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Llywodraeth Cymru  
Welsh Government

Welsh Government

## Consultation – Summary of Responses

### Third Party Sales of Puppies and Kittens

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.  
This document is also available in Welsh.

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## **1. Consultation Exercise**

### **1.1 Background Information**

Currently, puppies and kittens can either be purchased directly from a breeder (licensed or unlicensed depending on the number of breeding bitches at the premises), via a third-party seller, or from a rescue/rehoming centre. There are no national records of the number of puppies and kittens sold via third-parties.

Commercial third-party sellers are those who are licensed pet sellers; In Wales they will hold a license under the Pet Animals Act 1951.

There are concerns commercial third-party sales of puppies and kittens may be associated with poorer welfare conditions for the animals compared with direct purchase from the breeder. For example, the introduction to several new and unfamiliar environments, and the increased likelihood of multiple journeys the puppies or kittens have to undertake have the potential to contribute to an increased risk of disease and a lack of socialisation and habituation for the puppies or kittens.

On 19 June 2018 the Minister for Environment, Energy and Rural Affairs, Lesley Griffiths, delivered an Oral Statement announcing her commitment to explore options of banning commercial third party sales of puppies and kittens in Wales. On 5 November 2018 the Minister announced a consultation would be launched to gather information on the supply chain and establish where government intervention would have the greatest impact.

### **1.2 Public Consultation**

The twelve week public consultation on the Banning of Third Party Sales of Puppies and Kittens was launched on 19 February 2019 and closed on the 17 May 2019. The consultation was published on the Welsh Government website and publicised in newsletters and via various social media platforms.

The consultation looked at evidence on what stage the government should intervene in large scale breeding premises and address concerns about animal welfare.

### **1.3 Consultation Questions**

The respondents were asked to consider 10 questions:

1. What do you feel are the biggest issues associated with the breeding and selling of
  - a) Dogs/puppies
  - b) Cats/kittens
2. Your views are invited on how the problems identified in question 1 might be addressed by banning commercial third party sales in Wales:
  - a) For puppies
  - b) For kittens
3. Are there any measures, other than a ban on commercial third party sales, that could address the problems identified in question 1?

4. Do you think a ban will have any impact on rehoming centres? If so how? Try and be specific and/or provide supporting evidence.
5. Do you think a ban will have any impact on licensed dog breeders who currently supply third party sellers? If so how? Try and be specific and/or provide supporting evidence
6. Your views would also be welcome on the scope of any ban on third party sales in Wales. Should it be restricted to commercial sellers (those licensed under the Animals Act 1951) or anyone wishing to sell a puppy or kitten? Please provide example situations where you feel a ban should or should not apply.

### **Welsh Language**

7. We would like to know your views on the effects that banning third party sales of puppies and kittens would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favorably than English.
8. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?
9. Please also explain how you believe a change in policy could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

### **Additional Information**

10. 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:

## **2. Responses to the Consultation**

There were 458 responses to the consultation. The organisations which responded are listed at Annex A.

## 2.1 Question 1 - What do you feel are the biggest issues associated with the breeding and selling of:

- a) Dogs/puppies
- b) Cats/kittens

78% of respondents answered this question relating to dogs and 68% answered for cats. The majority of responses expressed concerns with poor breeding conditions, welfare of the animals and high demand.

- “The puppy market is in many respects, complicated and poorly understood. There is a high demand for puppies - in the region of 750,000 puppies per annum across the UK and around 55,000 in Wales each year. To some degree the ‘product’ has a limited shelf life, with the majority of puppy buyers wanting to buy puppies from 8-12 weeks old. With a very significant, if not a majority, of these puppies being bred by low volume breeders who operate totally independently of each other and who sell from domestic premises.

The evidence that we have available to us is that irresponsible breeders and sellers do not undercut responsible suppliers (breeders) on price. In this sense the market is different to that of counterfeit goods or backstreet car dealers, whereby the purchasers of these products probably understand they are taking a risk on the quality of the product in exchange for cheaper prices. For fake cigarettes and backstreet cars etc, potential purchasers have clear avenues to bona fide suppliers which they will have knowledge of.

Another key difference is that puppies (and kittens) are live animals and therefore do not come with the same guarantees or predictability as other consumer ‘products’, such as a washing machine or pair of shoes. Puppy purchases are emotionally driven, people fall in love with a puppy and logic is left behind.” (Kennel Club)

RSPCA echoed these concerns with such high demand it is difficult to establish the exact numbers:

- “While many puppies are sold to the buyer directly from the puppy’s place of birth, a proportion of puppies are sold via third parties including sellers operating legally with a pet shop licence as well as those selling illegally. Unfortunately, exact figures apportioning the different types of sale are not available. However, figures from Ornamental Aquatic Trade Association (OATA) Ltd in 2016, suggest there are 4 145 pet shop licence holders in Wales with 15 pet shop licence holders permitting sale of puppies. This equates to only 10.3% of pet shop licence holders being permitted to sell puppies and as such they are one of the least commonly sold pets via this method. Nonetheless, based on data from Carr (2016), it is estimated that as many as 80,000 puppies may be sold annually by pet shop licence holders in the UK; 5 figures specifically for Wales are unavailable. (RSPCA).”

