



Kennel Club Response to Dog Breeding Review Consultation

The Kennel Club is urging all those involved or interested in breeding to respond to the dog breeding consultation currently being held by the Welsh Assembly in order to protect the future of small scale responsible breeders.

The Kennel Club fears that the consultation, which is due to close on Thursday 13th January and which aims to crack down on puppy farmers, will instead have a detrimental impact on responsible breeders and therefore the future welfare of dogs.

1. The Kennel Club's full response to the consultation can be seen below. Details of the consultation and proposed regulations can be found [here](#).
2. To respond to the consultation before the deadline on 13th January email companionanimalwelfare@wales.gsi.gov.uk or write to Animal Welfare and By-products branch, Office of the Chief Veterinary Officer, Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ.
3. For help and advice about how to respond to the consultation click [here](#)

The Kennel Club Response to Dog Breeding Review Consultation

Question 1: Do you consider that the definition and requirements of a licence holder in the proposed licence conditions is clear? If not, please give our reasons in detail.

The Kennel Club remains concerned with Licensing of Dog Breeders - Section 4 (2): 'It is unlawful for any person to keep 3 or more breeding bitches and' – (f) 'keep 3 or more breeding bitches in kennel accommodation which an Inspector reasonably believes is consistent with commercial dog breeding.' Our concerns relate to enforcement and interpretation of section 4 (2) (f) in that with the current wording an Inspector could 'reasonably believe' any breeding establishment be commercial and therefore requiring a licence without needing to justify this further. This could therefore be open to misinterpretation and abuse. The Kennel Club would suggest alternative wording and guidelines defining commercial breeding practices for Inspectors, or retaining the current licence requirement as someone breeding five or more litters a year.

A large number of responsible breeders own three or more bitches which would, for the purposes of these Regulations, be defined as 'breeding' despite only breeding from one bitch or less in any given year: the other bitches may be part of a longer term breeding plan, retired breeding bitches or companions. The mere fact of owning three unneutered bitches in kennel accommodation is not, in itself, a reliable indicator of whether or not a breeder is operating commercially and could, therefore, result in diverting precious and scarce resources away from regulating commercial, particularly large-scale breeders, to police those who may only be breeding one litter a year.

Also, we are concerned that some larger breeds can regularly have litters of more than 10 puppies. This would be automatically covered by the Regulations, despite the fact that the breeder may perhaps only breed one litter in the year. We would, therefore, like to see any reference to the number of puppies removed in preference to the number of litters. This would also be more equitable in welfare terms as bitches are arguably as much affected by the number of litters they have as by the number of puppies in any one litter.

Question 2: Do you think the scope of the definition of a licence holder is adequate? If not, please give your reasons in detail.

The Kennel Club agrees that the scope of the definition of a licence holder is adequate. The proposed definition is quite complex. However concerns have been expressed that the definition may highlight small scale responsible breeders and leave uncontrolled the larger commercial puppy farm that may be less obvious.

We also remain highly concerned regarding the conditions set in Section 4 (2) (a-f). Subsections (b) and (c) refer to a figure of 10 puppies being advertised or supplied but certain breeds, for example the Rhodesian Ridgeback, regularly produce litters of more than 10. The Kennel Club would therefore strongly advise that this figure be increased to 20. Subsection (f) raises concerns regarding enforcement and interpretation with the current wording 'reasonably believe'. This could therefore be open to misinterpretation and abuse with an inspector being able to class any breeding

establishment as commercial and therefore requiring a licence without needing to justify this further. We therefore recommend that either the wording be amended and guidelines introduced defining commercial breeding practices for Inspectors, or that the current licence requirement is retained as someone breeding five or more litters a year.

Question 3: Do you consider that the proposed Guidance is sufficiently detailed enough to enable both enforcement officers and dog breeders to understand the standards to be met at a licensed dog breeding establishment? If not, please give our reasons in detail.

