

BVA Welsh branch and BSAVA response to the Welsh Government consultation on the proposed ban on third party sales

May 2019

Who we are

1. The British Veterinary Association (BVA) is the national representative body for the veterinary profession in the United Kingdom. With over 18,000 members, our primary aim is to represent, support and champion the interests of the United Kingdom's veterinary profession. We, therefore, take a keen interest in all issues affecting the profession, including animal health and welfare, public health, regulatory issues and employment matters. Members of BVA's Policy Committee, which includes vets in companion animal practice, have provided input into our response to the consultation as have BVA's Welsh Branch and the British Small Animal Veterinary Association (BSAVA).
2. BVA Welsh Branch represents members in Wales, bringing together representatives of specialist and territorial divisions, government, academic institutions and research organisations in Wales. The branch advises BVA on the consensus view of members in Wales on Welsh and UK issues.
3. Our response has been formulated in close liaison with the British Small Animal Veterinary Association (BSAVA), which exists to promote excellence in small animal practice through education and science and is the largest specialist division of BVA representing over 11,000 members.
4. We welcome the opportunity to contribute to Welsh Government's call for evidence on proposals to ban commercial third party sales of puppies and kittens in Wales. We always recommend that anyone considering buying a puppy only buys directly from a reputable breeder (this would include members of the Kennel Club Assured Breeder Scheme, those using the [BVA/AWF/RSPCA Puppy Contract](#) or in cats [the GCCF Breeder Scheme](#)) or considers giving a home to a rescue dog from a recognised UK rehoming charity.

Issues associated with the breeding and selling of dogs/puppies and cats/kittens

5. There are specific health and welfare concerns that arise in the context of commercial third party sales. These include early separation of puppies and kittens from their mothers, preventing young animals from expressing their behaviours in a domestic environment and disrupting appropriate socialisation which influences long term behaviour as well as potential stress incurred during travel from place of birth to place of sale and possible exposure to disease.
6. Further, from a consumer perspective, commercial third party sales perpetuate a 'click and collect' pet-buying experience, which may encourage impulse purchases. The speed and ease of purchase of puppies and kittens, particularly via internet sales, can lead to less considered purchase decisions, without due regard for how they will meet the five welfare needs (enshrined in the Animal Welfare Act 2006), or whether the animal is suited to their lifestyle. For example, it is not uncommon for new puppy purchasers to be unable to afford the primary vaccination course, suitable diet and worming treatment for the puppy, as they were unaware of what would be required.

7. The demand for UK puppies and kittens is sometimes met by illegal, imported or unregulated supply. Whilst the EU Pet Travel Scheme has made pet travel easier and less expensive for owners, there is increasing acknowledgement that the changes to the Pet Travel Scheme in 2012 have resulted in negative unintended consequences with the increase of puppies being imported illegally for sale through abuse of the non-commercial routes. BVA is aware of concerns that large numbers of puppies being imported from Europe (particularly Central and Eastern Europe) do not comply with the legislation, either because they are being brought for commercial purposes under the non-commercial Pet Travel Scheme; or in order to fulfil public demand, they are being brought in below 15 weeks of age (the minimum age that complies with the Scheme and under which it is difficult to accurately age puppies and kittens)¹. There are many negative welfare implications for puppies and kittens being illegally imported, and we are concerned in particular by the increasing trend to import rescue dogs, often those which are not fit to travel due to illness or injury. There are also serious surveillance and biosecurity concerns for the UK dog population as puppies are imported with known or unknown disease status, including diseases not normally seen in the UK such as Leishmaniasis² or rabies³. The true prevalence of disease imported in rescue dogs is unknown but is anecdotally rapidly increasing.
8. Aside from the adverse impact on puppies and kittens, poorly managed breeding practices can have an adverse impact on breeding animals if subjected to successive pregnancies with minimal periods of recovery in between. Their health and welfare are likely to be compromised if their sole purpose is to provide the maximum number of puppies or kittens throughout their reproductive lifespan. Additionally, breeding animals may be kept in conditions that do not meet their welfare needs.
9. In recent years, there has been a rapid increase in the popularity and demand in the UK for specific breeds of dogs with certain phenotypic conformations, in particular brachycephalic dogs^{4,5}. We are concerned that the rise in the number of such breeds is leading to a population-based increase of ill health and compromised welfare in these breed types. For example, as a consequence of selective breeding for their appearance, brachycephalic breeds are predisposed to having anatomical defects of the upper airway (causing breathing difficulties), eye disease, and an inability to mate or give birth naturally (requiring Caesarean section). The current willingness to pay high prices for certain breeds of puppies or kittens, such as brachycephalic breeds of dogs, suggests that consumers are willing to pay an increased price for puppies and kittens but are perhaps less able to judge the quality of the products they are purchasing. Please refer to the BVA positions on [extreme conformation](#) and [brachycephalic dogs](#) for more information.
10. We are also aware of anecdotal evidence of concerning patterns of vendor behaviour, including:
 - selling dogs with a contract that states the purchaser must breed from a female pup and that the litter will be returned to the vendor
 - vendors who deliver pups to purchasers' homes enabling purchasers to acquire a puppy from an unknown source without having to make any viewing arrangements.
 - Multiple family members having "fewer than three breeding bitches" within a household, a loophole to get around the licensing requirements.
 - Unregistered breeders, who without regulation may give little consideration to the health status of the parents, potentially leading to inherent health defects. They may not receive appropriate veterinary

