



The NLRC was organized in 1996 with the idea of creating a national club that would preserve and promote the Labrador Retriever. Everyone in the Labrador community is welcome...from pet owners to old timers.

We are a National Lab Club formed by the members, for the members, working together for the preservation, betterment and service to the Labrador Retriever.

THE LABRADOR CONNECTION

SEPTEMBER 2013 ELECTRONIC EDITION

## USDA/APHIS FINALIZES RULE IMPACTING PET BREEDERS

Tuesday, September 10, 2013

Today, the United States Department of Agriculture Animal and Plant Health Inspection Service (USDA/APHIS) released a finalized version of the new federal regulations that narrow the definition of a “retail pet store” with the purpose of bringing internet-based pet breeders and sellers under the regulation of the Animal Welfare Act (AWA). The rule, originally proposed in May 2012 and essentially unchanged, effectively expands USDA oversight of pet breeders to include people who maintain more than four “breeding females” of any species and sell even one pet “sight unseen.”

The American Kennel Club (AKC) shares the USDA’s concern about unscrupulous and potentially substandard puppy sellers; and encourages responsible puppy buyers to meet the breeders of the new puppy and to work with responsible breeders to understand the commitment, challenges and requirements that a puppy of their chosen breed requires.

The AKC, however, is extremely disappointed that USDA/APHIS, by adopting the rule in the same form it was originally proposed, did not heed the comments of hundreds of thousands of responsible dog breeders and owners concerned with the complexity and ambiguity of this potentially onerous new rule. Specifically, the rule will:

- Increase the “retail pet store” exemption to include those maintaining 4 or fewer breeding females. Those with four or fewer “breeding females” will not be subject to USDA licensure and inspection. The AKC appreciates the intent of a continued exemption for small hobby breeders.
- Deems any “sight-unseen” sale a covered activity, making the seller subject to USDA licensure and regulation. The AKC remains steadfast in believing that the rule will unreasonably require regulatory compliance (continued next page)

### Inside this issue...

USDA/APHIS 1

NLRC Member-  
ship 4

NLRC Board of  
Directors 5

## USDA/APHIS FINALIZES RULE..... (continued from page 1)

Of many more individuals than originally intended by treating those who sell a dog “sight unseen” — perhaps due to repeat buyers or other known purchasers — in the same manner as commercial internet-based sellers. The AKC believes that reasonable regulation of true commercial breeding enterprises or Internet sellers, where regulation is based on the actual numbers of dogs sold, is a better alternative to regulation based on the number of dogs a person owns. If the goal is to regulate internet sales, then such sales should be defined to include only internet sales. If the goal is to regulate all commercial breeder/retailers, a better definition would be those who produce and sell more than 50 puppies in a year.

- Vague definition of “breeding female” as one having the capability of breeding. Currently, the USDA defines “breeding female” as “capacity to breed” and bases this assessment on a visual inspection on the ground of the animals involved, determining whether they are “of breeding age” and whether there are health or other factors that would limit that. The AKC believes that this is not a practical, efficient, or clear way to establish a threshold for licensing and regulation, as it does not allow either APHIS or a breeder to assess whether a seller would be subject to licensing, regulation and inspection without first being inspected by APHIS. The AKC remains extremely concerned that the rule will make it difficult for individuals to self-report, as they would not be able to know—without an APHIS inspection and examination of their animals before applying for a license—whether they would be required to obtain a license.
- Operational standards originally designed for commercial-type facilities fail to account for circumstances appropriate for how hobby/fancy breeders who will be subject to the regulations will keep their dogs. As a result of AKC’s long history and breadth of experience in advancing the care and conditions of dogs and conducting kennel inspections, we know that there are a wide variety of circumstances and kinds of facilities in which dogs may be suitably raised and maintained. AKC’s Care and Conditions policy is based on performance standards, rather than strict engineering requirements. This is because many breeds would fail to thrive in the required commercial kennel setting and, therefore, are better raised in residential settings. It is not reasonable to expect small breeders, who keep a handful of dogs and make a choice to raise dogs in their homes, to be able to meet exacting USDA kennel engineering standards that are designed for large commercial wholesale or research kennels. Likewise, many could be prevented from adapting their facilities because of local ordinances, zoning limitations, restrictions on their ability to obtain business licenses or necessary insurance. We believe performance-based standards are a better option for small home-based operations. The AKC believes that the continued effort to subject small home-based breeding operations to the same exacting standards required of purely commercial facilities is unreasonable and unnecessary. (continued next page)

## USDA/APHIS FINALIZES RULE..... (continued from page 2)

To learn more about our specific concerns with the rule, please visit [www.akc.org/governmentrelations/usad\\_aphis.cfm](http://www.akc.org/governmentrelations/usad_aphis.cfm)

### NEXT STEPS:

USDA/APHIS expects the final rule to be published in the Federal Register later this week. The rule will become effective 60 days after publication.

The AKC is dedicated to supporting the wellbeing of all dogs and responsible dog owners and breeders. We are extremely disappointed with the content of the final rule and we will continue to study this rule and assess all options for addressing our ongoing concerns.

The AKC will continue to provide additional information and analysis regarding specific impacts and what this rule may mean to responsible dog owners, breeders, and the dog-loving public in general. Please remember that as a matter of company policy, the American Kennel Club does not release the registration information or history of any customer without a court order. The AKC, however, does expect individuals to comply with all applicable federal, state, and local laws and regulations regarding the ownership and maintenance of dogs.