Similar views were raised by many of the respondents:

- “The main areas of concern relate to commercial third-party sales of puppies and kittens where the overriding objective is commercial profit, resulting in breeding for maximum profit at the expense of animal welfare. There are few pet shops selling puppies now, but the volume of sales via third party trade is significant (suspected to be in the region of 80,000 puppies per annum). This includes puppies brought /

imported by traders for sale alongside puppies bred on site. There are many issues associated with commercial third party sales, including the poor welfare conditions, trauma of transportation, premature separation from the mother, lack of socialisation, poor health and hygiene standards and lack of medical screening for breeding bitches and stud dogs. All these result in puppies potentially having debilitating inherited diseases and conditions, vulnerability to life threatening diseases, behavioural problems and lack of socialisation.” (Anonymous)

- “The issues concerning welfare of kittens is similar to that of puppies as set out in the previous question.” (Institute of Licensing)
- “Dogs used for breeding are seen as money making machines instead of sentient beings. Too many puppy farms exist in Wales where the standard of care for the dogs is below what you would expect in a civilised country. I don't have enough knowledge to address the issues specific to the breeding of cats/kittens but I imagine the same applies as to dogs.” (Anonymous)
- “The welfare of breeding bitches. The fact that dog breeding establishments will be open to the public means that breeder anonymity will no longer be a factor as the buyer will be able to view the puppies with their natural mother. However, breeders have expressed concern in relation to public safety as lobbyists posing as buyers could gain access to their premises. The proposed legislation will reduce stress to puppies in terms of transportation as the puppies will be purchased by the ultimate purchaser and taken home directly as opposed to going through a dealer. One matter worthy of consideration is making it a criminal offence to trade in cash transactions as is the case under the Scrap Metal Dealers Act 2013 thereby reducing the scope for money laundering as certain types of dogs can be very expensive to purchase.” (Anonymous)
- “My experience when looking to buy is that the breeder's only intention is for profit and the dogs welfare is secondary. I have been alarmed at how many false adverts I have seen on internet sites.” (Anonymous)
- “The big issue is that they have so many bitches that they keep in in such terrible conditions with no welfare for mums and dads, so they themselves are in such terrible health that the puppies are not in good health themselves. Vets do not visit these puppy farms to check on the animals themselves they look at the premises not the animal. The puppies are taken away too soon from the mums so they don't build up any defence to illness. They are sold too young and with no health checks. They are sold from the backs of vans and in parking lots with no thought to the long term health of the dogs. They are allowed to have too many breeding bitches that are kept in small confined spaces in the dark never socialised with people or other dogs. They can be kept in saw dust that causes terrible damage to their lungs, eyes and ears. They eat, sleep in their own mess that includes food and their toileting.” (Anonymous)
- “Volume of puppies being sold does creates a significant issue for LA's trying to identify those that should be licensed and there is no resource to be able to prioritise this unless a complaint is received to identify a potential unlicensed breeder.

The significant sums of money that are now being charged/paid are making the problem worse and this in turn can have significant implications for those more vulnerable who fall foul to someone who is selling unfit/ill puppies with consequential losses to the purchaser.

Whilst not breeding or selling there are growing issues being reported with imported puppies/dogs, normally seen as 'Rescue Dogs' imported by charities

Growing use of online sales including social media that aren't regulated themselves making it very difficult to monitor for unlicensed dog breeders.

Traceability of 'Dealers' operating from all over the country coming into and out of counties almost undetected.

Wales is known to have the largest number of puppy farms that are largely unregulated and whilst attempts are made to deal with this until the supply chain is removed and licensing requirements strengthened legitimate business and the economy will continue to be harmed." (Monmouthshire CC)

- "A key challenge of the current breeding and selling of dogs in Wales is the lack of traceability in the system because so many people selling puppies are outside of the current licensing system, which is why we advocate for an all-encompassing registration and licensing system. The inability of local authorities to properly inspect licenced breeding establishments because of a lack of resources and limited training compounds the issues of poor welfare breeding and allows unscrupulous sellers to make profit from selling unhealthy puppies. These puppies can also be poorly socialised and habituated because the staff to dog ratio is set too high which can prevent breeders from dedicating enough time to the social development of each puppy. The continued abuse of the Pet Travel Scheme also enables low welfare and often ill puppies to be sold to unsuspecting members of the public. All of these issues, among several others, must be addressed in conjunction with a ban on third party sales in order for the welfare of puppies to be properly protected during breeding and sale". (Dogs Trust)

## **2.2 Question 2 - Your views are invited on how the problems identified in question 1 might be addressed by banning commercial third party sales in Wales:**

**a) For puppies**

**b) For kittens**

For question 2, 77% answered relating to dogs and 63% answered relating to cats. The majority of respondents views were the banning of third party sales of puppies and kittens would solve a large number of issues regarding breeding in relation to question 1. However, several respondents including organisations felt that it would not solve the problem completely. The reasons given for this are varied.

