

Fact Sheet

Support SB 348, the “Pet Lemon Law”

States across the country are passing laws to address the harmful effects of puppy mills, where dogs are mass-produced in large kennels—often in shockingly poor conditions—solely to supply puppies to the pet trade. Families who unknowingly purchase sick animals born in these facilities suffer not only heartache, but may face excessive veterinary costs. In addition, many families are misled into purchasing puppies from substandard breeders when pet stores refuse to provide documentation showing where their puppies came from.

The Pet Lemon Law (also known as the Pet Warranty Law or the Pet Consumer Protection Act) will offer consumer protections for purchasers of dogs and cats. People who purchase sick or diseased animals from pet shops, breeders or dealers would have specific recourse, including the option to return the animal for a full refund or replacement, or recover some veterinary expenses.

Protect families from excessive veterinary costs: Pet sellers should be held accountable for selling sick animals to the public. Seller “guarantees” often do not hold up in court and consumers have to prove the seller knew the animal was ill at the time of purchase. Currently the state requires pet stores (only) to have 30 day health certificates signed by a vet. However, these are only “wellness checks” and would not necessarily uncover genetic defects in the animal. Serious diseases such as parvovirus and distemper can have incubation periods of up to two weeks. As a result, many consumers purchase puppies who have been exposed to significant disease but are not immediately clinically ill. The Pet Lemon Law would encourage pet stores, which are no longer regulated by the Michigan Department of Agriculture and Rural Development, to provide adequate preventive veterinary care and treatment for the pets they sell. The bill includes specific time frames for reporting illnesses (10 days), maximum amounts a buyer can recover (up to the purchase price), and provisions for congenital defects in the purchased animals (90 days to report).

Will not impact rescue groups, shelters or veterinarians: The intent is not to hold non-profit organizations, animal rescue groups, animal shelters or veterinarians responsible because they adopt out animals whose prior health care has not been under their control.

Stop the sale of sick animals: Because huge mark-ups are the motivators for some pet sellers, a store may pay a breeder only \$50-\$150 for a puppy, and can then easily sell the puppy for over \$700. To keep margins high, vet care, food, and shelter are sometimes minimized, leaving animals sick. In addition, most pet stores purchase puppies from puppy mills, which are notorious for unsanitary conditions and poor husbandry practices that lead to the spread of

disease. As just one example, Puppy Mill Awareness of SE Michigan has collected 75 complaints about The Family Puppy pet store chain and 54 complaints about Petland in Novi.

Example Case: Liz Frates of Ann Arbor told Puppy Mill Awareness that she purchased a 16-week-old Yorkshire Terrier from a Michigan breeder for \$1,200 in cash. She was told that the puppy was healthy. The breeder's full written pet guarantee against any congenital or hereditary problems did not help Liz in court after the puppy was diagnosed with grade 2 luxating patellas in both legs – a congenital defect requiring surgery totaling nearly \$3,200. Liz had already spent \$900 in veterinary costs addressing breathing and gastrointestinal problems that the puppy had endured since his purchase.

Why so many sick animals? Since 2009, 19 Michigan pet stores have brought in puppies from large commercial kennels located out of state. Puppies traveling long distances in semi-trucks are exposed to stress and infectious disease. Some animals travel 19 hours before they reach pet stores in Detroit. Once they arrive at the store, the puppies may not be isolated or treated properly before sale, causing them to infect other puppies in the store.

Require Supplier Disclosure: Breeder information, such as names and addresses, can help protect conscientious Michigan customers from unknowingly purchasing an animal from a substandard breeding facility or puppy mill. As of 2009, puppy buyers have access to kennel inspection reports and inventories online through the United States Department of Agriculture (USDA) website. With access to kennel information, buyers can make more informed decisions when purchasing their next family member.

State action is needed: 19 other states currently have Pet Lemon Laws in place that are similar to SB 348. Michigan has over 600 county-licensed dog breeding kennels, three are USDA-licensed commercial breeding kennels, and there are approximately 37 puppy-selling pet stores. In 2010, 1,400 puppies were shipped into pet stores from out-of-state commercial breeders. Michigan's largest retailer, The Family Puppy, ships in over 100 puppies per month—many from kennels cited for violations of the Animal Welfare Act.

According to a 2011 survey by Puppy Mill Awareness, southeast Michigan puppy shoppers found that 13 out of 23 establishments did not provide breeder names, 100 per cent of the establishments did not provide details about where the puppies were born, and 95 percent did not allow viewing of the puppies' parents.

Please support SB 348 to require humane treatment of dogs sold in Michigan!