¹Refer to the BVA position on Pet Travel for further information:

https://www.bva.co.uk/uploadedFiles/Content/News_campaigns_and_policies/Policies/Companion_animals/BVA%20Position%20on%20Pet%20Travel%20Full-%20Website.pdf

² McKenna, M., Attipa, C., Tasker, S., Augusto, M. (2019) Leishmaniosis in a dog with no travel history outside of the UK Veterinary Record 184, 441. <https://veterinaryrecord.bmj.com/content/184/14/441>

³ Public Health England, 2017. Rabies risks in terrestrial animal by country. [online] Available at:

<https://www.gov.uk/government/publications/rabies-risks-by-country/rabies-risks-in-terrestrial-animals-by-country#>

⁴ O'Neill, D.G., Darwent, E.C., Church, D.B. & Brodbelt, D.C. (2016) Demography and health of Pugs under primary veterinary care in England, Canine Genetics and Epidemiology. Canine Genetics and Epidemiology, 3, 1-12. Available at:

<https://link.springer.com/article/10.1186/s40575-016-0035-z>

⁵ Kennel Club (2017) 10 Yearly Breed Statistics. Available at: <https://www.thekennelclub.org.uk/media/129029/10yrstatsutility.pdf>

care, health checks, worming or flea treatment, microchipping, a correct diet or proper socialisation, and may be weaned and sold at too young an age.

How the problems might be addressed by banning commercial third party sales

11. There are specific health and welfare concerns that arise in the context of commercial third party sales that could be addressed through the proposed ban. The proposed ban on third party sales may reduce the activity of unscrupulous breeders and large-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 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-scale licensed establishments may be able to provide.
12. A ban on third party sales, if adequately resourced and properly enforced, could also encourage more responsible purchasing behaviours. It would increase the opportunities to follow Government advice to see puppies and kittens with their mother and to foster a better understanding of the provenance of animals, as well as opportunities for breeders to demonstrate how they have met the welfare requirements of the puppies/kittens in their care e.g. [through the BVA/AWF/RSPCA Puppy Contract](#). We hope that in turn this would have a positive impact and drive up welfare standards overall.
13. However, a ban on third party sales must not be considered in isolation. This measure must be part of a holistic approach which considers a suite of measures that would address the complexity of the issues relating to sales of puppies and kittens. This should cover legislation encompassing all sources of supply and demand, including advertising, sales conducted on social media, illegal imports and ideally, should be supported by an understanding of customer demand and pet purchasing behaviours. In addition, we would recommend that anyone breeding from a dog or cat is required to register with their local authority and ensure appropriate animal identification e.g. microchipping. Such an approach would reduce the risk of any unintended consequences and ensure that significant numbers of puppy and kitten sales are not driven underground.
14. We strongly supported The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014, which were a big step towards addressing issues with puppy farming and improving dog breeding. More recently, we strongly supported The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, which go a considerable way to modernising the regulation of pet breeding, sales and other pet-related activities licensed by local authorities in England. We would support implementation of similar legislation in Wales.