- "A ban on the commercial third party trade in puppies will remove a market that perpetuates a culture of low welfare, high volume dog breeding, comparable to factory farming animals for the food chain. Breeders selling through third party agents must maximise the number of puppies produced, while at the same time keeping their overheads to a minimum. This method of breeding is wholly inappropriate for producing fit for purpose companion animals. A ban is imperative to ensure that the physical and psychological wellbeing of breeding dogs and puppies will no longer be compromised as a result of a market where profit is the only concern." (DBRG)
- "Banning commercial third party sales of puppies and kittens would include the sale of kittens in pet shops. This would help to tackle the various welfare issues

mentioned in question 1 that arise when kittens are sold in a shop environment. It would also discourage breeders from breeding high volume of kittens that they can pass to other traders or breeders who may pretend they are home-bred kittens.

- Cats Protection believes that the ability of local authorities to monitor and enforce a ban on the third party sales of kittens in physical pet shops would be relatively straightforward and would not pose an undue strain on the local authorities' resources. Checking for puppies and kittens in high street pet shops could be part of normal licence inspections and also, with increased public awareness, local authorities may find the public report and assist in monitoring any ban. If the sale of puppies and kittens were to be banned in pet shops, the shops would not be prevented from selling other pets such as fish and reptiles. Therefore, the pet shops would still need a licence and would pay a licence fee to their local authority. Any fines that were levied on enterprises illegally conducting business involving puppies and kittens without a licence should go back to the local authority.
- The charity urges the Welsh Government to include reference to the importance of seeing kittens with their mother because the principle, and welfare issues, are exactly the same for kittens sold commercially as they are for puppies. Regulation of cat breeding would be the logical place to include this as a legal requirement and also, pending regulation, the encouragement should be part of the publicity campaign linked to a third party ban. Cat breeders should show kittens alongside their mother cat before a sale is made. Cats Protection's advice is that kittens must be at least 8 weeks of age before they are separated from the queen and this should be enshrined in Regulation as good cat breeding practice." (Cats Protection)

Some responses were varied, and examples are below:

- "The problem won't be fully resolved but there will be more control when the puppies have to be kept within their own environment and not had to travel in poor conditions. Poor breeding practices will be able to be stopped at the source. As above the problem won't be resolved but with the kittens not being shipped around higher welfare standards should be achieved." (Rachel Bull)
- "Purchasing a puppy from a responsible and ethical breeder or adopting from a rescue centre will ensure that new owners are made fully aware of the requirements of their new puppy. If purchasing they will be able to meet the pup's mother and see it in the surrounding of its birth. Accountability for the condition and health of the puppy will be transparent and there will be the ability to seek redress if the pup proves to have health problems the purchaser did not divulge. Purchasing kittens in pet shops means that there is no opportunity to discuss its breeding and future welfare with the breeder and to see the conditions and health of the mother." (Friends of the Animals)
- "In reality, Blue Cross does not believe a ban on third party sales will, as some have argued, be the one stop solution to deal with the problem of illegal importation and puppy farming. It is a fallacy to assume that all puppy farms sell through third party dealers or traders, we know that many consumers will buy direct from a puppy farm, particularly those smaller scale puppy farms that can easily disguise themselves as a family home. This was highlighted in the 2018 BBC 'Watchdog' programme which showed a case of a large scale breeder/dealer using multiple online identities to sell puppies to unwitting consumers. One of the key reasons he was able to get away with this was because he presented himself as a legitimate one off home breeder selling from a home environment.

As detailed above, enforcement agencies are currently struggling to deal with tackling the unlicensed trade and we don't agree that just introducing a ban on third party sellers will have any impact on those sellers that make large profits and choose to operate outside the licensing regime. We believe that before introducing a potentially knee jerk piece of legislation, the government must assess the scale of the third party trade in puppies and the impact any such ban would have on licensed large scale breeders. There are no accurate figures available to suggest how large or small the trade is outside of those operating with a licence. We believe the sensible first step before drafting any new legislation is to first decide on what is the problem you are trying to solve. It seems to us that this is impossible to do without accurate figures on the scale of the unlicensed trade.

Blue Cross is of the opinion that the most effective way to tackle the many issues with the breeding and sale of dogs and cats is through the introduction of a comprehensive system of registration and licensing, a centralised database for enforcers, and significant investment by the government into an education and behaviour change campaign.” (Blue Cross)

- “In working through the evidence for puppies, the RSPCA does not believe that ‘appropriate’ standards of animal welfare can be preserved when third party sales occur, given that ‘appropriate’ should be defined as standards that properly safeguard the welfare of animals at all times. For this reason we are supportive of a third party ban on the sale of puppies and kittens. However, it should not be assumed that buying direct from the place in which a puppy or kitten is bred offers greater protection as exposure to stressful events and health risks is reduced. As outlined by McMillan there are many factors<sup>25</sup> associated with the breeding environment and out with third party sales which can influence a puppy’s health and welfare and the resulting adult dog’s behaviour including: the selection of the breeding stock; the environment in which the brood bitch is kept during pregnancy; the breeding facility into which the puppies are bred and reared and the age at which they are then sold. As such, buying direct from the place in which a puppy is born improves but does not guarantee the welfare of breeding stock and offspring.” (RSPCA)

### **2.3 Question 3 - Are there any measures, other than a ban on commercial third party sales that could address the problems identified in question 1?**

76% of responses answered this question and there were a varied number of responses. A number of them identified licensing of dogs to be a measure other than banning third party sales. The advertising of puppies and kittens being banned through online source and microchipping were also raised on a number of occasions and buyer behaviour.

