



Tree of Compassion Inc.

www.treeofcompassion.org

CFN/22392

ABN 67645692404

17a Haig Ave

Denistone East NSW 2112

Ph: +61-2-9808 1045

info@treeofcompassion.org.au

6 March 2022

SUBMISSION TO THE NSW COMPANION ANIMALS AMENDMENT (PUPPY FARMS) BILL 2021

Tree of Compassion welcomes this Bill and is looking forward to the end of puppy and kitten farming in NSW.

Tree of Compassion considers puppy and kitten farms fail to meet the physical social and behavioural needs of the animals and as such, are cruel. We consider that intensive breeding practices generate unacceptable animal welfare issues such as over-breeding, in-breeding, inadequate and overcrowded housing, issues with genetic (congenital) defects, illness and high mortality and should be banned.

Tree of Compassion support the Bill because it applies to both puppies and kittens. We support the Bill's restrictions on intensive breeding of cats and dogs and the solutions it provides to many of the issues this creates as mentioned above.

We also **support** the Bill for:

- The provisions to deal with breeding arrangements as proposed in section 61B.
- Considering anyone with three or more fertile dogs or cats as a 'breeding business' and subject to the new Act (section 61E)
- Restricting breeding business to no have more than 10 fertile dogs or cats (section 61ZE)
- Requiring anyone who sells an animal, whether for profit or for free, to apply for and hold a unique identifying number (a 'source number') (section 61T).
- Requiring breeders to have require veterinary certification of their animals before they can be used for breeding (section 61ZE).
- Requiring breeding businesses to have their breeding animals checked by a veterinarian at least once a year and within 4 weeks before breeding from a dog or cat and within 8 weeks of a litter being delivered (section 61ZD).
- Restricting the breeding of female dogs and cats to twice a year (section 61ZF)
- Provision to 'retire' a breeding animal such as retiring female cat or dog after two litters or male dogs when they are six years old and that following retirement, the animal must be desexed and microchipped (section 61ZK)
- Prohibiting pet shops from purchasing or selling pets who are not from a rehoming organisation (section 61ZL and 61ZM)
- Stronger enforcement by giving officers from RSPCA, Animal Welfare League and NSW Police powers to enforce the new laws (Part 7A, Division 3).

RESPONSES TO SPECIFIC SURVEY QUESTIONS

Q3: Do you have any comments on the current framework regulating dog and cat breeders in NSW, including but not limited to: Prevention of Cruelty to Animals Act 1979 (NSW) Prevention of Cruelty to Animals Regulations 2012 (NSW) NSW Animal Welfare Code of Practice: Breeding Dogs and Cats.

The current framework regulating dog and cat breeders in New South Wales is clearly not sufficient to protect animals. There are currently no limits on the number of animals being bred on puppy/kitten farms or the total number of litters that an individual animal may be forced to produce. All that is currently required if for breeders to apply to their local Council for permission which is based on planning and environmental reasons and no consideration for animal welfare.

In recent years, there have been numerous raids on intensive companion animal breeding facilities in NSW with the RSPCA seizing numerous animals. Many of these animals have to be admitted to veterinary hospitals. This trend does not seem to be diminishing. The example of [Strawberry the Boxer](#) is just one example where an animal was subject to extreme cruelty and suffering at a puppy farm that was supposedly monitored by authorities and regulated by legislation. In Strawberry's case, after spending her short life in terrible conditions and without veterinary attention, this Bill comes too late but not for others.

Q4. Would you like to see laws to stop puppy farming?

Yes. NSW should join Victoria and Western Australia to deal with breeding of cats and dogs by passing this Bill.

Q5. If yes, what should laws to ban puppy farming look like?

Laws should look like this Bill and include:

- Restrictions on the number of animals any individual can have and breed
- Regular inspections of breeding facilities
- Regular veterinary checks of animals used for breeding
- Mandatory desexing of animals by 2 years of age
- A centralised registration system that holds information on dogs/cats and approved breeders, to assist with monitoring and enforcement
- Bans on selling animals in pet shops and online
- A plan to turn pet shops into adoption centres
- Resources provided for enforcement

Q6. The Companion Animals Amendment (Puppy Farms) Bill 2021 states that its objects are to amend the Companion Animals Act 1998 to:

(a) Regulate the conduct of businesses breeding companion animals and other companion animal businesses, and

(b) Provide enforcement powers for the purposes of regulating the conduct of companion animal businesses.

Based on your own understanding and the information above, do you have any comments on the Companion Animals Amendment (Puppy Farms) Bill 2021?

Legislation governing puppy/kitten farming to protect animals, community health, and consumers is long overdue in NSW. The *Companion Animals Amendment (Puppy Farms) Bill 2021* should be passed and made into law as soon as possible.

Q7. Do you have any comments in relation to the animal protection issues associated with puppy and/or kitten farming?

