



<b>TO:</b>	<b>CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES Meeting on December 9, 2013</b>
<b>FROM:</b>	<b>G. KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>ANIMAL WELFARE SERVICES – PET SALES</b>

**RECOMMENDATION**

That on the Recommendation of the Managing Director, Development & Compliance Services and the Chief Building Official, that Civic Administration **BE DIRECTED** to consult with the Pet Industry Joint Advisory Council of Canada (PIJAC), the Ontario Society for the Prevention of Cruelty to Animals (OSPCA), and members of the Animal Welfare Advisory Committee on the licensing option of banning the sale of companion animals at flea markets and licensing pet stores for the purposes of consumer protection and animal welfare.

**BACKGROUND**

Municipal Council, at its session held on August 27, 2013 resolved:

*that Civic Administration, including the City Solicitor, BE ASKED investigate and report back to the Community and Protective Services Committee (CPSC), with respect to:*

- i) amendments to the City of London Animal Control By-law that would ban the sale of cats and dogs from puppy mills in retail outlets; and,*
- ii) the potential for agreement(s) with neighbouring municipalities related to the matter of puppy mills, licensing and enforcement;*

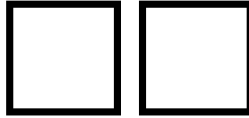
Municipalities in British Columbia and within the United States, as well as several in Ontario, have introduced legislation to ban the sale of dogs and cats in pet stores. The goal of these bans is to remove the potential of pet stores selling animals sourced from commercial breeders who produce large volumes of companion animals. The parent animals used for breeding purposes often live in deplorable conditions, as do the offspring while with the breeder.

**What is the Source of Companion Animals in London?**

A local survey undertaken by Ipsos Reid in 2008, illustrates the source of companion animals:

<b>Origin</b>	<b>Dogs</b>	<b>Cats</b>
Breeder	35%	5%
Friends and Relatives	18%	24%
Humane Society	13%	17%
Give Away/ Free to Good Home	11%	14%
Pet Store	10%	9%
My Pet's Offspring	3%	11%
Adopted a Stray	3%	16%
Veterinary Clinic	Less than 1%	2%
Other	8%	3%

Only 10% of dogs and 9% of cats were acquired through a pet store. There was no indication in from the survey where the pet store acquired the pets (commercial breeder or rescue group.)



**What are the Main Sources of Companion Animals ( Dogs) ?**

The production of puppies can be broken down into three general categories:

1. Large Scale Commercial Breeders
2. Backyard Breeders
3. Responsible Breeders

<b>Large Scale Commercial Breeder</b>	<b>Backyard Breeder</b>	<b>Responsible Breeder</b>
<ul style="list-style-type: none"> <li>• Mass produce puppies for profit (often selling thousands each year)</li> <li>• Aggressive sales</li> <li>• Breed many breeds</li> <li>• Offer no health care to adults/pups</li> <li>• Lack adequate housing</li> <li>• Lack adequate nutrition</li> <li>• Do not vaccinate adults or young</li> <li>• Sell quantity not quality</li> <li>• Have little regard for animal care</li> <li>• Sell animals before the age of 8 weeks old</li> <li>• All animals sold "as is"</li> <li>• Will not take animal back</li> </ul>	<ul style="list-style-type: none"> <li>• Breeds any two dogs together (not always the same breed)</li> <li>• Does not typically vaccinate adults or young</li> <li>• Does not offer adequate housing for adults or young</li> <li>• Does not have animals seen by a vet</li> <li>• Sells animals at too young of an age</li> <li>• May breed more than one breed</li> <li>• Knows little about the breed they raise</li> <li>• Will not take animals back</li> <li>• All animals sold 'as is'</li> </ul>	<ul style="list-style-type: none"> <li>• Starts with healthy vet checked vaccinated adults</li> <li>• Adults and young are kept current on vaccines/worming and records are kept</li> <li>• All animals receive quality food</li> <li>• All animals receive proactive vet care</li> <li>• Educated about the breed they raise</li> <li>• All adults are socialized and well cared for</li> <li>• Housing and husbandry is top priority</li> <li>• Never places an animal under 8 weeks of age</li> <li>• Offers guarantee</li> <li>• Often offers rescue services in the breed they raise</li> </ul>

Provided by Bomb Poms

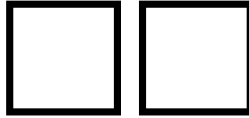
**What is the Incidence of Pet Store Sales in London?**

There is one pet store in London which sells companion animals (dogs and cats). On November 11, 2013, this store had 8 cats for sale and no dogs for sale (have cage space for 3-4 dogs). The cats come from local sources including usually accidental breeding. They are visited by a veterinarian on a weekly basis. The cats have their initial shots and treatment. The dogs come also come from local sources usually accidental breeding. They get their first round of shots, flea treatment and deworming.

On November 11, 2013, London Kijiji (popular Internet sales site) had 43 separate postings for puppies totaling 114 puppies for sale. There is no indication from the advertisement about the source of the puppies. Also on November 11, 2013, the London Free Press had 2 advertisements totaling 4 puppies for sale. Within the City of London, there are some flea markets which occasionally have vendors selling dogs and cats. One large flea market just outside the City limits frequently has vendors selling animals.

