

30 November 2018

**JOINT BVA SCOTTISH BRANCH, BSAVA AND BVZS RESPONSE SCOTTISH GOVERNMENT CONSULTATION ON LICENSING OF DOGS, CAT AND RABBIT BREEDING ACTIVITIES IN SCOTLAND**

- 1) BVA is the national representative body for the veterinary profession in the United Kingdom and has over 17,000 members. Our primary aim is to represent, support and champion the interests of the veterinary profession in this country, and we therefore take a keen interest in all issues affecting the profession, including animal health and welfare, public health, regulatory issues and employment matters.
- 2) BVA's Scottish Branch brings together representatives of the BVA's territorial and specialist divisions, government, academic institutions and research organisations in Scotland. The Branch advises BVA on the consensus view of Scottish members on Scottish and United Kingdom issues.
- 3) The British Small Animal Veterinary Association (BSAVA) exists to promote excellence in small animal practice through education and science and is the largest specialist division of BVA representing over 10,000 members. It has 1,123 Scottish members.
- 4) The British Veterinary Zoological Society (BVZS) is a specialist division of the British Veterinary Association (BVA) and has over 400 active members. The membership includes registered veterinary surgeons and veterinary nurses working with exotic species at all levels, from those in general practice providing a service for herpetologists, aviculturists, aquarists and the owners of exotic pets including primates, to those working in animal sanctuaries, wildlife parks, bird gardens, zoos and aquaria, and with free living wild animals.
- 5) We welcome the opportunity to comment on Scottish Government proposals on strengthened regulation for dog, cat and rabbit breeding in Scotland. We strongly agree that current animal licensing legislation in Scotland should be revised to take into account the changes that have occurred since it was originally established.
- 6) Any revision to animal licensing legislation should be aligned with [the Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#) at a minimum. In addition, if this legislation is to be successful in its aims of promoting responsible breeding practices and responsible ownership, the Scottish Government should accompany this with measures to address all sources of supply and demand for pets, including regulating internet sales, mitigating illegal imports and promoting responsible ownership decisions. We would also strongly support that anyone intentionally breeding from a dog, cat or rabbit should be required to register with their local authority and a national list of breeders be made available to comprehensively tackle the issue of identifying a responsible breeder. To avoid creating any loophole, a tolerance level of one accidental mating should be indicated.

British Veterinary Association  
Patron: Her Majesty The Queen

7 Mansfield Street | London W1G 9NQ

T 020 7636 6541 F 020 7908 6349  
E [bvahq@bva.co.uk](mailto:bvahq@bva.co.uk) W [www.bva.co.uk](http://www.bva.co.uk)

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- 7) Question 1: The Scottish Government proposes that dog, cat and rabbit breeding activities should be regulated. Do you agree?

We strongly agree that dog, cat and rabbit breeding activities should be regulated. At a minimum, strengthened regulation should be brought into line with [the Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018 to avoid any legislative loop holes across devolved administrations.](#)

Practices such as puppy farming (high volume breeding that is undertaken in poor welfare conditions with little or no regard for the health and welfare of the puppy or their parents) have a detrimental effect on the health and welfare of bitches and their litters. Too often veterinary surgeons see the devastating consequences of poor breeding practices which can lead to suffering for both the animals and their owners. Bitches are often kept in small pens without natural light or contact with other dogs and humans and produce excessive numbers of litters in their lifetime. This practice facilitates the spread of infectious diseases and frequently results in behavioural problems (including human-directed aggression with associated risks for public safety), both in the bitches and in their pups. They are also bred with little or no regard to genetic or conformational problems which are therefore perpetuated within the general pet population. This review is an opportunity to strengthen the regulations around dog, cat and rabbit breeding and pet sales, to make it more fit for purpose and introduce new rules or licence conditions to help ensure all breeding establishments are producing only healthy and well-socialised animals.