The Kennel Club broadly agrees with the level of detail in the proposed changes to the Animal Welfare (Breeding of Dogs) (Wales) Regulations. However we have concerns about several of the proposed regulations as follows:

- The requirement to provide two water bowls in enclosures with more than one dog. This would clearly be insufficient in enclosures of, for instance, ten or more dogs. Whilst we appreciate the intention of this regulation the wording could actually provide a loophole for unscrupulous breeders; we would therefore suggest that the wording is altered to a more practical and less prescriptive 'adequate access to water at all times'.
- Ratios of staff to dogs are, in the Kennel Club's view, too prescriptive and fail to take into account the breed, temperament, age, activity levels or size of the dogs concerned and the capabilities and fitness of the staff. There should be more discretion to allow staffing at different levels to account for these matters;
- The requirement to vaccinate against Canine Distemper, Infectious Canine Hepatitis, Leptospirosis and Canine Parvovirus.

The full vaccination course takes 12 weeks and there are a number of different brands available, some of which according to the manufacturers are incompatible and cannot be mixed. Therefore if a buyer acquires a puppy at age eight weeks, part-way through one course, a further and different full course may have to be recommenced leading to over vaccination. The puppy's health may also be compromised if there is misunderstanding about whether the course has been started or completed. The Kennel Club believes breeders should be allowed some discretion over whether or not to provide this course of vaccinations prior to sale, provided that the buyer is adequately informed as to the precise situation; additionally unscrupulous breeders have been known to vaccinate the puppies prior to sale precisely to prevent the necessity for the new owner to present the puppy at a veterinary surgeon at an early stage where other health problems might be exposed.

- Parasite control should be required in section 4.4, specifically treatment for roundworms. Roundworm infestation of puppies is a major welfare issue which can result in illness and death.

-The use of the wording stating that breeders should have 'due regard' in relation to breeding of crossbreeds. This is far too loosely worded in our view and could easily be expanded upon to ensure the same vigilance is maintained in the breeding of pedigree, non-pedigree and crossbred dogs. We would therefore recommend that some guidance is included on health testing.

- The requirement to microchip before re-homing or selling puppies, whilst the Kennel Club is broadly in agreement with the principle, some breeders will be concerned at the potential consequences and practicalities of micro chipping puppies at such a young age.

Question 4: Do you consider that the standards set in the proposed Guidance for a dog's environment, diet, behaviour, companion and health needs are suitable? If not, please give your reasons in detail.

The Kennel Club broadly agrees with the guidance given on a dog's environment, diet, behaviour, companion and health needs. However we remain concerned at the lack of requirement for a contract of sale or advice in the Regulations. These elements are vital in buying and selling puppies must be included in the Guidance document.

The Kennel Club would also like to highlight the need for any Guidance to be used sensibly and for inspection officers to be trained so that they are able to differentiate between good and bad practice; as too arbitrary an application of this guidance could unnecessarily penalise perfectly good breeders.

Question 5: Do you agree that the minimum staff: dog ratio of 1 full time attendant per 20 dogs and 1 attendant to 10 dogs for a part-time attendant is appropriate? If not, please give your reasons in detail.

The Kennel Club does not accept the rationale for this overly prescriptive proposal and believes there should be greater flexibility. It fails to take account of the attendant's actual capabilities and fitness. It also fails to take account of the vastly different requirements of diverse breeds; it may be impossible for a single carer to take adequate care of even 10

large dogs that require a high degree of exercise and/or grooming, whilst the same carer may be able to offer more than adequate care for 30 small dogs that have low activity levels or low grooming requirements.

Question 6: At present, the draft Regulations only require a record for all unneutered females and puppies born after the Regulations come into force. Do you agree? If not, please give your reasons in detail.

The Kennel Club believes that records should be required for all breeding stock, including stud dogs, as each dog's welfare is equally important.

Question 7: At present, the Regulations only require unneutered females and puppies born after the Regulations to be microchipped. Should there be a requirement to extend this to all dogs kept at a breeding establishment? If not, please give your reasons in detail.

The Kennel Club believes that all dogs kept at the breeding establishment should be microchipped in order to enable better enforcement of the limit on the number of litters that may be bred from each bitch.

However we recognise that some relief should be given to provide exemption for older animals.

Question 8: Do you agree that all puppies should be microchipped before it is 56 days old or before it leaves the premises, whichever is the later? If not, please give your reasons in detail.

The Kennel Club broadly agrees that all puppies should be microchipped before leaving the breeding premises – so long as the puppy is not re-homed before 56 days of age. However we believe that some relief should be given for breeders of particularly small dogs at the discretion of a vet or where there is a compelling medical or welfare reason not to do so.