How the absence of third party sellers will affect supply

15. Commercial third party sales perpetuate a 'click and collect' pet-buying experience, which may encourage impulse purchases. It is therefore possible that the absence of third party sales may therefore demand for puppies and kittens bought in this way. However, we acknowledge the potential unintended consequences of banning third party sales in it may drive supply underground and result in suboptimal welfare practices.
16. Accurate assessment of how the absence of third party sellers will affect supply is limited by the lack of clarity regarding statistics and market segmentation. Defra's figures indicate an annual demand for 700,000 puppies; however, other sources suggest an annual demand of up to 800,000 (dependent on

assumed average life-span). The recent PFMA survey of pet ownership indicates that there is a total of 9 million dogs in the UK and that the number has increased by 400,000 in the last year alone.

17. Current estimates around the annual supply of puppies from various sources suggest that 60,000 – 100,000 are sourced from imports, 60,000 - 70,000 puppies from re-homing centres and approximately 240,000 are Kennel Club registered puppies. It is unclear from where the remaining 300,000 - 400,000 puppies are sourced. It is suspected that the ability of UK breeders to fulfil current or near future demand is very limited. If the demand for UK puppies is to be met by sufficient numbers of UK-bred stock, this would take time to achieve and will need supportive measures to mitigate risk of illegal activities. In the meantime, there is the distinct likelihood that market demand will potentially be met by unscrupulous, unlicensed sellers and unregulated internet sales, with the potential for sales to be driven underground unless careful consideration is given to any new legislative measures.
18. According to Defra, currently there are fewer than 100 third party sellers licensed in England, some of these are pet shops and only 2% of pet shops sell puppies. According to the consultation document, there are less than 20 licenced pet shops selling puppies and kittens in Wales. Therefore, it is assumed a very few puppies and kittens are sold by pet shops and licensed third party sellers. Given the relatively small numbers involved, the impact of a ban on third party sellers that are already licensed is questionable.
19. Overall, there seems a paucity of robust statistics on which to base decisions. Welsh Government should consider all available recent population statistics, analyse figures and undertake a gap analysis to take into consideration ambiguities before risk assessment and proposal of risk management options. Part of this analysis should include segmentation of the commercial and non-commercial market to support more accurate assumptions and an understanding of the true impact of proposed measures. In effect, an element of due diligence is required in making pragmatic assumptions to ensure any proposed measures are proportionate and potentially effective.
20. Vets often see puppies at least once, since new owners often have the primary vaccinations done as soon as possible after purchase even if they never visit a vet again. The veterinary profession could therefore be a potentially valuable source of statistics on sources of purchase. This could be facilitated through a reporting system such as [SAVSNET](#) or [VetCompass](#).
21. To address the likelihood of puppies which are either non-compliant with import or UK breeding legislation fulfilling market demand, implementation of enforcement measures as part of a suite of simultaneously introduced measures to address the wider population issues such as illegal puppy imports would need to be introduced.
22. Until there is greater clarity on statistics, it remains difficult to comment as to how any proposed changes might be enforced and applied in practice, along with any wider enforcement measures.
23. Regarding kittens, there is limited information for the UK on the numbers of kittens or their sources. Not enough is known about the purchaser experience and the range of problems that arise when kittens are purchased from those who breed and sell, thus the whole area would benefit from further research⁶.

Measures other than a ban on commercial third party sales that could address the problems

⁶ CFSG (2015), Scratching the surface: A preliminary report into the breeding and sale of cats in the UK. <http://www.cfsg.org.uk/Shared%20Documents/Breeding%20and%20Sale%20of%20Cats%20Report.pdf>

24. There are two prongs to addressing the problems associated with breeding. Firstly, improving the **welfare** of these animals throughout the planning, breeding, rearing and selling stages of their life. Secondly, **encouraging responsible purchasing practices**, and therefore reducing the number of inappropriate acquisitions. BVA and BSAVA always recommend that anyone considering buying a puppy only buys directly from a reputable breeder (including members of the Kennel Club Assured Breeder Scheme or The Governing Council of the Cat Fancy) or considers giving a home to a rescue dog from a recognised UK rehoming charity. Sales of animals through third party sellers could be maintained if there was in place a satisfactory system of identification, monitoring and enforcement.
25. Such a system would require sufficient data on third party sellers (see comments on registration below) and continued maintenance of such data. In addition, adequate numbers of enforcement officers, who have been appropriately trained on animal welfare and have the support of similarly trained veterinary inspectors, would be required to ensure satisfactory expertise to support the system.
26. A ban on third party sales must not be considered in isolation. This measure must be part of a holistic approach which considers a suite of measures that would address the complexity of the issues relating to sales of puppies and kittens. This should cover legislation encompassing all sources of supply and demand, including advertising, sales conducted on social media, illegal imports and ideally, should be supported by an understanding of customer demand and pet purchasing behaviours. In addition, we would recommend that anyone breeding from a dog or cat is required to register with their local authority and ensure appropriate animal identification e.g. microchipping. Such an approach would reduce the risk of any unintended consequences and ensure that significant numbers of puppy and kitten sales are not driven underground.
27. Consideration could be given to other measures that would restrict problematic sales by licensed third party sellers. Our suggestions are outlined below:

