

**Submission  
No 214**

# **COMPANION ANIMAL BREEDING PRACTICES IN NEW SOUTH WALES**

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**Date Received:** 14/06/2015



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14<sup>th</sup> June 2015

To  
Joint Select Committee on Companion  
Animal Breeding Practices in New South Wales  
Parliament House  
Macquarie St  
Sydney NSW 2000

The Master Dog Breeders and Associates [MDBA] as a major stakeholder in the breeding of purebred dogs welcomes the opportunity to be involved in this Inquiry.

The Master Dog Breeders and Associates has a membership base which consists of purebred dog breeders, all breeds rescue, professionals involved in provision of services to dogs and responsible pet owners. This membership base coupled with our other dog related activities, gives the MDBA an objective and broad perspective on the current situation in NSW and a strong understanding of how suggested changes would impact on the welfare of dogs and the community.

We are aware that some dog breeders in NSW keep their dogs in substandard conditions and place profit over the welfare of their animals and welcome discussion on how this can be addressed.

MDBA breeder members have joined our organisation as a way of differentiating themselves from breeders who place profit or any other goal over the welfare over their dogs and the puppies they breed. The testing process which applies before membership approval, our code of conduct, our expectations placed on them and our educational, accountability and investigative processes ensure our breeders are held to a high standard.

## **Current situation in NSW in comparison with other jurisdictions**

### **The Current Situation in NSW.**

It should be noted that the activity of breeding dogs in NSW and throughout every state in Australia is a legal activity. When people engage in the activity of breeding dogs with the intent of making a profit, it is recognised by the Australian Taxation office, the ACCC and the federal government as a legitimate business venture. The people engaged in those legal activities pay taxes and incur penalties if they breach legislation or local laws.

Their puppy buyers are consumers and, under Australian law, have a right to be able access and purchase a puppy of their choice without restriction. Federal consumer laws and NSW state laws, codes and regulations apply to the sale of puppies, ensuring that a puppy buyer will receive a healthy animal which is fit for the purpose for which it is sold at the time of sale. In the unfortunate situation where this is not the case the puppy buyer has redress and protection through these laws.

The current situation in NSW provides laws and codes of practice for everyone who engages in the activity of dog breeding. This is regardless of whether the person who breeds a dog is a member of a recognised dog breeder's group and receives a discount on council registration for their breeding dogs or not, regardless of what size or type of dogs they breed and regardless of how many dogs they own or breed.

These laws are detailed in Prevention of Cruelty to Animals Act, NSW Companion Animals Act and NSW Dog Breeding Codes of practice, incorporating Standards [compulsory] and Guidelines.

Development applications and approvals are required from local council before any person can utilise a property to breed dogs, as a hobby or commercially, and if requirements are not met, which include welfare and environmental compliance, the applicant will not be given approval to undertake breeding activities.

The MDBA believes that on the legislation in NSW is the best which is currently in any other Australian state to protect the welfare of breeding dogs without unintended consequences that would see more not less dogs suffer.

It is difficult for the MDBA to see, based on reality, rather than animal rights propaganda and sensationalism that the response being suggested equals the proportionality of the problem

### **Situation in Victoria**

Victoria is currently the most heavily regulated state in Australia for dog breeders. Exemptions for people who own more than three fertile dogs from needing domestic animal licenses are only granted to those who belong to a group which is approved by

the Victorian state government and who have less than 10 fertile dogs. Those who are not members of an applicable organisation and who own more than 3 fertile dogs, and all those who own more than 10 fertile dogs require a license and must comply with a code of practice for breeding establishments.

This has produced an inequitable and difficult situation for small hobby breeders who do not wish to be a member of the ANKC or who do not qualify for membership to the ANKC and wish to breed pet puppies, those who breed an occasional litter of cross bred or non-pedigreed dogs, those who are working at developing a new breed, not yet recognised by the ANKC, if they own more than 3 fertile dogs to continue with their hobby or small businesses.

According to our research and recent surveys, due to this legislation, some breeders have stopped breeding dogs, some have invested more heavily in infrastructure to comply with laws and mandatory codes, some have joined Vicdogs to gain exemptions, some continue to do what they want illegally in the hope they won't get caught.

Based on this research we believe that numbers in some Victorian breeder's homes are understated and that many own more than the maximum numbers allowable.

