

# The Australian Veterinary Association Limited

ABN 63 008 522 852



## New South Wales Division

Unit 40/6 Herbert Street, St Leonards, NSW, 2065

Telephone: (02) 9431 5010 Facsimile: (02) 9437 9068

Email: [avansw@ava.com.au](mailto:avansw@ava.com.au) Website: [www.ava.com.au/nsw](http://www.ava.com.au/nsw)

Friday, 12 June 2015

## **RE: NSW Division of the Australian Veterinary Association Submission to the NSW Parliamentary Enquiry into Companion Animal Breeding Practices in NSW**

Dear Joint Standing Committee Members,

Thank you for the opportunity to provide a submission to the Inquiry into Companion Animal Breeding Practices in NSW. The NSW Division of the Australian Veterinary Association has had members on the NSW State Government Companion Animal Taskforce and been associated with the formulation of the Breeders Code of Practice. We are ready and available to offer any assistance required in relation to this Parliamentary Enquiry.

Puppy farming is the indiscriminate over-breeding of dogs for commercial purposes under conditions where their physical, mental and behavioural needs are not met. Typical puppy farms contain large numbers of breeding dogs confined in over-crowded and unhygienic conditions leading to health and psychological problems. The dogs are provided with minimal, if any, health care. The Australian Veterinary Association is totally against such mistreatment of animals.

Puppies are sold over websites, through newspapers, at markets and wholesale to pet shops, while the locations of the breeding facilities remain hidden. Puppies are often poorly socialized and unhealthy as a result of their inappropriate rearing environments.

Major impediments to investigating and prosecuting puppy farming are:

- (i) The inability to locate puppy farm facilities - lack of legislation requiring breeder identification means that locating puppy farms is problematic. Inspectors must rely on anecdotal information from complaints, and many facilities remain hidden.

- (ii) Lack of relevant animal welfare legislation – meaning the state must prove failure in duty of care in the absence of specific dog breeder standards and cases having to be dealt with on an individual animal case by case basis which is expensive for those prosecuting multiple cases of neglect on one property.
- (iii) Animal management legislation, while typically requiring registration and often microchipping of dogs and cats, does not specifically regulate their breeding, sale or supply.

### Policy Instruments

Four main policy instruments are proposed:

- (i) Implementation and enforcement of compulsory Dog Breeder Standards under state animal welfare legislation (*Prevention of Cruelty to Animals Acts* and the *Companion Animal Act*); Penalties and education programs should be mandated for infringement of the Code.
- (ii) Establishment of a single, centralized breeder identification system in each jurisdiction, linked to puppy identification; and
- (iii) Inspections and enforcement – breeder premises are inspected by Councils or the registering authority at regular intervals to ensure compliance with the Dog Breeder Standards. The standards are also used as the basis of investigation and prosecution by state animal welfare regulators (usually RSPCA) when puppy farm activity is identified.
- (iv) Development of a public education strategy so that consumers buy only from identified breeders. Development of education strategies for breeders.

### Breeder Standards

Enforceable breeder standards are an important tool to support investigations and prosecutions of suspected puppy farming activities, or to form the basis of regular compliance inspections linked to breeder identification renewals. Breeder standards should include chapters covering at least the following topics: responsibilities of owners; animal health and veterinary care; housing and environment, hygiene and management; breeding and rearing; socialisation and environmental enrichment; management of inherited disorders; transfer of ownership and requirements for identification.

Specific standards should include: minimum age of first litter, maximum number of litters in a lifetime of a breeding bitch, maximum age of breeding; appropriate preventative health regimes including veterinary examinations; management of breeding activities including mating and whelping; rearing, weaning and socialisation; housing and space requirements; and requirements for record keeping.

In NSW we are fortunate that the Breeders Code of Practice is thorough and well formulated. We need the resources to enforce this Code of Practice.

[http://www.dpi.nsw.gov.au/data/assets/pdf\\_file/0004/299803/Breeding-dogs-and-cats-code-of-practice.pdf](http://www.dpi.nsw.gov.au/data/assets/pdf_file/0004/299803/Breeding-dogs-and-cats-code-of-practice.pdf)

We suggest initial and annual inspections to ensure standards are being met.

### Breeder identification

Puppies must not be advertised or sold or supplied without a microchip which enables identification of the breeder of origin. All advertisements must contain either individual microchip numbers or a breeder registration number. The current review of the microchip database and registration process must facilitate trace back of all pets to the original breeder and keep a record of any change in ownership. This should be used as a tool to monitor the number of pets being bred to identify potentially higher risk breeding establishments.

All breeders must be required to be identified within the system, whether they own one or many breeding bitches. There should not be a threshold number of breeding bitches associated with breeder identification legislation and the AVA would oppose such a position, as the welfare of each individual animal is paramount. Veterinarians in practice commonly see cases of individual bitches being over-bred and receiving inadequate health care throughout their lives, having multiple litters without time to fully recover in between each pregnancy. This takes an enormous biological toll on the bitch, and may shorten and reduce the quality of her life. So the problem is not isolated to the large-scale puppy farms, and any legislation to address the issue should be cognizant of this fact.

### Inspections and enforcement

Issues of compliance, inspection and enforcement of the breeder standards need to be resolved at a government departmental level and include registering authorities such as Local Councils as well as animal welfare inspectorates such as the RSPCA.

The role of administering the breeder identification system may sit with the body that administers the animal management legislation in each state or with an NGO such as the RSPCA. This could be self-funding through fees payable by breeder.

### Public Education

Public education programs should inform potential buyers about the need to buy from identified breeders. Web sites such as Gumtree and other sites advertising pet sales in NSW must sell only those puppies linked to identified breeders or have the individual microchips listed on the advertisement.

We have previously suggested a standard of education such as a Certificate II in Animal Studies for anyone running a breeding business in NSW. This in most cases would only need Recognition of Prior Learning for most reputable breeders.

### Pet Shops

The AVA does not oppose sale of dogs (and cats) in pet shops provided the animals are sourced from responsible breeders. Implementation of the above 4-pronged policy approach, including the ability to trace back to breeder of origin, would provide assurances that pet shop sales are appropriately sourced.

### Consultation

Stakeholders for consultation should include: state government, local government Australian Veterinary Association, university veterinary schools, dog breeder associations, RSPCA, Animal Welfare League, and other animal welfare agencies.

### Community expectations

This is a sensitive issue with a high level of public engagement. It is important to distinguish between reputable and caring breeders and puppy farmers. There are wonderful examples of large scale breeding such as Guide Dogs NSW.

Society places a high value on companion animals and views puppy farms as exploitative and cruel. Implementation of effective policies as outlined above requires investment in public education and additional resourcing of enforcement agencies such as the RSPCA.

The NSW Government stands to gain a great deal of public support from being seen to respond decisively to such an important issue but also needs to ensure that any legislation implemented is properly funded in relation to enforcement.

The NSW Division of the Australian Veterinary Association is happy to assist this Enquiry in any way that we can by contacting me.

Yours Sincerely,

Dr Geoff Scarlett

NSW Division President

Australian Veterinary Association

P: 02 9431 5000

E: [avansw@ava.com.au](mailto:avansw@ava.com.au)