Vets see first-hand the tragic consequences that can result from irresponsible breeding, as owners are faced with serious and avoidable health and behavioural problems in their new pets. We always recommend that anyone considering buying a puppy only buys directly from a reputable breeder (such as a member of the Kennel Club Assured Breeder Scheme) or considers giving a home to a rescue dog from a recognised UK rehoming charity.

For prospective owners looking to purchase a dog, cat or rabbit, we would always recommend that they receive informed pre-purchase advice from their local veterinary surgeon who will be able to advise them on choosing a pet that is the most suitable for their lifestyle and circumstances.

Puppies should only be bought if the mother is present and we support the principle that puppies and kittens should not be sold in pet shops and via third parties. We would also advise anyone buying or selling a puppy to use the freely downloadable [Puppy Contract](#) in order to help to reduce the chance of buying a puppy from an irresponsible source.

For anyone looking to buy a kitten, we would advise them to use the recently launched Kitten Checklist, which is currently at the final stages of development, to find a healthy, socialised kitten that suits their lifestyle. The Kitten Checklist aims to prompt prospective owners to consider questions to ask and things to look out for when they visit a kitten for purchase across a range of settings from neighbour, to breeder or a rehoming organisation. The checklist also provides key signs to look out for that may be indicative of ill health or behavioural issues.

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For prospective owners looking to purchase a rabbit, we would advise that they consult with their vet and familiarise themselves with the Scottish Government Pet Rabbit Welfare [Guidance](#) and [Rabbit Welfare Association and Fund advice resources](#)

In addition, strengthened licensing regulations could also be supported by breeding guidelines to drive standards and increase responsible breeding activities. We are aware that the Canine and Feline Sector Group in England are at the initial stages of developing breeding guidelines for cat breeding.

**8) Question 2: Do you agree with the proposal to set the licensing threshold for, cat and rabbit breeders at three or more litters a year?**

We agree that dog, cat and rabbit breeders who produce more than three litters a year should be required to be licensed and brought into line with [the Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#) and The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014, whether in respect of different species combined or one species alone. In effect, the total number of litters from all animals, whatever the species, should be considered for the purpose of the capped figure relating to a single establishment. We consider also that the licence and inspection criteria should apply to the individual responsible for operating the premises as a business. The legislation should also make provision for ensuring that it is not possible for a number of individuals to operate from any one premises or household such that it would allow in excess of three litters per year to be produced without being licensed.

In addition, we are aware that it is currently difficult to identify all those who require licencing and would therefore also recommend that anyone intentionally breeding from a dog, cat or rabbit should be required to register and register each litter (preferably online) with their local authority (with the data treated in line with the Data Protection Act 1998). This would mean that the local authority had a list of contact details for all dog, cat or rabbit breeders in their area, aiding enforcement bodies and ensuring that dog breeders were aware of the legal requirements. There should be a publicly available national list of dog, cat and rabbit breeders, to provide intelligence for enforcers and allow the public to check the list. Then should the threshold of three or more litters per year be met, this would trigger a breeding licensing inspection. If there were other concerns or complaints in the meantime, then a visit could be carried out under the Animal Welfare Act 2006 or other relevant legislation. To avoid creating any loophole, a tolerance level of one accidental mating should be indicated.

**9) Question 3: Do you have any comments on the thresholds that should apply? Should these be different for separate species?**

Whilst we agree in principle with the proposed thresholds, further consideration must be given to the type of species kept, current breeding practices and market demand to ensure that licensing thresholds are proportionate to current breeding practices and avoid driving breeding activities underground.

**10) Question 4: Do you agree with the proposal that a breeding dog, cat or rabbit must not**

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give birth to more than six litters in their lifetime?

In principle, we agree with the proposal that a breeding dog, cat or rabbit must not give birth to more than a certain number of litters in their lifetime. However, we would welcome further clarity as to why six litters has been chosen, the evidence supporting this proposal and why the limit is the same for all three species, as this seems excessive especially for dogs. We note that at present the [Kennel Club will not register any litters from any bitch that has already given birth to 4 litters](#).