The Victorian legislation has lessened the supply of quality puppies from small local breeders whose dogs traditionally lived as family members within the breeder's home.

This legislation has had an unintended consequence where small breeders, who have had to invest in infrastructure, and have increased expenses to comply with these laws, now breed more dogs than they would have done to recoup their expenses. This sees fewer dogs bred in home type situations and more bred in kennel settings.

Another unintended consequence of this legislation is that the demand for puppies in Victoria has not diminished. It is now the large commercial breeders, rogue breeders who keep their dogs in illegal, substandard conditions and interstate breeders who are meeting this demand by increasing their supply of puppies. Some of those breeders who are licensed and comply with all requirements must keep their animals in factory type situations to be compliant.

### **Proposals to limit the number of animals allowed to be kept by breeders.**

The Master Dog Breeders and Associates is very much against a proposal to limit the number of animals kept by breeders.

Our main objections to this approach are:

#### **Health and Welfare considerations.**

- 1. Limiting numbers will not stop some people who breed dogs treating them badly.**

The MDBA is appalled that there are some dog breeders who keep their dogs in substandard conditions but in all activities or industries there are some who break the rules and cause suffering. In dog breeding these are a vast minority. No amount of number restriction will prevent a person who is capable of such things from operating. A person is just as capable of mistreating 10 dogs as they are any number. Every dog should be treated well regardless of how many the breeder keeps.

**2. Limiting numbers does not take into account the variables in breeder circumstances which affect the welfare of their dogs.**

There is considerable variance in a breeder's capability to manage and own breeding dogs efficiently and effectively. The breeder who devotes their entire focus on their breeding dogs, who does not work in another occupation, who is fit and healthy, has family members who can help out or who employs kennel hands cannot be compared to someone who goes out to work in another employment field and who can only devote a short period each day to the care of their dogs, or someone who has no assistance, or someone who is not in good health.

**3. Number limits do not take into account the vast differences in breed requirements and management issues.**

Some breeds require little or no grooming whilst others require much more time, care, energy and resources. Large dogs require much more resources and time to manage than small toy breeds especially in the areas of exercise and cleaning management.

**4. Number limits do not take into account the benefits for the dogs, the breed and the community of having more, rather than less dogs, to choose from in a breeding program.**

Reputable breeders typically test their dogs in either all or some of the following: the show ring, obedience trials, agility, scenting, and breed appropriate tests and trials. They perform health tests and screens to ensure their bloodline and resultant puppies are healthy. This results in breeders often having intact males and females that are not being bred and may never be bred. Many fertile dogs they have in their care at any given time may be removed from the breeding program if they fail health or temperament criteria. Many diseases cannot be tested for until the animal is older, for example joint X rays and heart screening. Some recommendations in some breeds are that an animal not be bred until it is over 5 years of age to be able to eliminate the possibility of breeding a dog which will develop such diseases - for example Mitral Heart Disease. Limiting the numbers a breeder can keep effectively limits their choices for selecting only the healthiest and best dogs to include in their breeding programs and impacts on health and quality of puppies bred and negatively impact the gene pool of a breed.

In order to breed for improvement, a breeder must have more than a couple females to breed and should be breeding with the intention of keeping pups for themselves, for their breeding program. As a result a breeder will have more females, in order to be breeding scientifically and or, towards goals. Some breeders are also working on different lines, for assistance dogs, police, armed forces, search and rescue, scenting etc. or colours that do not carry health issues. This means that some breeders need to own more dogs than someone working on just one line, a different goal or colour. Responsible breeders are breeding to better the breed and their lines, by keeping puppies out of their breeding to select the best they can to constantly improve on the next generation.

**5. Limitations in numbers will not reduce the numbers of animals entering and dying in shelters.**

Proponents claim number restrictions are necessary to stem the tide of animals entering and dying in shelters. However, in our experience, puppies produced by responsible breeders rarely enter shelters and when they do, they are generally reclaimed by the owners or by the breeders themselves. We assert that there is not an oversupply of puppies. If the demand for puppies was not there then the sale price of puppies would drop, reputable breeders would not have waiting lists for puppy sales two years in advance and breeders who breed in volume solely for profit would stop breeding them.

There's no question that too many animals die in shelters and pounds each year. However, there is no connection between the breeding of a healthy litter of well temperamentated, healthy puppies and the death of a stray dog in a shelter.