Puppy/kitten farms use females as breeding machines, often confining them without socialisation or veterinary care and forcing them to give birth as often as possible (despite the countless homeless animals that abound) in the shortest amount of time for the maximum profit. Places breeding large numbers of animals as the priority, often have overcrowded and unhygienic living conditions. Animals in these places suffer not just physically from the constant breeding and the living situation but suffer psychologically by confining them to kennels or cages for long periods of time and the suffering from having their young repeatedly removed at 6-8 weeks of age to be sold.

There is also the issue of health of the litters from these animals. Animal are often unless within days or even hours of purchase and may require significant and ongoing veterinary intervention.

Breeders of "purebred" dogs may claim to have "standards" for animals, but these are usually aesthetic and are often detrimental to dogs' health. For example, dachshunds have been bred to have long backs and short legs, which leads to a higher risk of lifelong problems with the back, knees, and other joints. German shepherds commonly have hip dysplasia and chronic pelvic pain. According to the RSPCA, over 80 per cent of British bulldogs are delivered by caesarean section because their large heads and narrow pelvises make natural birth virtually impossible.

Brachycephalic breeds such as pugs, French bulldogs, and British bulldogs all suffer from breathing problems and often must have expensive corrective surgeries later in life. Some brachycephalic dogs have trouble breathing while lying down, so they are often sleep deprived. Others develop oesophageal issues which require their owners to feed them in a baby's high chair. These dogs are also susceptible to heat stress, exercise intolerance, eye problems, dental disease, skin infections and spinal deformities. Most airlines in the US refuse to carry brachycephalic dogs whilst there, Qantas does accept these dogs, the owners must sign a form absolving the airline of responsibility if the animal dies on the flight.

Breeding a dog for cuteness at the expense of their health and wellbeing should be banned. 'Designer' dogs or cats bred for certain physical characteristics, such as being "hypoallergenic", are no different. Wally Conron, for example, who bred the first labradoodle, has since reflected that he created a "Frankenstein" and considers that many will have behavioural and/or hereditary problems.

Q8. Do you have any comments in relation to the consumer protection issues associated with the sale of pets from puppy and/or kitten farms online and in pet shops?

Because dogs and cats are bred for profit for certain aesthetics at the detriment of their health, there are countless consumer complaints. People who purchase an animal from intensive breeders frequently discover the animal is unwell within days or even hours of purchase. Caring for the new animal can cost thousands. Their new little pet can die, or recover but require life-long treatment. There are few legal remedies for the new keepers of the animals. Going to court or tribunals can be expensive and intimidating. Australian consumer protection laws make it hard to prove that the animal was not of 'acceptable quality' at the time of purchase. Even if successful, compensation does not cover the bills for life-long treatment or the emotional trauma of dealing with a new companion animal who is ill and suffering, often over a long period.

Recognising this issue, in 2020 the Animal Law Institute established an Anti-Puppy Farm Legal Clinic following an increase in the number of people unknowingly buying sick companion animals online during the pandemic.

Unlike other purchases, unhealthy puppies and kittens cannot simply be returned to breeders without, at the very least, psychological consequences for the animals, who quickly bond with their human companions. Most consumers also understand that sending an unhealthy puppy/kitten back to a breeder may result in the animal being denied medical care or being killed to avoid veterinary costs. There are numerous examples in the media of people who have purchased puppies who died or required thousands of dollars' worth of veterinary care. Establishing a robust legislative framework is critical to protecting consumers and animals.

Dogs such as poodles, labradoodles, and bichons frises are marketed as "hypoallergenic" because their long hair takes more time to grow to its full length and fall out. However, these breeds still shed, shake, scratch, and engage in all sorts of other dog activities that release dander. Marketing around these breeds is often misleading.

Another 'consumer' of puppy/kitten breeding are the rescuers. A considerable proportion of the work of rescuing, fostering, caring for, and finding homes for the thousands of homeless dogs and cats in NSW (and Australia) is undertaken by not-for-profit shelters, adoption groups, and networks of foster carers. These entities are primarily funded by community donations, bequests and grants. They are generally heavily reliant on volunteers to sustain their work. Many are continuously overwhelmed and often refuse to accept animals because they have no room. Stopping puppy/kitten farming in NSW would go a long way in reducing the burden on volunteers and the community as a whole.

Q9. Do you have any other comments?

Intensive breeders are not transparent. They operate behind big fences and/or in remote areas. Pro-active (unannounced) inspections by welfare or Council officers are infrequent. Intensive breeders are rarely investigated or prosecuted. They continue to produce unhealthy animals which does not help reduce the huge number of abandoned and stray animals in Council pounds and rescue shelters, who end up euthanised rather than rehomed. A legislative solution to many of these issues would be to pass the *Companion Animals Amendment (Puppy Farms) Bill 2021*.

We fully support this Bill and strongly urge that it is enacted as soon as possible. We look forward to better protection for companion (and all) animals and an end to intensive puppy and kitten farming in NSW.

Kind regards,



Tania Duratovic
Director
Tree of Compassion
tania@treeofcompassion.org.au