The Wales Animal Health and Welfare Group (WAHWG) shared these views:

- “It is clear that buying a puppy is an emotional purchase. We therefore recommend that, in addition to buyers having access to good, easy to understand advice on how to responsibly buy a puppy, changes to legislation are supported by a campaign that seeks to influence change in behaviour i.e. this needs to be more than educational and considers the demand side of the issue. In terms of the welfare of breeding queens, although protected under the Animal Welfare Act there is no specific regulation to assist this. In summary, this is an opportunity to improve the welfare of animals, however potential loopholes must be addressed (statutory licensing of rehoming organisations, ensuring full traceability of all puppies bred or sold in Wales, addressing the rules and penalties associated with pet travel to deter illegal

importation) to ensure it is robust and effective. It is necessary that if a ban is introduced it is monitored for effectiveness, with a review period included in the legislation. Due consideration must be given to how it can be reviewed for effectiveness. It is also important to have clarity of who will identify, investigate and enforce this legislation to better be able to understand how this could be achieved.” (WAHWG)

The Blue Cross feel that a ban would not be the answer however, a robust licensing and registration scheme would be the best way forward:

- “We are concerned that a ban on third party sales is being presented as the silver bullet which will make a huge difference to the way dogs are bred and sold in Wales - we do not believe this will be the case. Blue Cross is of the opinion that the most effective way to tackle the many issues with the breeding and sale of dogs and cats is through the introduction of a comprehensive system of registration and licensing, a centralised database for enforcers, and significant investment by the government into an education and behaviour change campaign.

Comprehensive System of Registration and Licensing As we have pointed out in previous answers, we believe the most effective way to deal with problems with the breeding and selling of dogs would be through the introduction of a comprehensive system of registration and licensing. This would make breeders and sellers more visible and traceable, improve animal welfare and offer greater protection for the public when buying a puppy.

We know through our conversations with local authorities that they would like to see a simple system which enable them to enforce the legislation more effectively. We believe a system which means all breeders and sellers of pets are either registered or licensed is the simplest option, there is no confusion as everyone will need a registration or licence number to sell and, if they don't have one, they will be in contravention of the law. The use of litter thresholds or bans on certain types of selling only compound the confusion for local authorities, and whilst hypothetically appealing in reality will do little to improve the welfare of animals bred or sold across Wales.” (Blue Cross)

Examples of some responses are below covering suggestions relating to online sales, buying behaviours, microchipping and licensing:

- “Stop the advertising of dogs and cats on publications such as Gumtree and regulate the amount of times a bitch can be bred in a year. Make all breeders for dogs and cats have a veterinary health certificate prior to breeding and matched to a microchip to ensure bitches are healthy enough to be bred. Start a register relating to breeders and their commercial activity involving local authorities and veterinary practices for breeders. Tell potential buyers that they should inspect a veterinary health certificate for the bitch before purchasing puppies and also see the breeders license and proof of identity. Lastly, give some money across Wales to police any changes via local authorities. Don't just legislate for it, local authorities do not have the resources in certain areas.” (Karen Kerslake)
- “More monitoring and control over animals being offered on Facebook/Gumtree etc. Making microchipping of cats the law, as it is with dogs. Ensuring that animal microchips are checked, even when animals are killed on the road. Although it is not compulsory to chip cats, many cats are chipped. Cats are treated as second class

citizens in many ways. The main reason is that they are classed as vermin and, therefore, of no consequence. This needs to change. Cats, whether dead or alive, should be checked for a microchip. If this does not happen, responsible pet owners who chip their cats are wasting their money and, in addition, will not have a chance of getting their pet back or of knowing if it is dead.” (Pauline Parker)

#### **2.4 Question 4 - Do you think a ban will have any impact on rehoming centres? If so how? Try and be specific and/or provide supporting evidence.**

76% of responses answered question 4. Many respondents felt that any impact of a ban on third party sales on rehoming centres would be a positive one, with fewer animals available overall from sources other than rehoming centres themselves.