Question 9: Do you agree that the first registration of a puppy should be to the licensed breeder? If not, please give your reasons in detail.

Yes, the Kennel Club agrees that the breeder should be the first registered owner of the puppy to ensure greater traceability and encourage better welfare standards.

Question 10: Are there any premises such as sanctuaries, hunt kennels and licensed boarding kennels that should be exempt from the requirement outlines? If so, why? Please give your reasons in detail.

The Kennel Club believes that those breeders, who conform to a higher set of standards that are incorporated in a recognised breeding scheme that is properly accredited by a recognised accreditation body such as the United Kingdom Accreditation Service (UKAS), should be exempted from the Regulations in order to free up resources for inspecting breeders who fall outside such a regime. There is otherwise no reason to exempt hunt kennels, licensed boarding kennels or sanctuaries if they are breeding dogs, or selling or re-homing young puppies.

Question 11: Do you agree that as currently drafted, the Regulations require that puppies cannot leave the breed premises until they are at least 56 days old? (Previous legislation allowed puppies to be moved off the breed premises earlier as long as it was direct to a pet shop owner). If not give your reasons in detail.

The Kennel Club agrees strongly with the requirement not to allow the puppies to leave the premises before the age of 56 days old. The Kennel Club is totally opposed to the sale of puppies in pet shops, as we feel this is completely the wrong forum in which to keep or sell puppies.

Question 12: Do you agree that as currently drafted, dog breeding licences should be issued for a period of up to 3 years, subject to a local authority considering the frequency of inspections and risk, and be renewed as appropriate? If not, please give your reasons in detail.

Ideally this would be shorter, however, considering the practicalities of inspecting premises and ensuring the correct balance is struck between expending resources on inspecting small scale hobby breeders and large commercial breeders we feel this is an appropriate term for which a licence should be issued.

We would however like to see the principle established that poor quality or those premises where reasonable concerns have been raised have an increased frequency of inspection.

Question 13: These proposals might incur costs to bring dog breeders up to the required animal welfare standards. Please provide appropriate evidence based information.

The Kennel Club remains concerned that definitions in the proposals may highlight small scale responsible breeders who would therefore incur arguably unnecessary costs, leading them to stop breeding – whilst leaving the larger commercial puppy farm uncontrolled. The current proposals could potentially give the wrong focus to enforcement Inspectors, leading to the wrong people being penalised. Penalising good breeders may have the effect of driving them away from breeding dogs altogether, and leave a gap for irresponsible breeders and those who see to work outside the law, to exploit.

Question 14: We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

We believe the Regulations could, in places, go further by also requiring breeders to:

- Health test the breeding bitch and stud dog for any inherited genetic disorders relevant to the breed such as hip or elbow dysplasia and inherited eye diseases in certain breeds;
- Provide written advice on feeding, worming, socialisation and training specific to the needs of the particular breed;
- Provide reasonable post-sales advice to the puppy buyer; and
- Draw up an appropriate contract of sale to protect the buyer.

These additional requirements would ensure that not only would the immediate health and welfare needs of the puppy be met but also inherited health problems would be, wherever possible, avoided, puppy buyers would be enabled to adequately care for their new puppy and puppy buyers would be protected from unscrupulous breeders by the provisions of the contract of sale. This latter point is of the utmost importance as the current regime allows puppy farmers to extract large sums of money from puppy buyers with very limited recourse to consumer law when things go wrong for instance the newly-acquired puppy requires immediate veterinary attention.

More generally the Kennel Club would also like to highlight our support of the proposal giving inspectors the ability to both suspend and revoke a breeding licence. We consider that to be a significant improvement on current legislation.

The Kennel Club also considers that the licence fee should be set annually by the [Welsh Assembly Government](#) and that the Regulations should require local authorities to charge those fees. Licence fees vary hugely between local authorities even though the apparent costs are similar.

The Kennel Club regards it of utmost importance to note that the CAWES project funding will cease in early 2011 and that this will greatly reduce the number of enforcement officers available to put these regulations into practice effectively. The Kennel Club would therefore encourage the Government to carefully consider how effective enforcement can be assured, and if there is a danger that it cannot, to consider alternative inspection schemes if these are properly accredited by a body such as UKAS.

Details of the consultation and proposed regulations can be found [here](#).