

110TH CONGRESS
2D SESSION

S. 3519

To amend the Animal Welfare Act to provide further protection for puppies.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 18 (legislative day, SEPTEMBER 17), 2008

Mr. DURBIN (for himself, Mrs. FEINSTEIN, Mrs. MCCASKILL, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Animal Welfare Act to provide further protection for puppies.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Puppy Uniform Pro-
5 tection and Safety Act”.

6 **SEC. 2. REGULATION OF HIGH-VOLUME SELLERS OF PUP-** 7 **PIES.**

8 (a) RETAIL PET STORE DEFINED.—Section 2 of the
9 Animal Welfare Act (7 U.S.C. 2132) is amended by add-
10 ing at the end the following new subsection:

1 “(p) The term ‘retail pet store’ means a person
2 that—

3 “(1) sells an animal directly to the public for
4 use as a pet; and

5 “(2) does not breed or raise more than 50 dogs
6 for use as pets during any one-year period.”.

7 (b) LICENSES.—Section 3 of the Animal Welfare Act
8 (7 U.S.C. 2133) is amended in the second proviso—

9 (1) by striking “retail pet store or other person
10 who” and inserting “retail pet store, or other person
11 who (1) does not breed or raise more than 50 dogs
12 for use as pets during any one-year period, and (2)”;
13 and

14 (2) by striking “research facility” and inserting
15 “research facility,”.

16 (c) HUMANE STANDARDS.—Section 13 of the Animal
17 Welfare Act (7 U.S.C. 2143) is amended—

18 (1) by redesignating subsections (g) and (h) as
19 subsections (h) and (i), respectively;

20 (2) by redesignating the second subsection (f)
21 as subsection (g); and

22 (3) by adding at the end the following new sub-
23 section:

24 “(j)(1) Subject to paragraph (2), a dealer shall pro-
25 vide each dog held by such dealer that is of the age of

1 12 weeks or older with a minimum of two exercise periods
2 during each day for a total of not less than one hour of
3 exercise during such day. Such exercise shall include re-
4 moving the dog from the dog's primary enclosure and al-
5 lowing the dog to walk for the entire exercise period, but
6 shall not include use of a treadmill, catmill, jenny mill,
7 slat mill, or similar device, unless prescribed by a doctor
8 of veterinary medicine.

9 “(2) Paragraph (1) shall not apply to a dog certified
10 by a doctor of veterinary medicine, on a form designated
11 by and submitted to the Secretary, as being medically pre-
12 cluded from exercise.”.

13 **SEC. 3. EFFECT ON STATE LAW.**

14 The amendments made by this Act shall not be con-
15 strued to preempt any law or regulation of a State or a
16 political subdivision of a State containing requirements
17 that are greater than the requirements of the amendments
18 made by this Act.

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