Requirement to register with local authorities

28. We strongly supported The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014, and the requirement for anyone breeding three or more litters to be licensed. However, we are aware that it is currently difficult to identify all those who require licencing and would therefore recommend that anyone breeding from a dog should be required to register with their local authority (with the data treated in line with the Data Protection Act 2018). Registered breeders would be assigned a registration number, which would then be required to be displayed in any advertisement for sale of puppies including on the internet. Management of a registration system could be online based - in effect, on line registration and fee payment with auto-generation of a registration number. Enforcement could be by randomised spot checks. Adequate resources and enforcement powers would be needed to support the system, in particular during the initial stages.
29. This would mean that the local authority had a list of contact details for all dog breeders in their area, aiding enforcement authorities in identifying third party sellers and ensuring that dog breeders were aware of the legal requirements. There should be a publicly available national list of dog 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 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. A requirement to register could also aid HMRC in tackling tax evasion⁷.

Financial sanctions

30. We support introducing financial sanctions that are proportionate to the value of the sale, i.e. in addition to a standard financial sanction it should include a sum which is a significant percentage of the sale price

⁷ <https://www.bbc.co.uk/news/uk-48167134>

of each advertised puppy. This fine could prove effective in those cases where fashionable breeds with extreme undesirable conformational defects, e.g. brachycephalic breeds, dachshunds, teacup breeds and popular cross-breeds, are sold. It may also be worthwhile prioritising resources to focus on these breeds in the first instance as they likely represent the worst offenders in that they represent breeds with exaggerated conformation.

Increased checks at point of entry

31. Increase checks at points of entry to the UK, in particular during periods of high demand e.g. Christmas. Adequate training and resources would be required.

Illegal imports – Pet Travel Scheme

32. If the demand for UK puppies is to be met by sufficient numbers of UK-bred stock, this will take time and will need supportive measures to mitigate risk of illegal activities. With this in mind, there is a risk that market demand will potentially be met by unscrupulous, unlicensed sellers and unregulated internet sales.
33. To mitigate against potential illegal, imported or unregulated supply, measures should be taken to manage and redirect the demand for puppies and kittens to responsibly sourced and bred pets.
34. Whilst the EU Pet Travel Scheme has made pet travel easier and less expensive for owners, there is increasing acknowledgement that the changes to the Pet Travel Scheme in 2012 have resulted in negative unintended consequences with the increase of puppies being imported illegally for sale through abuse of the non-commercial routes. BVA is aware of concerns that large numbers of puppies being imported from Europe (particularly Central and Eastern Europe) do not comply with the legislation, either because they are being brought for commercial purposes under the non-commercial Pet Travel Scheme; or in order to fulfil public demand, they are being brought in below 15 weeks of age (the minimum age that complies with the Scheme and under which it is difficult to accurately age puppies). There is also a possibility that puppies being imported may not have originated from EU countries but from neighbouring countries outside the EU.
35. Defra's scientific risk assessment of the changes implemented in 2012, which looked at the risk of Rabies introduction, concluded that the changes would result in a risk status of very low or negligible⁸. However, it is unlikely that this assessment took into account the scale of the illegal importation of puppies through abuse of the Scheme, the potential welfare implications of transporting young animals and the unknown disease status of these animals.
36. In terms of mitigating against an increased risk of illegal imports, based on the available evidence BVA supports extending the waiting time post-rabies vaccination to 12 weeks under the Pet Travel Scheme (at present the wait 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 their most saleable age) and therefore reduce the negative welfare implications for puppies imported via this route⁹, the likely negative welfare experienced by the breeding bitches supplying these puppies and ultimately disrupting the supply of puppies via illegal import. For further information, refer to the [BVA Position on Pet Travel](#).
37. In addition, it may be possible to mitigate the risk of abuse of non-commercial movements by restricting the number of animals that can travel to five per 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). For puppies under 6 months the number could be restricted to two per person, with a total of three animals allowed per consignment. This would

⁸ Veterinary Laboratories Agency (2010) "A quantitative risk assessment on the change in likelihood of rabies introduction into the United Kingdom as a consequence of adopting the existing harmonised Community rules for the non-commercial movement of pet animals."

