

A SAOVA message to sportsmen, farmers and pet owners concerned about protecting their traditions, avocations and livelihoods from anti-hunting, anti-breeding, animal guardianship advocates. Forwarding and cross posting, with attribution, encouraged.

SAOVA friends,

Historically retail sellers of dogs, cats, and small animal such as rabbits, guinea pigs, hamsters, gerbils, domestic ferrets, and others for use as pets have been considered part of the "retail pet store" exemption and therefore are not required to procure federal licensing. This week APHIS posted a Notice of Rulemaking to revise the retail pet store definition. According to APHIS, the purpose is to modernize the Animal Welfare Act (AWA) and allow federal oversight for pets being sold sight unseen via the Internet. The proposed rule will change the definition of retail pet store so that it limits the exemption to only business and residences where buyers physically enter to observe the animals available for sale as pets prior to purchasing them.

Basically the new rules present breeders with few choices: Sell all dogs, cats, and listed small animals only to buyers who physically enter your premises, reduce and maintain the number of breeding females to four (4) including co-ownerships and dogs, cats, etc. shared with family members; OR obtain a license under the Animal Welfare Act, build a federally compliant facility, and allow APHIS inspectors to inspect your homes and facilities. Selling even one pet off premise via shipping, at a friend's home, at a show, at a park, will result in loss of an exemption from licensing, placing limitations on both buyers and sellers. The narrow limits of the exemption restrict the ability of hobby breeders to work together remotely, sharing dog/cats from litters in order to implement their breeding programs and/or increase diversity in their lines.

This is a proposed rule by an agency, not a law Congress will vote on. The comment period is only for 60 days and APHIS needs to hear how this affects you.

APHIS cannot make a realistic analysis without understanding the dynamics of conflict with existing state/local ordinances and potential impact to small scale breeders that will be created by revising the current exemption.

Attached is a transcript of the teleconference hosted by APHIS as the proposed rule was announced, which should help explain coverage and limitations presented in the proposed rule. Additional information is available at the APHIS website.

<http://www.aphis.usda.gov/>

A brief analysis is posted at the SAOVA website.

#### **DOCKET NO. APHIS-2011-0003 RETAIL PET STORES AND LICENSING EXEMPTIONS**

APHIS is seeking comments on the proposed rule on how best to target enforcement and whether exemptions should be maintained or expanded for smaller breeders. The proposed rule does not seek to change current standards for traditional retail pet stores, which are subject to individual state regulations.

Comments are due July 16, 2012 11:59 PM ET and may be submitted by visiting the Federal eRulemaking Portal at [www.regulations.gov/#!documentDetail;D=APHIS-2011-0003](http://www.regulations.gov/#!documentDetail;D=APHIS-2011-0003)  
<http://tinyurl.com/7ey5vp3>

Comments may also be mailed to: Docket No. APHIS-2011-0003, Regulatory Analysis and Development PPD APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD, 20737-1238.

Please read the proposed rule carefully. We encourage cross posting of this message.

Susan Wolf  
Sportsmen's & Animal Owners' Voting Alliance  
*Working to Identify and Elect Supportive Legislators*

The message above was posted to Oregon, Washington, California, Alaska and Hawaii residents by the Sportsmen's and Animal Owners' Voting Alliance (SAOVA) on one of six regional read only elists.

SAOVA is a nonpartisan volunteer group working to protect Americans from the legislative and political threats of radical animal rightists. Visit our website at <http://saova.org> for this program's goals, methodology and list signup details.

To unsubscribe from this list, exercise that option at [http://mailman.montana.com/mailman/listinfo/saova\\_west](http://mailman.montana.com/mailman/listinfo/saova_west)

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