**Who is responsible for Investigating Animal Cruelty Complaints?**

The Provincial Government regulates general animal welfare issues through the Ontario Society for the Prevention of Cruelty to Animals Act (OSPCA). The OSPCA investigators provide frontline protection for animals by responding to nearly 16,000 animal cruelty complaints each year and rescuing injured, abandoned and abused animals. The OSPCA outlines the authority for inspectors or agents, without a warrant, to enter and inspect any place used for animal



exhibition, entertainment, boarding hire or sale in order to determine whether the standards of care prescribed in the OSPCA are being complied with. The OSPCA also applies to pet shops.

Inspectors relieve animal suffering and distress by issuing orders, removing animals and laying charges under the Criminal Code of Canada and the OSPCA where circumstances warrant. Under the Act, Inspectors have the same authority as police officers when enforcing animal-cruelty laws. Investigations undertaken by OSPCA Inspectors often cross municipal boundaries in an effort to collect evidence of animal cruelty. Often local Humane Societies offer assistance in sheltering the animals rescued.

**What are the Pros and Cons of Banning the Sale Of Pets in Pet Stores?**

There is an ethical dilemma banning a legal transaction which involves the sale of dogs and cats from pet stores when theoretically the same dog or cat can be sold in the City of London using other means (classifieds, word of mouth, community boards, internet via Kijiji etc.).

There is a belief that dogs supplied by commercial breeders sold through pet stores are responsible for a large number of pets that end up in shelters. According to the study published in the Journal of Applied Animal Welfare Science, only 4% of dogs purchased at pet stores are surrendered at shelters. Dogs obtained from friends and relatives are 40% more likely to be relinquished at shelters for a variety of reasons.

**Origin of Animals Relinquished to Animal Shelters**

<u>Source</u>	<u>Dog</u>	<u>Cat</u>
Gift	2.9%	3.3%
Offspring	6.0%	8.9%
Pet Shop	3.9%	4.7%
Breeder	10.6%	3.4%
Shelter	22.5%	14.0%
Veterinarian	.2%	.9%
Friend	30.8%	32.4%
Stranger	10.4%	5.1%
Stray	9.3%	22.7%

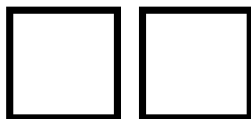
The study also reported that:

1. The lower the pet price, the more likely to be relinquished.
2. People with only a high school education are more likely to relinquish their pet.
3. People are most likely to relinquish their pet in the first year of ownership.
4. Most common reasons for relinquishing pets were soiling in house, pet damage and pet over-activity.
5. People with serious knowledge deficits with regard to heat cycle and proper house training techniques are more prone to relinquish their pet.

In general, sexually intact, young, mixed-breed dogs obtained at very little or no cost, or from a friend and owned for a relatively short time, were overrepresented in the population of animals relinquished to a shelter.

There is another belief that pet stores encourage an impulse purchase of a pet. The pet is on display for potential purchase and is readily available to leave the store with a buyer at any time. There are many pet stores that help adopt pets, and there are many adoption events that arguably encourage the same impulse purchase of a pet.

Banning the sale from a retail environment may actually be worse in the long run as the retail environment can be monitored and regulated. As long as profit exists, pet sales will evolve towards an unregulated or unmonitored advertising medium such as Internet classifieds which will eliminate any opportunity for consumer protection. The Humane Society of the United States (HSUS) recently investigated Purebred Breeders LLC which was the largest online internet puppy seller which sold approximately 1,200 to 1,400 dogs per month throughout the



United States and Canada. The mark-up on these puppies were reported between 100% and 200% resulting in a very profitable industry without the need for a 'bricks and mortar' store front.

The Pet Industry Joint Advisory Council of Canada (PIJAC ) has contacted City Administration with the intent to initiate communications and discuss best practices of addressing the issue of commercial breeders and the health of the pet store industry as a local business contributor to the City. PIJAC views the following elements as essential to contributing to and ensuring the responsible sale of a pet: seller ensures, to the best of their knowledge, that the pet offered for sale is healthy; seller provides prospective pet owners with the information pertinent to the pet's proper care and husbandry; seller makes all reasonable efforts to ensure the right pet is matched to the right owner; seller provides appropriate pre and post-sale support to the new pet owner; seller is able to supply the proper food and advise the purchaser on the products and accessories essential to the pet's welfare; and seller maintains proper pet records.

Although there have been several municipalities across North America which have banned the sale of cats and dogs from pet stores, banning the sale of cats and dogs in London's pet stores will not significantly address issues such reducing impulse purchases, reducing the intake of animals surrendered at the animal shelter, or decreasing the supply and demand for animals supplied by commercial breeders. Banning pet sales in pet stores could result in more Internet sales where the sellers are completely unregulated making it even more difficult to address the welfare of the animals and consumer protection.

<b>CONCLUSION</b>
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City Administration is currently undertaking a comprehensive review of the business licensing by-law including flea market regulations. Often, sales of various products and services at flea markets result in consumer protection complaints with limited success for resolution due to the transient nature of the vendors. Consideration could be given to banning the sale of pets at flea markets and introducing regulations focusing on consumer protection regarding the sale of pets in pet stores.

Prior to drafting licensing regulations for flea markets and pet stores, Civic Administration will continue to conduct research, collect evidence as a justification for licensing regulations, and discuss options with industry representatives (PIJAC), animal cruelty experts ( OSPCA), and members of the Animal Welfare Advisory Committee. Any revisions to the Business Licensing By-law will include a Public Participation Meeting to consider comments from the public.

<b>PREPARED BY:</b>	<b>RECOMMENDED BY:</b>
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Cc: Jennifer Smout, City Solicitor's Office

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