⁹ Dogs Trust (2017) Puppy Smuggling – A Tragedy Ignored [pdf] Available at: <https://www.dogstrust.org.uk/puppy-smuggling/ps-media>

accommodate 96.2% of UK households travelling under the Pet Travel Scheme¹⁰. In addition, an amendment of the Pet Animals Act to cover commercial sales over the internet could be considered.

38. Further, we do not believe that enforcement provisions have been fully appropriate and effective for enforcing the Pet Travel Scheme, leading to abuse of the scheme and increased illegal imports. The main areas of concern are fraudulent or non-existent documentation, puppies being moved under the pet travel scheme when they are intended for sale (as it is possible to move five puppies per person non-commercially, it is possible for two or three people to bring in 10-15 puppies in this manner), and underage puppies (the minimum age that a puppy can legally be brought into the UK under current legislation is 15 weeks – vaccination at 12 weeks and a 21 day wait time before travel).
39. We believe that enforcement provisions could be improved and would question whether the carriers are the right people to undertake routine checks. Authorised officers would benefit from veterinary-delivered training or guidance. Moreover, we believe the checking procedure itself should be revised to ensure that there are adequate numbers of checks carried out and an authorised enforcement officer must visualise the animal and microchip that is being scanned. To avoid any circumvention of this approach through the taping of microchips to the inside of the carrier or to the pet's collar, it must be ensured that checks are only undertaken by an authorised enforcement officer and the animal should be scanned in a manner that ensures the collar is not near the chip where it is read.
40. Given that the number of movements of dogs per year has increased year on year since the introduction of the Pet Travel Scheme in 2011², we are concerned that this has outstripped resources available to check and ability to detect those bringing in animals for sale (which should be treated as commercial) under the non-commercial Pet Travel Regulations enforce pet-travel legislation, increasing the risk of non-compliance
41. Enforcement of the Pet Travel Scheme is crucial to effectively regulate pet movements and to achieve this councils require adequate funding to allow for consistent and effective inspections at ports, including out-of-hours and weekend cover.
42. For further information and recommendations, please refer to the [BVA Position on Pet Travel](#).

Communications and advertising

43. It is important to recognise that a ban on commercial third party sales would not represent a welfare panacea in pet breeding, sales and activity as only a small number of pet shops sell puppies and kittens and it is likely that many third party sales are now carried out online under the guise of sales from individual breeders. It is uncertain how these online sales would be monitored and how consumers would identify animals that are not being sold through a third party. Therefore, further consideration must be given to a holistic approach that tackles the complex issues surrounding all sources of supply and demand for pets e.g. internet sales and advertising, social media, illegal imports and purchasing behaviours.
44. In terms of internet sales and advertising, as a member of [the Pet Advertising Advisory Group \(PAAG\)](#) we would support further engaging with online marketplaces (including social media sites) to ensure that [PAAG's minimum standards for responsible advertising](#) are adopted and raise public awareness of the need to act responsibly when looking to buy pets advertised on websites.
45. Coupled with this, we would welcome a similar approach to that which the Scottish Government has committed to taking in its [Programme for Government 2017-2018](#), where it has set out intentions to launch a communications campaign on the risks of buying puppies advertised on-line and rehoming dogs supplied from abroad in order to educate prospective owners and encourage responsible purchasing behaviours. The SSPCA, for example, launched a [#SayNoToPuppyDealers campaign](#).

¹⁰ Murray JK, Browne WJ, Roberts MA, Whitmarsh A, Gruffydd-Jones TJ (2010) Number and ownership profiles of cats and dogs in the UK. *Vet Rec.* 166 (6): 163-168. 10.1136/vr.b4712.

Similar initiatives could be explored as part of communication plans surrounding Welsh Government's proposed reforms to pet sales and breeding.

46. Consideration should be given to improving education both in schools and across broader society, ensuring information is readily available so that prospective owners understand what owning a pet involves, the level of commitment required and the financial implications. It is perhaps too late to educate a prospective owner when they have committed to buying a pet, therefore including links to educational resources in adverts or contracts could be beneficial.
47. 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.

