibility

- Liability insurance or surety bond requirements
 - \$5,000 for not more than 25 adult dogs
 - \$10,000 for 26-50 adult dogs
 - \$50,000 for 51 or more adult dogs

Application Must Include

- High Volume Breeder Permit Application Form
- Appropriate application fee
- Complete background check
- Reimbursement form and original receipt
- Bond form or Certificate of Insurance
- Affidavit – Compliance with Facility and Care Standards
- Affidavit – Number of Litters Produced and Number of Dogs Sold or anticipated if new
- Photographs of the facility where dogs are housed

Rule-Making Process

- The Commercial Dog Breeders Ad Hoc Committee was formed and met four times from January to March 2013
- A draft standard for the care and housing by high volume dog breeders was developed
- Reviewed by the Commercial Dog Breeders Advisory Board on May 22, 2013
- Submitted to JCARR July 23, 2013
- Public hearing August 29, 2013
- Passed JCARR September 23, 2013
- Effective Date October 10, 2013

Enabling Legislation

- Director must develop standards of care governing the following:
 - Housing
 - Nutrition
 - Exercise
 - Grooming
 - Biosecurity and disease control
 - Waste management
 - Whelping
 - Any other general standards of care

Enabling Legislation

- Director must consider the following in developing the standards
 - Best management practices
 - Biosecurity
 - Prevention of disease
 - Morbidity and mortality data
 - Generally accepted veterinary medical standards and ethical standards (AVMA)
 - Standards established by USDA/AC

Commercial Dog Breeder Rules Care and Housing Standards

- 901:1-6-01 – Definitions and General Considerations
- 901:1-6-02 – Housing – refer to handout
- 901:1-6-03 – Socialization
 - Puppies shall have human physical contact during the first 16 weeks of life
 - Dogs and puppies shall be provided daily positive human contact beyond feeding and cleaning
 - Dogs and puppies shall be provided some form of effective enrichment

Commercial Dog Breeder Rules Care and Housing Standards

- 901:1-6-04 – Food and Water
 - Dogs shall receive food at least once daily
 - Dogs shall receive water on a continual basis or not less than twice daily

Commercial Dog Breeder Rules Care and Housing Standards

- 901:1-6-05 – Health
 - Must have a V-C-P-R
 - The attending veterinarian
 - Will visit each facility a minimum of one time per year
 - Will conduct a physical exam of each dog and puppy
 - Provide a written annual plan for exercise, behavior and social needs, and health care to include a *Brucella canis* monitoring program
 - Surgical procedures, except dewclaw removal and tail docking between 2 and 5 days of age, shall be performed by a licensed veterinarian
 - Prescription drugs only administered as directed

Commercial Dog Breeder Rules Care and Housing Standards

- 901:1-6-06 – Transportation
 - Each adult dog or puppy over 16 weeks of age must be offered food and water at least once every 8 hours
 - Puppies less than 16 weeks must be offered food and water at least once every 4 hours
- 901:1-6-07 – Record Keeping and Identification
- 901:1-6-08 – Licensing
- 901:1-6-09 – Inspections
 - At least once annually by ODA
- 901:1-6-10 – Civil Penalties
 - \$100 for a first offense and \$500 for each subsequent offense