For more information and updates, visit AKC GR's online USDA/APHIS Regulations Resource Page [located [www.akc.org/governmentrelations/usad\\_aphis.cfm](http://www.akc.org/governmentrelations/usad_aphis.cfm) ] or contact AKC's Government Relations Department at [doglaw@akc.org](mailto:doglaw@akc.org).

Article reprinted with permission granted by the AKC Government Relations Department. 919-816-3720



# APHIS / AWA relevant links

[www.akc.org/governmentrelations/usda\\_aphis\\_faqs.cfm#background](http://www.akc.org/governmentrelations/usda_aphis_faqs.cfm#background)

[www.aphis.usda.gov/animal\\_welfare](http://www.aphis.usda.gov/animal_welfare)

[www.aphis.usda.gov/newsroom/2013/09/retail\\_pet\\_final\\_rule.shtml](http://www.aphis.usda.gov/newsroom/2013/09/retail_pet_final_rule.shtml)

**Unintended Consequences: Pair of Measures Designed to Regulate Internet & Commercial puppy sales could devastate America's Responsible Breeders**

<http://images.akc.org/pdf/governmentrelations/documents/APHIS-PUPSArticleMay2013.pdf>

**Sign the Petition to stop the P.U.P.S bill <http://the-calvary-group.rallycongress.com/9441/stop-pups-acts-395hr-847>**

Please feel  
free to forward  
our  
newsletter to  
interested  
family and  
friends

## NLRC Membership -- Open Enrollment

Membership in the National Labrador Retriever Club, Inc. is open to all Labrador enthusiasts; however, to join you must be in good standing with the American Kennel Club, Inc. and should consider the guidelines set forth in the NLRC Code of Ethics when engaged in any activities involving the breeding, exhibiting and selling of Labrador Retrievers.

Two types of annual individual memberships are offered:

|                        |      |
|------------------------|------|
| Full (voting member)   | \$30 |
| Associate (non-voting) | \$20 |

Click the below links for NLRC Membership forms:

[NLRC Membership Application Form \(that can be printed and mailed in with your membership fee\)](#)

Or to both apply and pay online

[NLRC Membership Application](#)

Are you listed in our [NLRC Breeders Directory](#)?

NLRC Members with full membership rights can apply to participate on the NLRC website Breeder Directory by completing the applicable section on the PDF membership application and submitting a \$10 fee.

Any questions? Contact our Membership Chair:

Kevin Bergeson

[LegacyLabdors@comcast.net](mailto:LegacyLabdors@comcast.net)



**Support TVD Research!**

Visit the [National Labrador Retriever Club Website](#) for more info!



**National Labrador Retriever Club, Inc.**

**Board of Directors Contact Information**

**President:** Sue Willumsen [Willcare@comcast.net](mailto:Willcare@comcast.net)

**Vice President:** Rebecca Bailey - [Tarrahlabs@gmail.com](mailto:Tarrahlabs@gmail.com)

**Secretary:** Sandra Underhill - [Sandy@LabsToLove.com](mailto:Sandy@LabsToLove.com)

**Treasurer:** Chris Woehr - [Chris@GraciesAngels.com](mailto:Chris@GraciesAngels.com)

**Education:** Margo Carter - [Info@McNeilLabradors.com](mailto:Info@McNeilLabradors.com)

**Member:** Rebecca Jack - [NipnTuckLR@aol.com](mailto:NipnTuckLR@aol.com)

**Member:** Vicky Creamer - [Belquest1@aol.com](mailto:Belquest1@aol.com)

**Member:** Arlene Renninger - [RoundMeadowLabradors@comcast.net](mailto:RoundMeadowLabradors@comcast.net)

**Member:** Deb Arnold - [Twin\\_Cedars@prodigy.net](mailto:Twin_Cedars@prodigy.net)

**Committee Chairs**

**Loose Leaf:** Gail Cayce-Adams - [IvySpringLabs@yahoo.com](mailto:IvySpringLabs@yahoo.com)

**Membership:** Kevin Bergeson - [LegacyLabradors@comcast.net](mailto:LegacyLabradors@comcast.net)

**Webmaster/Newsletter:** Sandra Underhill - [Sandy@LabsToLove.com](mailto:Sandy@LabsToLove.com)

**Veterinary Consultant:** Autumn Davidson

The National Labrador Retriever Club, Inc. exists for the protection and betterment of the breed, to encourage education of the general public who may want to add a Labrador to their family and to meet a social responsibility to its members, the general public, and the Labrador world in particular. To this end, we adopted a [Code of Ethics](#) to serve as a guide.

Our Newsletter, The Labrador Connection, is published by the club periodically when sufficient material is received. The Labrador Connection's newest electronic issue is emailed to members when it is published and all issues may be viewed online at any time.

Visit our website online at [www.NationalLabradorRetrieverClub.com](http://www.NationalLabradorRetrieverClub.com)



The National Labrador Retriever Club, Inc. Membership list is viewable online from our website [MEMBERS](#) link. The NLRC membership list is intended for viewing by fellow NLRC members only. To access the membership list, please enter the user name: *nirc* and then the password: *in08doNATE2tvd*  
Once the login window is displayed, enter the password *overview* to view the membership list.