In addition, we would welcome further clarity as to how this would be enforced, eg. through inspections, and how the health and welfare of those animals that have given birth to six litters will be safeguarded once they are no longer of breeding value to the owner.

Veterinary surgeons would of course have a role to play in advising breeders of the legal requirements of breeding activity licensing. However, veterinary surgeons in the UK are required by the [RCVS Code of Professional Conduct](#) to ensure the health and welfare of animals committed to their care:

*'Veterinary surgeons must make animal health and welfare their first consideration when attending to animals.'*

If the veterinary profession were required to play a role in enforcing breeder's compliance with this proposal, this may cause negative unintended consequences for animal welfare by compromising the vet-owner/breeder relationship. This crucial relationship is based on trust and confidentiality and if compromised could act as a disincentive to accessing veterinary advice and care, ultimately impeding the profession's primary responsibility to protect animal health and welfare and potentially further compromising the health and welfare of irresponsibly bred puppies.

In order to safeguard the welfare of animals that have given birth to the maximum 6 litters, we would recommend that breeders, as a licensing requirement, should have to demonstrate how they intend to maintain the health and welfare of the animal once they have reached the 6-litter limit.

### 11) Question 5: Do you agree with the proposal that as a condition of licensing premises should only be allowed a maximum of 20 breeding dogs or cats within one calendar year?

We agree with this proposal in principle, however we have concerns and would wish to be clear on the evidence underpinning the allocation of a maximum of 20 breeding dogs or cats for any one breeding establishment and clear reasons as to why there is no provision for rabbits in this respect. Our view is that it more relevant to require proportionate numbers of competent staff to the number of animals to ensure an adequate standard of care. Consideration should be given as to how this would be effectively enforced, eg. through inspections, and how local authorities would be able to distinguish between animals that are kept for breeding and those kept as pets.

This proposal has the potential to reduce the activity of unscrupulous breeders and large-

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scale suppliers such as puppy farmers who have given minimal regard to the health and welfare of the puppies or kittens often intended for sale to pet dealers and pet shops who sell on to the wider public. However, it is important to avoid oversimplification when considering how larger, licensed, breeding establishments address the health and welfare needs of the pets in their care, recognising that that welfare outcomes are not solely dependent on the type or size of different breeding establishments. High health status, high welfare puppies and kittens require appropriate opportunities for socialisation, appropriate preventive healthcare regimes and musculoskeletal development in appropriate early life environments, which some larger licensed establishments may be able to provide with appropriate facilities and proportionate staffing numbers (this is highlighted as part of Schedule 2 of the [Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#))

We would also request that Scottish Government make provision for assistance dog breeding facilities as is the case in the [Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#).

Whilst we recognise that this proposal relates to dogs and cats, in terms of rabbit breeding, consideration should be given to stipulating a minimum space allocation per rabbit or litter, which should include an outdoor space.

**12) Question 6: Do you agree that individuals with unspent convictions for animal welfare offences or other criminal convictions should not be allowed to hold a licence for breeding activities?**

Yes, we would also support that those living at the same address as individual with unspent convictions for animal welfare offences or other criminal convictions should not be allowed to hold a licence for breeding activities. We would also recommend that consideration be given to spent convictions and if higher frequency inspections would be required to mitigate any perceived risks.

**13) Question 7: Are there other requirements, apart from criminal, that should be part of a 'fit and proper person' test for those running dog, cat or rabbit breeding activities?**

As outlined in the Companion Animal Welfare Council report on companion animal welfare establishments <sup>1</sup>:

*"To keep animals to high standards of welfare, it is necessary to have detailed knowledge of their physical and behavioural needs and this should be fully brought to bear in their husbandry. Whilst there have been many advances in knowledge of the physical and behavioural needs of the commonly kept companion animals, caution is needed and it cannot be assumed that this information is complete. Even for the commonly kept species, it is likely that there are improvements to be made. It should be a duty for all establishments to maintain and update knowledge concerning the needs of animals in*

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<sup>1</sup> Companion Animal Welfare Council (CAWC), 2005. Report on companion animal welfare establishments, sanctuaries, shelters and re-homing centres. Available at: <http://edepot.wur.nl/1560>

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*their care.”*

We support this recommendation and would welcome a requirement that those undertaking breeding activities should be required to demonstrate that they have the knowledge and resources to meet the health and welfare needs of the animals in their care, as well as the knowledge to provide suitable advice to prospective owners and the ability to assess behaviour such that animals are matched to new homes appropriately.

