



23rd May 2018

Public consultation on the advertisement and sale of pet animals

Introduction

The Department of Agriculture, Food and the Marine would like your views on two matters:

1. a voluntary Code of Practice for pet shops
2. whether further legislation is needed for the advertisement and sale of pet animals and if so, what issues need to be considered.

Detail

1. The Department of Agriculture, Food and the Marine (DAFM) has drafted a voluntary **Code of Practice** for pet shops. This Code is intended to provide guidance to pet shops as part of their care and management of animals sold as pets. **We would like your views on the draft voluntary Code of Practice for pet shops – it can be accessed here.**

The Code of Practice contains guidelines regarding the **welfare of animals** commonly sold as pets by pet shops, for example that their environment must allow animals to exhibit normal behaviour patterns, cage size, provision of adequate food and water. The Code also contains guidelines regarding **potential buyers**, for example that pet shops must provide printed information to them on the appropriate care of the animal, and that they must inform the buyer of the lifespan of the animal and the size it will attain on maturity. The Code of Practice also addresses **public health** concerns, for example the need for good hygiene when handling animals (hand washing); and the potential risk to the health of children under the age of 5 associated with contact with reptiles.

2. DAFM is also considering **the need for further legislation for the advertisement and sale of pet animals**. There is already legislation regarding the welfare of animals during a sale. The 2013 Animal Health and Welfare Act obliges anyone who possesses or controls an animal intended for sale or supply to safeguard the animal's health and welfare. The Act also prohibits the sale of an animal to anyone under 16 years of age. It prohibits giving an animal as a prize to anyone under 16 unless he or she is accompanied by an adult.

The Dog Breeding Establishments Act 2010 obliges operators of dog breeding establishments (DBE) to provide details, to the relevant local authority or person charged with the maintenance of a database of information relating to all dogs in the State, of the sale or transfer of a dog.

DAFM is considering new secondary legislation on the sale or advertising of pet animals with the following provisions:

1. the definition of a pet shop:

“pet shop” means a premises used in connection with the sale or supply of animals, including through the internet, as companions for human beings, but does not include a dwelling, a dog breeding establishment within the meaning of the Dog Breeding Establishments Act 2010, or a livestock mart or other premises used to sell animals for farming purposes.”;

2. a prohibition on the sale and supply of unweaned pet animals including
 - a dog or cat under 8 weeks,
 - a rabbit under 10 weeks,
 - a guinea pig or hamster under 4 weeks, and
 - a mouse or rat under 2 weeks;
3. a requirement on pet shops to register with DAFM, and to display a certificate of registration on the premises of the pet shop;
4. a requirement on pet shops to maintain records relating to animals (for example from whom an animal was bought;

medical treatment given to an animal; to whom an animal was sold; description of an animal).

We would like your views on these draft rules.

- Should any other measures be considered?
- What issues, if any, are there with the **online** advertisement for sale of pet animals?
- Do online ads of pet animals for sale provide enough information about the pet to assist a prospective buyer to make an informed decision on whether to buy or not?

In considering these matters, DAFM has regard for the views of the Irish Pet Advertising Advisory Group (IPAAG; www.ipaag.ie). This is an advisory group made up of a number of Irish animal welfare organisations, representatives of the veterinary profession and online websites through which pet animals are advertised.

IPAAG has introduced a list of minimum standards for websites advertising animals to ensure that the welfare of animals sold online is protected and that any illegal activity is identified and investigated. With regard to a ban on online advertising, IPAAG says –

"[i]t is widely accepted that campaigning for a ban on the advertising of pets online would be unrealistic."

"A ban on advertising of animals would not be enforceable, and would simply push the problems underground and onto sites which are owned and based outside Ireland. These sites would not be willing to comply with any animal welfare standards, or report any suspicions of illegal activity. Internet sites based outside Ireland could not be regulated and would be impossible to police."

A study of adverts¹ on classified websites across 21 EU countries documented instances of what it described as poor

¹ "Online pet sales in the EU. What's the cost?" – EU Dog and Cat Alliance and Blue Cross.
<https://s3-eu-west->

practice. These included lack of information about the animal, animals that were not weaned, websites offering finance deals to purchase an animal and animals in poor health. The authors of the study – EU Dog and Cat Alliance and Blue Cross - recommended self-regulation for classified website.

How to take part

Please send your submission to AHWD.Consultation@agriculture.gov.ie before 22nd June 2018. You can also send your submission by post to:

Pet shop consultation
Live Trade Division, 4C
Department of Agriculture, Food and the Marine
Kildare Street
Dublin 2
D02 WK12

A summary of submissions received will be published on the website of the Department – www.agriculture.gov.ie.

A list of names and organisations that responded will be published, but not any personal data.