



Wisconsin's new dog seller law:

# Protecting dogs and people

WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE & CONSUMER PROTECTION | DIVISION OF ANIMAL HEALTH

For a long time, Wisconsin was the “wild west” when it came to regulating the dog industry. We had no licensing requirement, few laws to protect the dogs, and nothing to protect you, the buyer. Although we had many very good breeders and rescuers, we were attracting a lot of bad actors. We received frequent calls and emails, complaining about dogs kept in filthy, crowded conditions, or about \$300 puppies with thousands of dollars worth of health problems. But there was nothing we could do about it.

Now we can. We have Wisconsin Act 90, a new law intended to protect dogs and the people who buy or adopt them. **But it's not a completely done deal.** As part of the law, the Department of Agriculture, Trade and Consumer Protection is writing an “administrative rule” called ATCP 16. It details standards for the care of dogs and for the facilities where they are kept.

ATCP 16 needs approval from two legislative committees before it becomes part of the law, so supporters and opponents may still contact their legislators to provide input. There is some confusion about Act 90 and ATCP 16. Let's try to clear it up.

## There's confusion about . . .

## The facts are . . .

### Who's going to be regulated

- **Not** pet owners, dog trainers, and small hobby breeders
- The law requires licenses **only** for:
  - Dog breeders** selling at least 25 dogs a year from at least 3 litters
  - Pet stores** or other retailers *selling at least 25 dogs a year*
  - Dog auctions** *offering at least 50 dogs for sale a year*
  - Non-profit animal shelters** *sheltering at least 25 dogs a year*
  - Animal control facilities** that contract with a city, village, town or county
  - Flea markets** or other temporary markets where dogs are sold
- No one else needs a license under any other circumstances. There is no plan to extend the law to cover anyone else, and we have no resources to do so.

### What the standards of care require

- The standards are what you or any pet owner would want and expect for your dog. They provide for adequate food, water, shelter, and care. They help assure that animals are treated humanely and buyers receive healthy animals.
- They address the complaints we have heard for years, and are similar to standards in other states that regulate dog sales and adoptions.
- The standards say that dogs must have:
  - Clean, safe cages or enclosures, that are large enough to allow them to move naturally and that protect them from the elements
  - An adequate supply of clean water and clean, palatable, nutritious food
  - Daily exercise
  - Daily contact with humans and other dogs
  - Veterinary care when they are sick
  - Safe, comfortable transportation
- They are flexible to accommodate different breeds and sizes of dogs.

**What this law will cost taxpayers and pet owners**

- License fees paid by the dog breeders and other licensed businesses and groups will pay the entire cost – including salaries and benefits for four enforcement staff, clerical support, supplies, training, and all other administrative costs.
- No general taxpayer funds will support this program. If funding falls short, the law prohibits us from shifting other funds to support it. We would have to make cuts to the program or ask the Legislature to increase the license fees.
- License fees range from \$125 a year for non-profit animal shelters to \$1,000 a year for someone selling at least 250 dogs a year. The fees should not be burdensome for viable non-profits or businesses.
- Breeders who have good facilities and practices should not need major investments to meet the new standards.
- Those who now have to upgrade substantially may have new costs. They may choose to pass those costs on to you, the buyer. But with this law in place, you're far less likely to get a puppy that arrives in your home with ailments that will lead to high veterinary bills or even death. And you're less likely to bring home a puppy that will bite or attack your children, or damage furniture and other property because it hasn't been properly socialized.

**What kind of people will enforce this law**

- DATCP inspectors work on behalf of Wisconsin consumers. Their job is to protect people, animals, and the environment. We hire inspectors with experience and training in the areas they inspect, and often with law enforcement backgrounds as well.
- To enforce Act 90, we'll look for knowledge of animal husbandry, veterinary care, animal law and similar types of expertise. These inspectors do not need experience in dog breeding, because they are not inspecting reproductive practices. You do not have to be a dog breeder to evaluate sanitation, space, exercise and socialization for dogs, or to see when they need veterinary care.
- If inspectors see a problem so serious that humans, animals or the environment are in imminent danger, they will take immediate action. This is extremely rare, especially considering that DATCP conducts nearly 43,000 inspections a year on businesses ranging from Christmas trees to food processors.
- Normally, the inspection is more of a consultation with the business owner or manager. If we find a minor violation, it can often be corrected on the spot or within a few days. Our goal is always to solve the problem, not to punish.
- We do not have authority to issue citations, seize animals, or bring charges in court, and our inspectors are not armed. When we need that level of enforcement, we ask for help from the local sheriff, police or district attorney. This is a last resort. We'd rather just solve the problem.

**Need more information?**

- Go to [www.datcp.state.wi.us](http://www.datcp.state.wi.us), search for "dog breeder"
- Email [DATCPanimals@wi.gov](mailto:DATCPanimals@wi.gov)
- Call 608-224-4872