Further, consideration should be given to a person's history of undertaking breeding activities to allow for a risk-based assessment and early identification of any areas of concern. A question that asks “Have you or do you undertake any breeding? If so, please give details” would be useful to ascertain this kind of information.

We would also wish to ensure that individuals who have a history of domestic violence (and those residing at the same address of these individuals if possible) are excluded from running breeding activities with the potential for those convicted of GBH or similar offences also being subject to scrutiny. The [LINKS Group](#) highlights the link or inter-relationship between perpetrators who abuse both animals and humans.

- 14) Question 8: The Scottish Government proposes that reasonable costs of inspections should be charged to recover costs to inspectors approved by Scottish Ministers or local authorities. Do you agree with this proposal?

Yes – we agree that any fee structure should be based on cost-recovery.

- 15) Question 9: Should licence fees be set by the authorised inspectors, local authorities or by the Scottish Government? Do you have any comments on what cost is reasonable and what should be included in this?

Fees and charges should be set by local authorities, supported by guidance from the Scottish Government for local authorities on setting reasonable charges and fees in order to ensure consistency and transparency. Fees should be such that they support the costs associated with inspection and enforcement and could be ring-fenced to achieve this.

- 16) Question 10: The Scottish Government considers that licences lasting more or less than one year may be issued on the basis of a welfare risk assessment. Do you agree?

We support the proposal to use welfare risk assessments to determine licensing duration and inspection regimes. We acknowledge the potential theoretical benefits of increasing the length of licences in terms of reducing the burden of animal establishment inspections, with the onus on the proprietor to report changes that might warrant earlier re-inspection. With this in mind, it is important to have the opportunity to regularly assess factors such as animal welfare, the species kept and their facilities.

We support the risk-based system used in England in [the Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#). Licence length is informed by a scoring matrix, a risk score and how well a business is meeting welfare standards, with

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each business receiving a star rating.

This system of risk assessment would help local authorities to identify high or low risk breeding activities (as well as informing the public and driving up standards) and help to determine those breeding establishments that should receive more frequent inspections. More information about how this risk scoring matrix can be applied is available in Defra's [Procedural guidance for the Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#).

The criteria for risk assessment would need to be clearly defined as per the [Procedural guidance for the Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#) and an initial inspection, to include relevant local authority and veterinary expertise, would be a requirement of any licensing regime. Any risk-based assessment which allows for longer periods between inspections should incorporate both the facility for spot checks and for inspections / revocation/suspension of the licence (without the need to go to court) should there be a complaint or any evidence that the conditions of the licence are not being met. Where needed advice should be sought from veterinary surgeons with appropriate species knowledge and experience. Any premises subject to a licence or registration period of three years should be subject to spot checks/inspections.

It should also be ensured that veterinary inspectors do not have any conflict of interest with the establishments they are inspecting ie. inspection of an establishment belonging to a client.

A final version of the proposed framework would need to be agreed in consultation with relevant stakeholders (including the veterinary profession).

This approach reflects that already used by local authorities to enforce [food standards](#), farm animal health (p18 of the [Framework document](#)) and, as mentioned above, the [Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#).

### 17) Do you think that a national list of licensed premises and activities should be kept?

We would support a national list of licensed breeders and breeding activities, breeders could be required to submit their data annually in electronic format and this could be collated centrally to form a national list. The recording of breeders and breeding activities should be considered good administrative practice for local authorities and would improve transparency regarding breeding activities if made available for the wider public (subject to compliance with GDPR).