- “I think there would be a fallout when the ban comes in, unless adequate time is given for people to home the animals they have. But, after that I think the impact would lessen slightly as less animals are bred. I also think that more people may consider rescues if private sales lessen.” (Anonymous)
- “The better that breeding is regulated, the less animals will be available to people, less animals with health problems due to inbreeding, both of which are very costly and challenging for rehoming centres.”(Anonymous)
- “Rehoming centres wouldn’t be under the enormous pressure they are currently under with very little funding.” (Lisa Willis)
- I would hope it would ease congestion in these homes as people wouldn't be giving up animals who hadn't sold or owners dropping off animals too expensive for owners to take to the vets. (Anonymous)
- A Ban would definitely help rehoming centres. It would cut down on the fashion breed intake i.e :-If you look at how many poor dogs i.e jugs pugs huskys, etc they have due to being fashion dogs it is disgraceful due to health issues or fashion or t.v programs it is awful. It would allow the dogs they have to be rehomed a better chance of being rehomed. It would save them a lot of money on excessive vet Bill's to try and save a lot of badly bred dogs puppies lives (Anonymous)
- “I think it will have a positive impact because the health issues will lessen meaning that less animals will be entering rescues. Puppy farmers often rely on rescues for when things go wrong and that’s not fair on the rescue centres to have to pay for other people’s responsibilities.” (Bonnie Hubbard)
- “I think more people will look to rehome. Back street breeders are often cheaper than a rehoming centre.” (Anonymous)
- “It should reduce the numbers of animals that end up in shelters as responsible breeders will ensure they find suitable owners for their animals and should be willing to take them back for rehoming if for any reason it doesn't work out. Better breeding conditions will reduce chronic health problems, meaning less people surrendering pets they cannot afford vet treatment for.” (Anonymous)
- “It will take a massive burden off rescues as they are frequently the place where these puppies are dumped when the novelty wears off, or if the puppy is ill and the new owner doesn't want the hassle of dealing with the health problem.” (Anonymous)

- “If there is a reduction in places people can go to buy cats and dogs, then people would turn to rehoming centres which are currently overrun. The waiting lists for rehoming centres would be reduced and stray cats and other needy cats would be helped more quickly.” (L.L)
- “It will hopefully reduce the number of pets ending up in rehoming centres. Rehoming centres are already full to the rim and the unlicensed breeding of pets is only adding to this.”(Anonymous)
- “Unwanted puppies regularly take space in shelters across the UK. This peaks after Christmas and dogs/cats bred specifically for this purpose find themselves in shelters. The over production of puppies and kittens in the UK is constant throughout the year. Stopping backyard breeders from breeding their dogs and cats indiscriminately will help to stem the oversupply and reduce the pressure on rescues.” (Karen Kerlake)

A number of respondents felt that there would be an impact in terms of increased numbers of abandoned animals needing to be rehomed following the ban. Many of these felt additional support would be needed by rehoming centres if a ban came into place, to help with a temporary increase in animals relinquished by third party sellers:

- “There will be an increase in animal abandonment due to the ban.” (Anonymous)
- “There will be more to rehome as these barbaric people will abandon the dogs they can no longer make money from. If you speak to local animal charities it’s happening now.” (Maureen Webber)
- “I think they will be swamped with extra animals but people taking them in for rehoming should be charged to help cover the cost.” (Anonymous)
- “There will be a glut of abandoned dogs, like the ones found wandering after being abandoned in quiet country lanes. There will be lots of breeders handing over dogs to charities and the more unscrupulous ones will continue to kill the breeding parents, but that’s nothing that doesn’t go on every single day in this industry anyway.” (Anonymous)
- “I would expect rehoming centres to have a temporary bigger influx of dogs/cats in need. As by then, the unlawful third-party sellers would be offloading what they would see as no longer a valuable resource. So an initial support grant to help cope with this should be provided for.” (Anonymous)
- “I’m sure it will but the government have a responsibility to lead the way into providing more rehoming centres if needed. The priority should always be the welfare of the animals.” (Anonymous)
- “They may be overrun so may need a funding injection for staffing, extensions and food etc.” (Anonymous)
- “Initially rescue centres will have to deal with dumped animals. They should have financial support for the first year.” (Anonymous)

- “It may for a time, but this is the only way to change peoples' attitudes towards getting a pet. If the right thing is done, people will embrace it. More help may be needed for these centres - let's make it so - spread the word and get people helping and adopting.” (Deborah Williams)

**2.5 Question 5 - Do you think a ban will have any impact on licensed dog breeders who currently supply third party sellers? If so how? Try and be specific and/or provide supporting evidence.**

71% of responses answered question 5. The majority of responses agreed a ban on third party sales would have an impact on licensed breeders and felt this was a positive move.