Responsible dog breeders sell their puppies to new homes, take back puppies that buyers cannot keep, are available to answer questions and help new owners train their puppies, and protect the health and well-being of their breeds. They are part of the solution to community dog troubles and should not be treated as if they are the problem.

If puppy buyers have fewer options for finding well-bred healthy puppies of a breed of their choice in NSW they will purchase puppies from: interstate; internationally; off the internet and from breeders who keep their animals in sub-standard conditions. Puppy buyers who purchase from less reputable sources will have less education and training from breeders and this will contribute to increasing the number of dogs in shelters when puppy buyers reach the limit of their experiences with dogs

**6. Limiting numbers will increase the numbers of breeding dogs having to be removed from a person's care.**

A limit law on breeders would penalize a responsible breeder with more than 10 dogs who is not a nuisance or threat to neighbours, who keeps their dogs in perfect health and conditions, who places puppies responsibly and is a support system for their puppy buyers, facing the loss of one or more of their companions.

Most people who breed dogs see their animals as part of their family and the emotional cost to the breeder and the risk of homelessness for the dogs should not be underestimated.

#### **7. Limiting numbers will not prevent animal hoarding**

Hoarding cases involve the psychological well-being of the animal owner as well as the animals themselves, but more and more they are being used as an excuse to impose a limit on the number of dogs a breeder can keep. Due to the complexity of this problem we simply say that this should not be linked in an attempt to further regulate dog breeders.

#### **8. Smaller scale breeding operations are no guarantee of improved welfare conditions**

In testimony to the Select Committee in SA the AWL stated that many of the animals that end up in their shelter come from unscrupulous breeders - people who "set up a couple of dogs or cats in their backyard and breed for money, without any proper consideration for animal welfare."

Across the board our rescue members agree with these comments.

#### **9. Limiting the numbers a breeder can care for will not prevent breeders from keeping more than they are legally able to.**

A number limit is difficult, almost impossible to enforce without increased presence of animal control or policing agencies and will lead to a decrease in micro chipping and council registration, vetting etc. to prevent cross-referencing. Many breeders will keep and say some of the animals are ordinarily in guardian homes and bring the dog in to have her puppies, dogs are able to visit, be looked after for a friend for short periods, come and go for outings, exercise, stud services etc. At any given time numbers can fluctuate and enforcing over limit numbers is a very difficult task. Some dogs will be hidden; some litter sizes will magically increase as the breeder combines two litters to make it seem there is only one bitch etc. . Any dogs over the number which would now see a vet over the number allowed may not see a vet etc. for fear of being exposed to having over the maximum number. Breeders who have welcomed puppy buyers to their property will be more reluctant to do so if they fear being caught for more than the 10 dogs they are able to have.

#### **Commercial Considerations.**

### **1. Inequitable production and trading circumstances.**

Commercially there is a major difference regarding potential profits between someone [for example] who owns 10 Great Danes and 10 Chihuahuas. The Great Dane Breeder can legally potentially produce up to 120 puppies per year, with current average price per puppy, this enables this breeder to legally turnover approx. \$300,000 per year in puppy sales whilst the Chihuahua breeder can legally potentially produce 30 puppies per year, with current average price per puppy this breeder can only legally turn over approx. \$40,000 per year. There are three serious problems with this

- Limiting numbers will give a commercial advantage to some breeders based solely on breed type or litter sizes a breed can produce.
- The toy breed breeder who can produce fewer puppies has less choice of puppies to include in their breeding program. Number limits do not take into account these types of breed specific variables.
- Limiting numbers will see breeding decisions made on breeding dogs for litter sizes and market value rather than dogs most suited to families in order to be able make a viable profit on less breeding dogs.

### **2. A limit law would change current development application approvals with breeders entitled to seek compensation.**

Those breeders who have development application approvals to breed dogs [more than ten] on their property; who have increased the re-sale value of their property by making improvements to keep more than ten dogs in high welfare conditions; who legitimately earn a living from the sale of their puppies as a small business would be restricted and prevented from using their properties as they have done will be disadvantaged. This will cause a loss of earnings and the devaluation of the breeder's property.

There will be claims against the state of NSW for compensation for the breeders who have spent considerable sums of money on preparing their properties for a legal activity and who now are restricted in their ability to trade. It is worthwhile noting that these claims for compensation would include any potential decrease of property value due to having complying infrastructure that can no longer be used for the purpose it was built and, post number limits, is less valuable and for loss of future earnings from their business.