The list would need to be amended regularly to ensure it remains up-to-date. The operators of licensed breeding activities must be required to provide details regarding any related changes.

All data would need to be kept and presented in line with [Data Protection Act 2018](#).

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- 18) Do you have any comments on who should be able to access information from the list and if a charge should be made for information?

Who can access the list should depend on the type of information that is proposed to be shared.

As outlined above, we believe that there should be a publicly available national list of dog, cat and rabbit breeders, to provide intelligence for enforcers and allow the public to check the list. Then should the threshold of three or more litters per year be met, this would trigger a dog, cat or rabbit breeding licensing inspection. If there were other concerns or complaints in the meantime, then a visit could be carried out under the Animal Welfare Act 2006 or other relevant legislation.

- 19) The Scottish Government believes that enforcement agencies should be able to suspend, vary or revoke registrations and licenses or issue improvement notices for minor irregularities. Do you agree with this proposal?

Yes – as outlined above, any risk-based assessment which allows for longer periods between inspections should incorporate both the facility for spot checks and for inspections / revocation/suspension of the licence (without the need to go to court) should there be a complaint or any evidence that the conditions of the licence are not being met.

- 20) Question 14: Do you agree that compliance with any relevant Scottish Government guidance should be a condition of licensing? If you are aware of any other relevant standards please comment.

We are fully supportive of this proposal. In order to ensure that this proposal is effective in driving high standards of animal health and welfare, the provision of adequate enforcement resources will be required to appropriately enforce these licensing conditions. We would also support alignment with the specific conditions set out in Schedule 6 of [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018, specific conditions for dog breeding](#).

- 21) In addition, consideration should be given as to how to increase awareness of the recommendations set out in Scottish Government welfare guidance. The Scottish Government should work collaboratively with the professional and representative organisations of the stakeholders outlined at the start of this consultation to promote the guidance across their various communications channels, aiming to reach breeders and owners directly and those that work closely with these groups to ensure the high health and welfare of the animals under their care. Further, consideration should be given to extracting certain sections of the welfare guidance and presenting this information as a quick reference resource to facilitate compliance from owners and keepers.

We note that in paragraph 4 of the consultation document, Scottish Government is proposing to allow an exemption from inspection requirements for those breeders who are affiliated to a body accredited by UKAS to certify, at a minimum, the legally required licence condition. It is noted that accredited breeders would still require to be licensed by



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local authorities with a reduced frequency of local authority enforcement. We would wish to ensure that there are clear standards of consistency between existing licensing regimes and that the alternative options for obtaining a licence, along with their criteria, are made public. Enforcement officers should be adequately trained in the criteria for all regimes and the reasons for any reduced inspection criteria are transparent and consistent.

### **22) Question 15: Do you agree that appropriate fixed penalties should be available for minor non-compliance with the licensing legislation?**

We would support the introduction of proportionate, fixed penalties for minor non-compliance licensing legislation. Financial sanctions proportionate to the value of the potential sale of offspring, in addition to statutory penalties, should also be introduced. All penalties should be such that they act as an effective deterrent for unscrupulous and sub-standard breeders to operate.

### **23) Question 16: Do you agree that the Scottish Government should discourage the breeding of dogs, cats and rabbits with a predisposition for specific genetic conditions, which lead to health problems in later life?**

We would strongly support that the Scottish Government should discourage the breeding of dogs, cats and rabbits with a predisposition for specific genetic conditions, which lead to health problems in later life. We would welcome more clarity on how the Scottish Government intend to define a 'predisposition for specific genetic conditions'.

In addition, we would also strongly support the Scottish Government discouraging the breeding of animals with existing extreme conformational traits that negatively impact on their health and welfare, as well as the breeding of animals who require multiple caesareans in order to reproduce. This would serve to support the work of existing and on-going national initiatives such as [the Brachycephalic Working Group \(BWG\)](#).

Breeding decisions across companion and production animals should be taken with the aim of conferring healthy or healthier conformational traits, being mindful of the potential health and welfare impact of selection for specific or desirable structural features.