- “Of course it will stop them in their tracks and not before time. Any breeder who ships off pups so young (and some underage) to be sold from who knows where and to anyone who has money should not be breeding dogs at all. A breeder should have the welfare of bitch and pups first and foremost at all times which means going from breeder premises to new home without all the stress of being carted all around the UK and being left alone in cages/shop windows with all and sundry poking about them. The development of pups at this age is crucial to their long term and live long temperament and health and must be undertaken seriously”. (Anonymous)
- “If you bring in a ban on the sellers like any other sales business it will have an effect on the originator. Also if the ban is brought in it means that resources could be diverted to rooting out the breeders themselves rather than spending time on the third party sellers. Despite some awful conditions the breeders have to feed the animals they breed from so rely on income, Cut off their income they hopefully will not want to have as many pups or kittens. If a breeder looks after animals properly they have nothing to fear, however any ban must have enforcement behind it and punishments that actually have lasting effects on their ability to or desire breed. Seize their assets to help care for any animals that are taken into care from these individuals”. (Anonymous)
- “Since evidence is (eg from the existence of third-party sellers, from analysis of licence reports, and investigations of welfare issues in licensed pet shops) that many low welfare breeders currently rely for distribution of their puppies by third-party sales routes, a ban can be anticipated to have a significant effect on licensed breeders currently supplying third-party sellers. IT IS VERY IMPORTANT TO RECOGNISE THAT LICENSED BREEDERS ARE OFTEN OF VERY POOR QUALITY AND KEEP DOGS IN VERY POOR CONDITIONS DESPITE AN OSTENSIBLE LICENSING REGIME. Low licensing standards, poor enforcement, lack of local authority resources and training of officials, and low commitment to implementation and enforcement by certain authorities means that licensing is no guarantee whatsoever of adequate welfare standards. There are licensed breeders (mostly small scale) who operate well but which almost invariably sell direct to purchasers rather than via third-party sellers. Then there are licensed breeders (often but not always operating on a larger scale) with very little or no commitment to welfare who presume to sell via third-party sellers. The latter require to be tackled. It is to be hoped that in the event a third-party sales ban is implemented, that some such premises will cease to operate, and that others will need to significantly improve their practices in order to be able to sell directly to consumers”. (D.Grimsell)

- “Clearly it will impact on their operating model, though this is would be a desirable disruption. For larger, more commercial establishments it might impact on the speed in which they can sell their puppies. Whereas a third party seller may collect whole litters of puppies for onward re-sale, the overwhelming majority of the wider puppy buying public will only buy one puppy at a time. This is likely to result in the licence holder (staff) having to spend more time conducting puppy sales, which may reduce the available time to look after the other puppies and dogs at the establishment. Should a ban come into place, a short period of time should be provided for licence holders to make adjustments to their operating procedures to address this, in conjunction with their licensing authority.

Breeders who currently sell puppies via third parties may need to improve their ‘shop floor’, as third party sellers will have less concerns regarding the upkeep and standards of the breeder’s establishment, than someone looking for their next pet.

However, given the question is limited to licensed breeders, we must assume that these breeders should have nothing to fear from the public buying their puppies direct from their establishments. We know that the puppy buying public will travel significant distances to buy puppies, so a breeder who gains a good reputation will have no problem selling their puppies direct from their breeding establishment. The reduction in volumes of puppies being sold will be offset by the increased sales prices, as the third party seller will be a sizable cut of the eventual puppy sales price to cover their costs and generate their own revenue.” (Kennel Club)

- “A ban on third party sellers will only remove a method of distribution. The majority of breeders previously selling through third party sellers will continue to have access to the market and in some cases this will be improved. The only exception will be breeders based in the Republic of Ireland and the continent. There would no longer be an outlet for commercially imported puppies bred outside the UK as all breeders would be required to sell directly from their premises”. (Canine Action UK)

Some responses felt this would have an impact on the amount of puppies and breeding bitches being abandoned could be reduced:

- “FOUR PAWS is extremely concerned by the abandonment rate of animals across the country (for example around 50,000 dogs were abandoned in the UK in 2015 according to Dogs Trust, this does not include those animals which have been relinquished to shelters) and in particular the costs to both local authorities and animal rescues in dealing with these animals. This abandonment rate suggests that people may be impulse buying.

The abandonment rate could be considerably reduced along with the reduction of impulse buying, if a third-party ban is introduced. For example, it would mean that buyers would only deal directly with breeders, they would need to visit the breeder and they could see the environment in which the puppy was bred and the mother.

Many unscrupulous dealers offer to deliver the puppy, resulting in a quick purchase. Quick purchases often mean that the buyer does not have time to consider the responsibilities involved in owning a puppy or kitten, and may result in resale, relinquishment or abandonment of the animal in the future. FOUR PAWS has been monitoring the sale of puppies online and is shocked to see the large number of animals being sold for a second time after only a few weeks or months in their new homes. Excuses such as lack of time or space are often mentioned as reason for no

longer being able to look after the puppy, indicating that the puppy was not a considered purchase".(Four Paws)

- "Our rescue has been taking in ex breeding dogs and sick, unsaleable, puppies for many years. Some of those come from licensed and others from illegal breeders without a license. Without the ability to sell their puppies to dealers they will either have to improve the standards of their premises as members of the public will be visiting to collect their puppy. This can only be a massive positive for the dogs currently living in squalor". (Friends of the Animals)

**2.6 Question 6 - Your views would also be welcome on the scope of any ban on third party sales in Wales. Should it be restricted to commercial sellers (those licensed under the Animals Act 1951) or anyone wishing to sell a puppy or kitten? Please provide example situations where you feel a ban should or should not apply.**

72% of responses answered question 6. The vast majority of responses felt a ban should include anyone wishing to sell a puppy or kitten and some of these responses are below:

- "If a ban was to be implemented it should apply to any person selling puppies from a family pet to a breeding establishment to avoid discrimination. Commercial sellers are already regulated and comply with the required regulations set out by the Welsh Government, private and un-licenced puppy breeders have no regulations to comply with at all". (Anonymous)
- "I think a ban should include anyone wishing to sell a puppy or kitten. As above it will stop animals being sold in situations where the purchaser doesn't have prior information about the animals background or health. An example is a friend who bought a dog on Gumtree who has behavioural problems which she was not made aware of. The behaviours relate to the dogs aggressive nature in relation to other dogs". (Anonymous)
- "For clarity to all involved it would be easier to impose a blanket ban. This would discourage people trying to find a way around any restriction". (Zoe Phillips – Monmouthshire CC)
- "In an ideal world, a blanket ban on 3rd party sales would be welcomed. It would be easier to regulate and would discourage people trying to find a way around any restriction". (Rhondda Cynon Taf County Council)
- "Consistency would be extremely beneficial across England and Wales as it will set a clear regime with the same requirements across the area". (Institute of Licensing)
- "Ban should be as strict as possible for sale by third party of dogs and cats whatever the age. Smaller animals third party sale should be banned also or stricter rules put on the third parties and their source (breeders) in regards to highest welfare standard for all those animals. Third parties could also rather get involved in rehoming process of small animals rather than purely money sale only". (Anonymous)
- "In our opinion there should be a blanket ban with purchases only being allowed from the original breeder or licensed rehoming centres. Once dealers have been disposed of there will be an ever increasing reliance on rehoming centres and if these form part of the ban, they will be unable to accommodate this". (Anonymous)

- “It is crucial there is a clear definition of what is in and out of scope for this legislation, we would support the view that anyone selling or transferring a puppy to be ‘in scope’ whether or not they are viewed as a commercial enterprise. However, if this is introduced as a singular measure as mentioned throughout, we would have real concerns that puppies could continue to be sold by third parties operating under the guise of a ‘rehoming’ organisation. Regulation of the rehoming sector is needed to ensure this does not happen.

As stated throughout this consultation, Dogs Trust fully advocates that anyone breeding or selling a litter of puppies should be registered with their Local Authority and anyone breeding or selling more than one litter of puppies should be licensed, to provide full traceability across the breeding and sale of dogs. In 2018, over 21,000 litters of puppies<sup>16</sup> were advertised for sale on Gumtree, Preloved and pets4home, but there is no traceability to enable purchasers to verify these sellers within the current system”. (Dogs Trust)

- “Battersea would be supportive of a full ban on third party sales, so that the only legal option for the purchase of a puppy or kitten would be from a licensed breeder or a regulated rescue/rehoming centre.

In order for a full ban to be effective it is crucial to ensure that the enforcement is also appropriate. As previously stated, Wales currently only has fewer than 20 licensed third party sellers under the Animal Act 195. Therefore, all other third party sellers are currently under existing legislation operating illegally. The Welsh Government should ascertain what enforcement mechanisms can be used to clamp down on the current illegal sellers so that when the ban is brought into effect it fully stops the illegal sale of puppies and kittens and consequently puppy farms”. (Battersea Dogs and Cats Home)

- “A ban must apply to all commercial sellers and any breeders whether these are licensed or currently unlicensed. A ban should not apply to someone simply wishing to breed once, and only once, from their companion dog and who then sells the puppies to potential new owners who have been strictly vetted. In other words anyone who has not bred the puppy or kitten themselves must be banned from selling them on”. (Anonymous)
- “The RSPCA believes the ban should extend to anyone selling puppies and kittens so that these animals are only available from a rescue or direct from a (preferably licensed only) breeder. If this was not to be the case the RSPCA believes a loophole for others to exploit will be opened. For reasons previously outlined the RSPCA also wishes to see the ban extend to dogs and cats of all ages so that it is easy for members of the public to understand what is or isn’t a legitimate sale/transfer of ownership”. (RSPCA)

However not all respondents think a blanket ban would be effective.

- The Animal Welfare (Breeding of Dogs) (Wales) Regs 2014 defines a puppy as a dog less than 6 months of age, BASC would seek clarification that this definition would be consistent in the proposed changes.

BASC does not believe the proposed ban should be expanded to include “anyone wishing to sell a puppy”.

BASC would highlight that that should the proposed ban be expanded, there could be unintended consequences for the welfare of a puppy when an owner's circumstances change. This could mean they are no longer able to provide suitable home but are prevented from selling the puppy to a new owner.

Such a ban could also see implications for trainers of gundogs and other working dogs. Often these trainers will purchase more than one puppy with the view to 'bringing them on' to identify the best dog to progress with for more advanced training as a working dog. During this process some of these dogs might be sold on to a suitable home as a pet or for someone else to continue with the training process or indeed at a later stage as a fully trained working adult dog.