### **3. Limiting numbers will impact negatively on regional and state revenue.**

If breeders in NSW are restricted in the number of dogs they can have this will reduce the supply and not the demand for puppies which will have negative consequences on the State.

People will purchase puppies bred outside of NSW decreasing the sales of NSW bred puppies which will have consequences for the NSW economy, for instance: a reduction in the sales of dog food for breeding dogs (as there will be less



breeding dogs in the State); a reduction in the services required from veterinarians (as there will be less breeding dogs in the State); a reduction in the purchase of accessories, i.e. whelping supplies and puppy supplies (as there will be less breeding dogs in the State).

This negative impact on the NSW economy will especially hit rural areas. If this proposed Legislation is implemented by the NSW Government they will effectively be giving breeders from other states and other countries an advantage over NSW breeders' trade.

### **Federal Legislation Considerations**

1. Number restrictions impinge on the rights of people to pursue their legal interests and to have free enjoyment of their property and this may breach Australian laws where people have a right to trade in lawful activities.
2. As Australian consumers under federal law consumers [puppy buyers] have a right to be able to have unrestricted access to the product of their choice and by limiting numbers NSW breeders can keep, this increases the demand for puppies bred, increasing prices without the buyer having the same options.
3. Leaving puppy buyers with fewer options for finding locally well-bred healthy pet puppies of their choice which have been bred in NSW will see them purchase puppies from interstate, internationally, off the net and from those who keep their animals in sub-standard conditions. Most who want a puppy of a particular age and breed or cross breed will not purchase rescue dogs regardless of how much easier or cheaper it is to access them. This gives massive advantage to NSW breeder's competitors and restrict the ability for to grow their businesses and have equal trade opportunities as breeders who live in other places.

### **Enforcement of Laws**

#### **1. Difficulties of enforcement.**

A number limit will be difficult, almost impossible, to enforce without increasing presence of animal control or policing agencies to enforce those laws. It will encourage more people to break the law potentially by not micro chipping their dogs and not registering them with their local council. They may do this to prevent the cross-referencing of their dogs across agencies.

At any given time the numbers of dogs on a breeding property can legitimately fluctuate for the following reasons: some breeders may have their dogs in guardian home off the property but will bring the dog onto the property to have her puppies so they can ensure the health of the puppies and their mother; dogs come to a breeding property with visitors; some breeders look after puppies they have sold when the puppy owners go on holidays; some

look after their friends dogs when illness occurs; other dogs come and go for outings, exercise, stud services etc. which makes enforcing over limit numbers a very difficult task.

Some dogs will be hidden; some litter sizes will magically increase as the breeder combines two litters to make it seem there is only one bitch. Any dogs over the number allowed may not see a vet etc. for fear of being exposed to having over the max number.

## **Calls to implement a breeders licensing system**

The MDBA is against the implementation of a breeder's licensing system in NSW. Some of our reasons are:

### **1. Breeding dogs is a lifestyle choice for most breeders**

Most breeders have their dogs living as their companions in their family home and only occasionally having a litter of puppies.

The implementation of a licensing system will mean they will have to treat their companions and their family home differently. They will be faced with two unacceptable choices: One is to operate illegally and continue to breed and live with their companions as they have done in the past or to give up their privacy and freedom to live in their family home as they have done as they will be required to provide regulators access to their homes.

Losing those smaller breeders would seriously reduce the availability of healthy, properly socialized, well-bred dogs to Australian consumers, and endanger the existence of some of the rarer breeds.

### **2. The high potential for imposition of commercial standards on small hobby/breeders.**

With any licensing system there has to be a broad approach as the system measures capability and compliance. This means there is the potential that small/hobby breeders will have commercial standards imposed on them and that they are very likely to stop breeding which will reduce supply

### **3. Creating unsolvable enforcement problems**

When implementing any Legislation it is important to have the means of enforcing and regulating the licensees. A licensing system such as the one proposed has many enforcement issues, not the least being: the number of enforcement officers available to enforce any new Legislation; their workload enforcing current laws and regulations and the creation of unintended consequences of any new Legislation, all of which would divert precious public resources and funds to the enactment and enforcement

possibly at the expense of the enforcement and policing of other important animal welfare Legislation.