Society as a whole, including the veterinary professions, owners and keepers, breeders, registering bodies, breed clubs and societies, academics, animal charities and those with a commercial interest in the use of animals and their images, have a social and moral responsibility to work together towards:

- ensuring healthier future generations of animals that currently experience extreme conformation
- reducing the negative health and welfare impacts of extreme conformation
- increasing awareness of the health and welfare issues associated with extreme conformation across different species
- encouraging research in order to better understand and address the prevalence of, and trends in, conformation-related ill-health

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- encouraging research in order to better understand and address the prevalence of the welfare impacts resulting from extreme conformation
- the development of objective, robust measures to contribute to the assessment of problematic conformation.

Further, we would also encourage the Government to consider other ways it could discourage demand for dogs, cats and rabbits with specific genetic conditions and extremes of conformation that negatively impact on their health and welfare. This should include encouraging marketers and film producers to avoid the use of these animals in their marketing materials and campaigns. BVA has developed good practice guidance for the use of pet animals in advertising (expected publication December 2018) and would be pleased to share these guidelines with the Scottish Government.

**24) Question 17: Do you agree that as a condition of licensing, any breeding practices which are likely to cause the offspring suffering in later life should be prohibited?**

We strongly agree that as a condition of licensing, any breeding practice which are likely to cause the offspring suffering in later life should be prohibited. We would recommend that the wording of the conditions is aligned for dogs, cats and rabbits with that which is set out for the breeding of dogs in [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#):

*“No dog may be kept for breeding if it can reasonably be expected, on the basis of its genotype, phenotype or state of health that breeding from it could have a detrimental effect on its health or welfare or the health or welfare of its offspring.”*

As part of the risk-based assessment for licensing, a breeder of those breeds which are known to be predisposed to breed specific health issues, could be considered higher risk and licence conditions, inspections and penalties should be tailored accordingly.

Further, the Scottish Government could consider working collaboratively with key stakeholders to produce educational materials and training that serve to keep breeders up to date with changes in legislation, as well as animal health and welfare, such as vaccination schedules, identification requirements, husbandry and biosecurity best practice.

**25) Question 18: Do you have any comment on any other appropriate measures the Scottish Government could take to discourage harmful breeding practices?**

As the Scottish Government revises current licensing legislation, we would also advise that it revises pet vending legislation to bring current practices in line with [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#). This would ensure that all facets of the supply of pets are under stringent regulation and the health and welfare of animals is holistically safeguarded. Further, alignment with the [Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#) would ensure that animals are not sourced from the UK country with the lowest less

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[stringent requirements, ensuring a UK-wide approach to responsible breeding practices.](#)

Strengthened licensing regulations could also be supported by breeding guidelines to drive standards and increase responsible breeding activities. We are aware that the Canine and Feline Sector Group in England are at the initial stages of developing breeding guidelines for cat breeding.

In addition to this, the Scottish Government should also address sources of demand for irresponsibly bred puppies, kittens and rabbits. This would include measures to limit the supply of illegally imported puppies, in addition to stemming demand through increased awareness amongst the pet-buying public. Measures should therefore be taken to manage and redirect the demand for puppies, kittens and rabbits to responsibly sourced and bred pets.

Redirecting demand towards responsibly sourced pets could be achieved through ensuring UK websites adhere to [PAAG minimum standards for sale](#). Where businesses or websites allow adverts from non-registered or unlicensed breeders, proportionate sanctions should be introduced to act as deterrents. Other actions to take include educating consumers on the risks of buying puppies/kittens advertised on-line and rehoming dogs/cats supplied from abroad, as well as conducting enhanced research to better understand the purchasing behaviours of consumers in order to develop targeted strategies to influence purchasing behaviours.