It is important to note that these trainers will be aiming to produce fit, healthy and well-adjusted working dogs. (BASC)

### **2.7 Question 7 - We would like to know your views on the effects that banning third party sales of puppies and kittens would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favorably than English.**

70% of responses answered question 6. Respondents felt the banning of third party sales would have no impact on the Welsh language.

- "Most of our breeding contacts are done through the medium of Welsh. Certainly, if this ban is introduced, it will mean less commercial conversation is carried out in Welsh, but, more directly, it will deny many Welsh speakers of a significant income stream and may mean that future generations have less economic means, resulting in them moving away for work". (Anonymous)
- "I do not believe it will have any impact in respect of the Welsh language nor opportunities for people who use Welsh". (Anonymous)
- "I cant see how it could have any effect, other than providing legislation and licences in bilingual formats". (Anonymous)
- "I don't think a ban would have an impact on Welsh speakers". (Anonymous)

### **2.8 Question 8 - What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

57% of respondents answered question 8. Some responses are of the view that there would be a positive effect on the Welsh language the majority however felt there would be either positive or negative impact on the Welsh language.

- "It has to have a positive effect". (Anonymous)
- "Effects would be minimal". (Anonymous)
- "Bilingual information should be available when applying for licence which I would assume it would be anyway. Possibly enforcement officer should be aby to speak Welsh in certain areas where the language is used more. This should not however, be mitigating factor as welfare should overrule language". (Anonymous)

**2.9 - Please also explain how you believe a change in policy could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

55% of responses answered this question. Nearly all responses felt there would be no effect.

**2.10 - 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:**

34% of respondents answered this question. Many used this as an opportunity to reiterate their views on banning third party sales, some respondents also used this question to raise benefits of the re-introduction of dog licensing.

- “We would like to be redundant but will never be unless all the breeders can be identified and made to stand up for their legal decisions. I would like to have proof that all puppies and kittens are raised in a knowledgeable home where their welfare is paramount and supported by veterinary practices”. (Anonymous)
- “Why aren’t dogs and cats required to have licences anymore? Could this pay for enforcement if reintroduced? I am involved in animal rescue and see the results for animals of breeding for money and third party sales. Much more legislation is needed to introduce a framework for safeguarding the health and welfare of cats/dogs in Wales, not just banning of third party sales”. (Anonymous)
- “Introduction of a dog licensing scheme and compulsory scanning of microchips, alongside the proposed ban of third party puppy / kitten sellers would improve animal welfare, encourage responsible pet ownership, and increase traceability should an animal be lost / stolen / abandoned which should all have a positive impact on animals and rescue centres”. (Anonymous)
- “The other main related issue is the breeding of dogs and cats with in built genetic physical deformities such as the brachycephalic breeds. Now there is a hot potato regulating that”.

The vast majority of breeders, rehoming centres etc. are doing a caring job to the best of their ability and perhaps the problem is not that great”. (Anonymous)

- “Strengthen laws, more monitoring of activity in this field. More prosecutions of offenders where animal cruelty is involved, with far stiffer sentences handed down. This includes clamping down on dog fighting. It is well known that Wales is a hotbed of law breaking in this respect”. (Anonymous)
- “There is a need to focus on the mass production of puppies and not the hobby breeder here so that needs to be remembered. The hobby breeder is often the type that is already producing excellent puppies and homing responsibly. They are not the problem”. (Anonymous)
- “Unfortunately there are still many people who are more interested in the price of a puppy or kitten, than in knowing that the animal is healthy and has been bred

responsibly. I don't know how to increase public awareness for responsible breeding, and I think banning third party sales will be a good start, but there will still be many problems and many people who break the rules". (Anonymous)

- "I strongly believe that there is an urgent need for control of puppy farms, especially in Wales which has in many people's minds become synonymous with puppy farming and the sale of unhealthy and poorly raised and socialised puppies in particular, where litters are produced in often appalling conditions with no regard for the welfare of the mothers and sometimes also the fathers of these sad little babies. This reflects badly on breeders who raise their puppies in proper conditions and with the highest welfare considerations, and damages the reputation of this country". (Diana Grant)

### **3. Next Steps**

All comments on, and responses to, the consultation have been analysed. We will take into account the responses to inform the further development of the Banning of Third Party Sales of Puppies and Kittens.

## **Annex A**

### **List of organisations which responded to the consultation**

Battersea Dogs and Cats Home  
British Association for Shooting Conservation - BASC  
Blue cross  
British Veterinary Association & British Small Animal Veterinary Association –  
BVA & BSAVA  
Caerphilly CBC  
Canine Action UK  
Cats Matter  
Cats Protection  
Companion Animal Welfare Group Wales - CAWGW  
Countryside Alliance  
Dog Reform Group - DRG  
Dogs Trust  
Four Paws  
Friends of the Animals  
Hope Rescue  
Institute of Licensing  
Kennel Club  
Monmouthshire CC  
Nature Watch Foundation  
PDSA  
Puppy Love Campaigns  
Rhondda Cynon Taff CBC  
RSPCA Cymru  
Vale of Glamorgan CC  
Wales Animal Health and Welfare Framework Group - WAHWFG