**4. Reduction of the ability for agencies to concentrate their efforts on those facilities that present the greatest risk of noncompliance**

It would undermine the ability to concentrate regulatory efforts on those facilities that present the greatest risk of noncompliance by expanding coverage to license and cover thousands of small, low-risk breeders.

**5. The nature of breeders who will not comply.**

It is the furtive nature of illegal breeding practices of large scale volume breeders who breed dogs in substandard conditions that make their detection so difficult; They are almost always located in rural areas with the animals kept in buildings out of sight of potential onlookers. This type of operator is never going to be led to licensing and compliance and they will simply devise tactics to enable them to continue on without detection ensuring they treat any licensing requirements as scoff laws. This will place a further burden on any agency that is responsible for locating those who are operating without a license with compliance and policing.

**6. The high potential for Micro chipping and registration numbers to decrease**

Licenses will increase the risk of breeders avoiding micro chipping and registration due to a fear of detection of breeding dogs without a breeder license.

The workload of local council animal control officers who have the responsibility of ensuring all dogs are compliant with local council laws and by-laws will dramatically increase.

**7. Breeding licenses will discourage small breeders and advantage large scale commercial breeders**

Breeding licenses will discourage small breeders and advantage large scale commercial breeders who have the financial capacity to pay license fees and build the infrastructure to comply with licensing requirements.

Additionally, as can be proven in any licensing system, only those who are already doing the right thing will comply.

**8. Breeder licensing will not improve welfare**

There is no research that indicates breeder licensing reduces impounds or euthanasia rates or that it improves the welfare of dogs in breeding establishments.

As an example, the Gold Coast Breeder Scheme has been discontinued as it did not achieve the result intended. It is important that public policy does not repeat the

mistakes of the past and is shown to be developed using insight and analysis to ensure the prudent spending of public monies.

If there is a lack of substantiated evidence that breeder licensing works, it would seem politically naïve to invest public monies to establish a system that has no guaranteed outcomes.

#### **9. Without enforcement, legislation is a token gesture used to pacify interest groups**

Arguably, if existing legislation was enforced, there would be no need for further legislation.

Existing legislation covers all aspects of animal welfare, management and control with the penalties for non-compliance. Animal cruelty is already a crime it is a criminal activity, the keeping of dogs in substandard conditions a breach of codes, selling puppies that are ill or not fit for purpose a breach of consumer law, selling puppies which can't be identified is a breach of codes and not keeping appropriate records for breeding dogs and their offspring a breach of code. All of these breaches and criminal activities attract various penalties however the policing of the laws and codes are not being adequately enforced.

#### **10. Puppies as contraband.**

If a litter of puppies cannot legally be bred unless the person who bred the litter is licensed that effectively makes the resultant puppies from oops litters or from unlicensed people contraband with more puppies at risk of being killed or dumped.

#### **11. Underestimation of breeder distrust of regulatory bodies.**

Many breeders distrust current regulatory bodies and fear they have been infiltrated by radicals and they will be treated unfairly. Traditionally breeders have done everything they can to avoid coming under notice of such regulatory organisations and many believe that even if they do everything by the book that they may be threatened by having to give up their privacy to comply with licensing. Some breeders who comply with all regulations and laws now will stop complying in fear that on inspection a minor thing may cause them to lose their companions. Some will argue if they do it all right they have nothing to worry about but that doesn't convince them. This is endemic in the breeding area and it is a very common belief system with the potential for this to impact on the success of such a plan should not be underestimated.

#### **12. Many breeders will no longer allow puppy buyers to visit their properties.**

Many breeders who currently welcome puppy buyers to their properties will no longer allow their clients to visit.

We strongly oppose any licensing of small, in-home breeders who have few breeding females. People who buy a puppy to bring into their family home, potentially with children living in it, need a well socialized puppy that is familiar with the hustle and bustle of family life.

Any license system that forces small breeders to give up their privacy and requires them to change the living and care standards for their dogs with ones designed for large commercial settings may be viewed by the community as wasteful especially when oversight from state and local authorities is already available at no extra cost to the tax payer.

### **Implications of banning sales of live animals in pet stores**

All MDBA Breeders agree to our code of ethics that states they will not sell their puppies to pet shops. The MDBA believe that it is better for dogs to be sold by a breeder directly to a buyer to reduce the likelihood of that puppy entering the shelter system.