Research

48. We would welcome enhanced research to better understand the influences that drive demand for pets in order to develop targeted strategies that will influence purchasing behaviours. In terms of understanding what drives demand for puppies and kittens from different sources, research, for example that led by Dr. Rowena Packer assessing what influences the public to buy the popular flat-faced (brachycephalic) dogs and their purchasing behaviours, may be of interest.

Impact on rehoming centres

49. We note concerns that traders might set up as a rescue and rehoming organisation to get around the ban on third party sales.
50. In order to avoid any loop holes in legislation, regulation of animal sanctuaries and rehoming centres must be strengthened, [as has been proposed in Scotland](#). We sat on the working group for Animal Welfare Network Wales that produced the draft Code of Practice for Animal Welfare Establishments for Wales. We support the proposed publication of this voluntary code and the future licensing of animal welfare establishments in Wales which would include the transition of this in to a statutory Code of practice. A way to mitigate against any unintended consequences of third party sales through enhanced regulation would be to require that any rescue or rehoming organisation that receives a fee for animals is required to be registered or licensed and inspected at specified intervals. In addition, these establishments should also be required to provide information to the prospective owner on the appropriate care of the animal, including in relation to its five welfare needs. This would ensure that these establishments are monitored and are unable to circumvent licensing and inspection legislation as is the situation at present. In [our joint response to the Scottish Government's recent consultation on strengthening regulation of animal rehoming centres and sanctuaries](#) we indicated our views in full, namely that small centres should be registered and larger centres should be licensed.

Impact on licensed dog breeders who currently supply third party sellers

51. A ban on third party sales may result in improved remuneration for breeders providing high welfare pets.
52. The absence of third party sellers may cause an increase in the price of puppies and kittens. For any product on the free market where there is high demand and low supply, the expectation is that the price of the product would increase but not necessarily the quality. In the case of trade in live animals, poor quality means the health and welfare of the animal will likely be compromised.
53. However, encouraging prospective owners and the wider public to value responsibly bred puppies and kittens, as well as fully considering the financial impact of owning a pet, could have a positive impact by

driving the demand for high welfare pets and encouraging responsible ownership. Therefore, prices may increase due to the fact that breeders may be under greater scrutiny from consumers to provide high welfare puppies and kittens. As part of this, it is important to recognise that there is already a current willingness to pay high prices for certain breeds of puppies or kittens (e.g. brachycephalic breeds), which suggests that consumers are willing to pay an increased price for puppies and kittens, but perhaps less able to judge the quality of the products they are purchasing.

54. The improved remuneration for high welfare animals may in turn act as an incentive to undertake further health and welfare improvements in breeding practices, e.g. further progression towards more widespread testing of parents for hereditary breed health issues etc. Reiteration of this positive messaging along with pragmatic enforcement measures should achieve desired results.

Scope of the ban

Sellers to be covered by the ban

55. We are not aware of any evidence that would suggest the need to restrict the ban only to commercial sellers. The issue of early separation of young animals from their mothers applies in all contexts. A ban on all third party sales may encourage more responsible purchasing behaviours, including potential owners seeing puppies and kittens with their mother, as well as opportunities for breeders to demonstrate how they have met the welfare requirements of the puppies/kittens in their care e.g. [through the BVA/AWF/RSPCA Puppy Contract](#). We hope that in turn this would have a positive impact and drive up welfare standards overall.

Species to be covered by the ban

56. The issue of early separation of young animals from their mothers could be applicable to all mammals. Therefore, measures must be in place to ensure the welfare of all animals that are sold by third parties.
57. We are not aware of any evidence that would suggest the need for extending the ban to other species at this time. Many of the problems relating to commercial third party sale of dogs are related to relatively large numbers of (illegal) imports which is not applicable to other species. However, the Rabbit Welfare Association and Fund (RWF) [have reported problems with the online sales of rabbits](#), as outlined in their [Capone campaign](#).
58. It is also important to recognise that appropriate socialisation and habituation periods in the homes that they share with people are especially important in dogs and cat, compared to those species traditionally housed separately.

