

On Nov 9, 2005, at 2:09 PM, Patricia W. Laurans wrote:

AKC has worked over the last months to fulfill AKC's pledge to sit at the negotiating table and help to craft much needed amendments to the Animal Welfare Act (AWA).

At the conclusion of yesterday's Senate Hearing, Senator Santorum told AKC officials that they were free to discuss the current PAWS environment publicly.

The following has been sent out by Steve Gladstone - AKC Board Member - and may be cross posted:

"The laudable purposes of PAWS are to regulate high volume breeders who sell at retail and high volume importers of puppies for resale. These two groups of puppy suppliers are currently exempt from regulation under the AWA because they sell only at retail. As such they are considered "retail pet stores" which are not covered by the definition of a "dealer" under the AWA (the same definition that currently exempts show and hobby breeders selling from their home).

Admittedly for the first time, PAWS seeks to regulate sellers of puppies and kittens at retail rather than at wholesale. Until now it has been simple to draw a regulatory line: wholesale sellers were regulated, retail sellers were not. It is, however, clear that in a changing economic and technological environment, regulation of some retailers is absolutely necessary for the protection of the public and most importantly for the protection of the animals.

Thus, the PAWS challenge is to find ways of defining which retail sellers need to be regulated under the AWA and which should not. PAWS seeks to do so by removing from the universe of all retail sellers "exempt" categories of sellers, so as to leave only those to whom regulation is intended to apply.

These exempt categories of sellers are the dealer definition exemptions. It is in this definition that most of our efforts at negotiating the changes we promised have been directed. It is here that I believe we have completely succeeded in our mission.

As re-drafted, the exemptions will be simple and straight forward. Qualification for exemption will be necessary under only one (1) of the following:

1. Retail pet stores, so long as they do not sell dogs they import, as further narrowly defined compared to today's universal definition. (The

"retail pet store" definition from the original PAWS has been refined through our negotiations as well).

2. Sellers of fewer than 25 dogs, regardless of the number of litters from which they come; or
3. Sellers of dogs from six or less litters, regardless of the total; or
4. Rescue, shelter and other persons selling not for profit (corporate status not required) so long as they do not sell dogs imported into the country; or
5. Regardless of the number of sales, any person selling at retail only, who has been satisfactorily inspected by a not-for-profit corporation pursuant to an inspection program certified by the Secretary of Agriculture to have standards which meet or exceed those of the AWA.

These exemptions have been negotiated with all of the groups represented at Senator Santorum's table, and he has enthusiastically endorsed them, including the inspection exemption.

AKC will, of course, immediately have its inspection program certified by the Secretary. ALL of our hobby breeders, regardless of size or numbers of sales or litters, will be exempt without any change in their current status whatsoever. If our hobby breeder is big enough to be inspected now, she will still be AKC inspected, and still be exempt from the AWA.

Moreover, we have negotiated benefits for AKC's current dealer registrants as well. After certification, successful inspection by AKC will be deemed to be in compliance with USDA inspection. No longer will the AKC Inspector and the USDA Inspector run into each other at professional commercial kennels conducting duplicative and costly inspections. An AKC inspection will count as a USDA inspection, and the USDA can spend its dollars inspecting others who go unregulated now.

It is important to note that both of these inspection provisions - the retail seller exemption and the dealer compliance section - are entirely voluntary. No one will be forced to be inspected by anyone other than the USDA for compliance with AWA, should they so choose.

Other changes to the original PAWS language which we have brokered include revisions to the source records requirements and other enforcement provisions. These changes have also been agreed to, and will garner the support of, a wide spectrum of participants.

PAWS is first and foremost good for dogs. Now, it is also good for the AKC and for all of AKC's constituents. Not one AKC registrant who is not now a dealer will be determined to be a dealer because of PAWS. Not one rescuer of purebred dogs will become a dealer because of PAWS. An AKC registrant who is now a dealer can choose to be inspected by only AKC and need not be double inspected by the USDA as well.

I believe this new version of PAWS deserves your full enthusiastic support. I sincerely hope you agree."