This method provides education, support and develops the relationship between the puppy buyer and the breeder that gives the dog the best chance at living in a forever home with people who love it. Banning the sales of puppies in pet shop will have no impact whatever on our breeders and it would in fact benefit our breeders by cutting down the competition.

However, the MDBA believes the banning of puppies from pet shops would have unintended consequences.

1. Banning the sale of puppies from pet shops will increase the demand for puppies from other sources, some of which may be less reputable than pet shops.
2. Not everyone who sells puppies to pet shops is unscrupulous nor have they all kept their dogs in substandard conditions as animal rights activist would have us believe. Some breeders who supply pet shops do have the welfare of their animals as a priority. If pet shops were regulated and were obligated to keep records of the source of their puppies then any issues could be addressed with either the pet shop or the breeder.
3. Some people will always purchase dogs without due care whether it be from a pet shop, a shelter or a breeder. There is no evidence to suggest that those owners who make an impulse buy are any less responsible than an owner who researches and waits for a puppy and there is no evidence that those impulse buy puppies are more likely to end up in a shelter than puppies that have been purchased after much thought on their owner's behalf. Any point of sale is capable of seeing impulse sales.

4. There is no conclusive unbiased data to determine that more or less pet shop puppies end up homeless, or that more or less pet shop puppies have health or behavioural issues than any other source.
5. Breeders who sell volume sales to pet shops, produce more puppies and have more repeat sales if their animals are happy and healthy and meet their new owner's expectations. It is not commercially smart nor does it help good production for them to treat their animals cruelly and lose their market due to their puppies being inferior.
6. If those breeders can no longer sell to pet shops sales they will sell their puppies through other un-regulated sources.
7. For those people who either have the occasional litter or an unplanned/mistake litters, if they cannot sell to pet shops they will need to find an alternate way to place their puppies. They may give them away, sell them without microchips and vaccinations, dump them in shelters or euthanize them.
8. If the intended purpose of this proposal is to stop breeders who breed animals in substandard conditions this measure is highly unlikely to have any positive impact on the welfare of those dogs or the puppies they breed. The breeders who sell to pet shops will simply find an alternative way to sell their puppies because removing the sale of puppies from pet shops will not address the demand for puppies or in any way address the issue of irresponsible dog owners.
9. It restricts the ability of the consumer to purchase a puppy of their choice from a source of their choice and restricts the trade of the commercial breeder and pet shop owner. Removing someone's rights is a serious matter especially when they have done nothing illegal or cruel and this needs to be given very serious consideration.
10. Regulations and consumer accountability for pet shops at least ensures those puppies which are sold via this source are in good health at the time of sale.
11. Removal of sales of puppies from pet shops will not increase the demand for rescue or shelter dogs and will simply see consumers finding puppies from other sources.
12. If the sale of puppies in pet shops is banned in NSW then breeders will sell to pet shops in other states and dealers are eager to purchase puppies behind closed doors which may end up in overseas pet shops. This gives the pet shops in other states an advantage over pet shops in NSW and it removes the rights of the breeder and the pet shop owner to earn a living in an activity which is still considered to be a legal pastime and occupation.

Whilst we would prefer that no puppies were sold via pet shops we believe there is not enough evidence to suggest that any dogs will be better off by removing this market for

them and before any person's rights are removed there needs to be more unbiased research done.

### **Any legislative changes that may be required.**

The MDBA believes that current NSW legislation is more than adequate to ensure the welfare of breeding dogs and the puppies they produce. We would like to see better enforcement procedures. We do believe that the codes need to be reassessed with a greater emphasis on breeder input for housing and taking the science of the species into greater consideration. We believe that current requirements in codes are more suited to pounds and boarding kennels and have overlooked major differences required for breeding dogs which compromises the welfare of the dogs. Rather than looking at introducing more laws and regulations we need to be looking at better ways of housing and caring for breeding dogs which does not place them in factory type situations or compromise their welfare.

### **Any other related matter**

The MDBA is concerned that these proposals are silent on the responsibilities of dog owners and suggested changes are based on changing breeder behaviour without addressing pet owner behaviour. We believe that it is critical that dog owners understand the consequences of their choices and how that impacts on the welfare of their dogs when they become owners. All dog laws need to be enforced and owners better educated and held accountable.

According to studies there are approx. 4.5 million dog owners in Australia and each year to replace puppies from natural occurrences such as the death of family dogs etc. there needs to be approx. 420,000 puppies per year bred to fill this demand.