Age of animals to be included in the ban

59. We are not aware of any reasons for the need to ban sales of pet adult dogs and cats over 6 months of age. Puppies are particularly desirable and so fuel the puppy trade – illegal or otherwise – the same cannot be said of dogs 6 months of age or above. We would be concerned that if a ban were extended to older animals, already limited enforcement resources would be necessary, detracting from the priority area of puppies and kittens.
60. However, in order to safeguard animal health and welfare at all life stages, consideration should be given as to how retail and non-retail premises will adequately meet the welfare needs of adult dogs and how the age of dogs and cats will be adequately checked to ensure that legislation is appropriately enforced.

Additional Information

61. It will be important to ensure that any new legislation will provide parity with relevant legislation in England, since any discrepancies may lead to confusion and possible loop holes.

The ability of local authorities to tackle illicit unlicensed pet sales activity

62. To facilitate local authorities in tackling illicit unlicensed pet sales activity, we would recommend that anyone breeding from a dog should be required to register (preferably online) with their local authority (with the data treated in line with the Data Protection Act 2018). This would mean that the local authority had a list of contact details for all dog 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 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 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.
63. We would also support the undertaking of enforcement activities from expert independent bodies such as the RSPCA. It is anticipated that the RSPCA would only deal with welfare matters while local authorities would have a wider remit. We recognise the need to optimise enforcement resources given the increasing lack of resource and animal welfare expertise available to local authorities. However, we would stress that any enforcement activities should be carried out according to a standardised protocol to enhance consistency, alongside appropriate species knowledge and experience and thereafter veterinary expertise that is obtained as required.
64. We would also wish to ensure that there is an adequate suite of enforcement powers simultaneously available for suitably qualified enforcement officers, along with proportionate sanctions as deterrents, to manage the complexities of the issues involved. Financial sanctions should be such that they are significant and ring-fenced to support enforcement activities.
65. Regarding resources required for enforcement, these will need to be sufficient in terms of funding and numbers to monitor sales including internet sales; adequately trained to ensure satisfactory enforcement; and have suitable powers to carry out full investigations and take necessary actions when required e.g. powers of entry.

Other factors that should be considered and addressed to maximise the benefits and address risks.

66. As outlined throughout this response, in order to maximise the impact of a ban on commercial third party sales of puppies and kittens, a holistic approach that considers all sources of supply and demand for pets should be taken. This should include:
- Requiring that anyone breeding from a dog or cat should be required to register (preferably online) with their local authority
 - Educating prospective owners to research the level of commitment involved in responsible ownership through communications campaigns
 - Encourage prospective buyers to use the [BVA/AWF/RSPCA Puppy Contract](#) and the CFSG Kitten Check List (currently in its final stages of development)
 - Conducting enhanced research to better understand purchasing behaviours and developing targeted strategies to influence purchasing behaviours
 - Encouraging online retailers and marketplaces (including social media platforms) to sign up to [PAAG minimum standards](#) and including the requirement for a registration number to be displayed on all adverts
 - Mitigating the risk of illegal imports through extending the waiting time post-rabies vaccination to 8-12 weeks under the Pet Travel Scheme (at present the wait time stands at 21 days) to reduce the

misuse of non-commercial routes for the illegal imports of puppies for sale (because the puppies will be older and past their most saleable age)

Concluding remarks

67. There are multiple issues surrounding the breeding and sales of puppies in Wales, and any change in legislation must be targeted to achieve the maximum improvement in the welfare of these dogs. Some of the biggest concerns are around inappropriate purchase decisions by purchasers without the knowledge, financial ability or environment to meet a puppy's needs, and also the breeding and sale of puppies with inherent poor health status such as some examples of brachycephalic or chondrodystrophic breeds.
68. A ban on third party sales must not be considered in isolation. Our support for the principle of a ban on third party sales centres on the understanding that this measure will be part of a holistic approach which considers a suite of measures that would address the complexity of the issues relating to sales of puppies and kittens. This approach would reduce the risk of any unintended consequences and ensure that significant puppy and kitten sales are not driven underground.
69. It will also be important to ensure that any new legislation will provide parity with relevant legislation in England, since any discrepancies may lead to confusion and possible loop holes.
70. As the consultation document recognises, there are specific health and welfare issues involved in the third party sale of puppies and kittens that could be significantly reduced with the implementation of a ban. Further, we believe that a ban on third party sales could be an important step towards limiting the reach and activity of unscrupulous breeders and puppy farms that do not pay adequate regard for the health and welfare of the puppies and kittens that they produce.
71. Consideration of all sources of supply and demand is required, alongside holistic reforms for pet sales and breeding.