We would also advise anyone buying or selling a puppy to use the freely downloadable [Puppy Contract](#), which has been developed by the RSPCA and the Animal Welfare Foundation (AWF) to empower puppy buyers and help them to avoid the problems that can arise from buying a puppy from an irresponsible breeder. We would likewise encourage prospective kitten buyers to use the CFSG Kitten Check List to ensure informed purchasing decisions, which is currently in its final stages of development. For prospective owners looking to purchase a rabbit, we would advise that they consult with their vet and familiarise themselves with the [Scottish Government Pet Rabbit Welfare Guidance](#) and [Rabbit Welfare Association and Fund advice resources](#).

- 26) Further, measures should be taken to mitigate the risk of demand for illegally imported pets via online sales, which could potentially present as an unintended consequence of more stringent proposed requirements for Scotland-based breeders.
- 27) In terms of mitigating the increased risk of illegal imports, we have set out several recommendations in [our recently launched policy position on Pet Travel](#) which we produced in conjunction with BSAVA. We would strongly support:
  - Extending the waiting time post-rabies vaccination to 12 weeks under the Pet Travel Scheme (at present the waiting time stands at 21 days). This has the potential to reduce the misuse of non-commercial routes for the illegal imports of puppies for sale (because the puppies will be older and past 8-12 weeks of age

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when they are at their most desirable and saleable age) and therefore reduce the negative welfare implications for puppies imported via this route<sup>2</sup>, the likely negative welfare experienced by the breeding bitches supplying these puppies and ultimately disrupting the supply of puppies via illegal import. This may also have biosecurity advantages, as although it was considered likely that the risk of introduction of rabies to the UK was minimal, it is unlikely that this assessment took into account the number of illegally imported puppies and the difficulty in reliably aging puppies until they are approximately 5-5 and a half months old, at which time permanent canine teeth are erupting; Therefore, a review of the original pre-2012 Defra Risk-Assessment would seem prudent and should provide greater assurances in terms of biosecurity.

- Restricting the number of animals that can travel under the Pet Travel Scheme to five per non-commercial consignment rather than five per person (unless attending or training for a competition, show or sporting event where, in line with current legislation, written evidence of event registration must be provided).
- Enforcement of the Pet Travel Scheme should be undertaken by Government agencies as opposed to carriers. This shift in responsibility should include a requirement for there to be sufficient out-of-hours and weekend cover at ports by Government agencies and the provision of veterinary delivered training or guidance to enforcement officers.
- Revising the verification procedure used at ports to check dogs entering the UK should be revised to ensure that an enforcement officer must see the animal when scanning the microchip and ensure microchips external to a dog are not scanned. For pets returning after shows, competitions or sporting events, their exit should be verified and import records reconciled, in the case of dogs by scanning their microchip and for all other pets, relevant paperwork is checked.
- Strengthening regulation surrounding compliance inspections of commercial pet movements should be strengthened, including an increase in spot checks at ports.
- Improving clarity around the routes and mechanisms for reporting concerns about the illegal importation of animals and non-compliance with the Pet Travel Scheme, with improved accessibility out-of-hours.

### 28) Conclusion

We strongly support proposals to strengthen regulations for dog, cat and rabbit breeding activities. At a minimum, any proposed regulations should be brought into line with [the Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018 to prevent any legislative loop holes between devolved administrations.](#)

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<sup>2</sup> Dogs Trust (2017) Puppy Smuggling – A Tragedy Ignored [pdf] Available at: <https://www.dogstrust.org.uk/puppy-smuggling/ps-media>

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We believe these proposals could be an important step towards limiting the reach and activity of unscrupulous pet breeders and puppy farms that do not pay adequate regard for the health and welfare of the puppies, kittens and rabbits that they produce.

However, if this legislation is to be successful in its aims of promoting responsible breeding practices, the Scottish Government should accompany this with measures to address all sources of supply and demand for pets, including regulating internet sales, mitigating illegal imports and promoting responsible ownership decisions. Further, in order to facilitate the identification of responsible breeders, we would also strongly support that anyone breeding from a dog, cat or rabbit should be required to register with their local authority and a national list of breeders be made available to the public.