Dogs are used for a variety of reasons including companionship and the benefits of this inter species relationship with the desire of humans to share their lives with dogs is well documented. This is not something that will change and the demand for puppies will always be there. People in NSW will not miraculously want to buy less puppies just because breeders cannot breed as many in NSW due to new legislation.

Someone will breed these puppies to fill the demand. Surely there is no suggestion that Australian families and those who use dogs as assistance dogs and working dogs should be deprived of their right to own dogs of their choice which they have determined is best suited to them.

The MDBA prefers that more, not less, puppies are bred by reputable, well educated, skillful breeders who place a focus on what is best for the dogs in everything they do. This is not reliant on how many dogs they own or breed or what type of dog they breed, how many litters they have or where they choose to sell them. It is solely reliant on how they feel about their dogs and their desire to get it right for the welfare of their dogs, their breeds, future generations and their puppy buyers. These are the breeders who should be encouraged and rewarded for their achievements and their ability to

consistently breed beautiful, healthy animals that increases the joy of ownership for those who take their puppies.

Dog breeding is the only pastime, hobby or occupation that we know of where those who engage in the activity more and who are more knowledgeable in it and good enough to run a long time, legitimate taxable business maintaining only the best welfare outcomes for their dogs are not considered experts but instead are regarded as potential animal abusers and criminals. Even after they have decades of experience of producing and placing puppies without a complaint, even when they have never done anything that compromises the welfare of their animals, even when they can show they more than adequately manage the numbers they choose to keep etc they still have to suffer in case someone else doesn't do it right.

These same breeders are seen as heroes by their puppy buyers and their peers and they have made a huge positive impact on millions of families and those who use dogs in some kind of work. Their devotion to their own animals and the ones they breed is almost like a religion, a work of love, a way of life and if by chance or design they are able to make enough money out of it to put back into their dogs and make a living they deserve to take the financial rewards for their work without shame as all Australians who are engaged in legitimate business are entitled to. It is not a crime or immoral to make money from doing something you are good at and love regardless of animal rights anti breeder marketing. It is not a sin to capitalize on your track record and reputation for breeding top quality puppies.

Over regulation in some states including NSW has seen the rise of requirements in mandatory codes and guidelines which see breeding dogs having to be kept in factory type conditions. Breeders know this is not best practice for the keeping of breeding dogs and have to make choices based on what they consider to be best practice for their own dogs whilst still complying with codes that compromise the health and welfare of those dogs.

Parts of the codes may suit boarding kennels or shelters and it may be argued that it addresses some management issues for extremely large breeding kennels. However the vast majority of breeders would prefer to keep their dogs in conditions which are more suitable and more able to address the welfare needs of the species than those imposed on them by over regulation.

Australian States introduced mandatory codes and guidelines for the housing of breeding dogs and when the breeders comply with this, build the necessary infrastructure and keep their dogs according to the code, they are seen to be keeping their dogs in factory type conditions which they already knew wasn't in line with the best welfare outcomes and didn't want to do all along. They knew such things were suitable for boarding kennels and shelters and not breeding dogs and that it didn't take into account variables and the ability for a breeder to be able to make decisions based on what is most suitable for their property, their situation and their dogs.



The reason animal rights activists can illegally sneak onto a Victorian commercial breeding property at night and take photos of dogs in concrete cells and factory type conditions is because they agitated for these conditions to be made mandatory rather than have breeders be able to keep their breeding dogs in more species appropriate conditions.

The state should not impose unwarranted licensing and inequitable number limit requirements on low-risk, breeders that erodes their legal rights and reduces consumer choice without demonstrating the positive and measurable effects on the animals the legislation is supposed to protect.

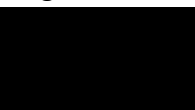
Dog breeders should not automatically be considered to be potential animal abusers and those doing the right thing should be rewarded rather than penalized, prohibited and punished in case some rotten person somewhere breeds dogs in substandard conditions without care or concern for their animal's welfare.

### **In summary**

It is the belief of the MDBA that introducing, breeder licenses, number limits and banning the sales of puppies in pet shops will not achieve the intended goals and has a high potential of creating unintended consequences which are best avoided to ensure the best welfare outcomes for the dogs.

We are happy to make ourselves available for further input and remain involved with the committee's work.

Regards



Julie Nelson  
CEO  
Master Dog breeders and Associates