

117TH CONGRESS  
1ST SESSION

# H. R. 2840

To amend the Animal Welfare Act to provide for the humane treatment of dogs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2021

Mr. FITZPATRICK (for himself, Mr. CRIST, Mr. RESCHENTHALER, and Mr. MCGOVERN) introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To amend the Animal Welfare Act to provide for the humane treatment of dogs, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Puppy Protection Act  
5       of 2021”.

6       **SEC. 2. ADDITIONAL REQUIREMENTS FOR DEALERS.**

7       (a) HUMANE TREATMENT OF DOGS BY DEALERS.—

8       Section 13(a) of The Animal Welfare Act (7 U.S.C.  
9       2143(a)) is amended by adding at the end the following  
10      new paragraph:

1 “(9) In addition to the requirements under paragraph  
2 (2), the standards described in paragraph (1) shall, with  
3 respect to dealers, include requirements—

4 “(A) that such dealer provide adequate housing  
5 for dogs that includes—

6 “(i) completely solid flooring;

7 “(ii) indoor space sufficient to allow the  
8 tallest dog in an enclosure to stand on his or  
9 her hind legs without touching the roof of the  
10 enclosure;

11 “(iii) with respect to dogs over 8 weeks in  
12 age, primary enclosures that, with the length of  
13 the dog measured from the tip of the nose to  
14 the base of the tail, provide at least—

15 “(I) 12 square feet of indoor floor  
16 space per each dog up to 25 inches long;

17 “(II) 20 square feet of indoor floor  
18 space per each dog between 25 and 35  
19 inches long; and

20 “(III) 30 square feet of indoor floor  
21 space per each dog 35 inches and longer;

22 “(iv) enclosures that are not stacked or  
23 otherwise placed on top of or below another en-  
24 closure; and

25 “(v) temperature control that—

1 “(I) is appropriate for the age, breed,  
2 and condition of the dogs in the enclosure;  
3 and

4 “(II) is between 45 and 85 degrees  
5 Fahrenheit, when dogs are present in the  
6 enclosure;

7 “(B) that appropriate and nutritious food be  
8 provided to each dog at least twice per day, in an  
9 amount sufficient to maintain the good health and  
10 physical condition of each such dog;

11 “(C) that each dog has continuous access to po-  
12 table water that is not frozen and is free of feces,  
13 algae, and other contaminants;

14 “(D) that each dog has adequate exercise, in-  
15 cluding—

16 “(i) for dogs over the age of 12 weeks, un-  
17 restricted access from their primary enclosures  
18 during daylight hours to an outdoor exercise  
19 area that is—

20 “(I) at ground-level;

21 “(II) a solid surface;

22 “(III) enclosed (by a fence or other  
23 structure);

24 “(IV) properly controlled for the safe-  
25 ty of the dogs; and

1 “(V) allows the dog to extend to full  
2 stride, play, and engage in other types of  
3 mentally stimulating and social behaviors;  
4 or

5 “(ii) if the dealer obtains a certification  
6 from the attending veterinarian stating that the  
7 dog should not have unfettered access to an  
8 outdoor exercise area for a specific medical rea-  
9 son, an alternative exercise plan prescribed by  
10 the veterinarian for the dog that meets the re-  
11 quirements under section 3.8a of title 9, Code  
12 of Federal Regulations;

13 “(E) that each dog has meaningful socialization  
14 with humans and compatible dogs for at least 30  
15 minutes each day that—

16 “(i) includes positive interaction with a  
17 human such as petting, stroking, grooming,  
18 feeding, playing with, exercising, or other  
19 touching of the dog that is beneficial to the  
20 well-being of the dog; and

21 “(ii) does not include time spent in veteri-  
22 nary care;

23 “(F) that each dog receives adequate veterinary  
24 care, including—

1           “(i) prompt treatment of any disease, ill-  
2           ness or injury by a licensed veterinarian;

3           “(ii) a thorough hands-on examination by  
4           a licensed veterinarian at least once each year,  
5           which shall include a dental exam;

6           “(iii) core vaccinations recommended by  
7           the current version of the American Animal  
8           Hospital Association Canine Vaccination Guide-  
9           lines; and

10          “(iv) medications to prevent intestinal  
11          parasites, heartworm disease, fleas, and ticks  
12          that are approved by a licensed veterinarian for  
13          canine use;

14          “(G) with respect to safe breeding practices for  
15          dogs, including—

16               “(i) a screening program for known preva-  
17               lent inheritable diseases that may be disabling  
18               or likely to significantly affect the lifespan or  
19               quality of life of the mother or her offspring;

20               “(ii) prohibiting breeding, unless each dog  
21               bred has been screened by a veterinarian prior  
22               to each attempt to breed and is found to be free  
23               from health conditions that may be disabling to,  
24               or likely to significantly affect the lifespan or  
25               quality of life of, the mother or her offspring

1 (as documented by a licensed veterinarian upon  
2 examination);

3 “(iii) prohibiting the breeding of a female  
4 dog—

5 “(I) to produce more than two litters  
6 in any 18-month period; or

7 “(II) more than 6 litters in that dog’s  
8 lifetime;

9 “(iv) that female dogs of small breeds  
10 (having a maximum weight range at maturity  
11 that is below 40 pounds) not be bred—

12 “(I) before reaching the age of 18  
13 months; or

14 “(II) after reaching the age of 9  
15 years;

16 “(v) that female dogs of large breeds (hav-  
17 ing expected weight ranges at maturity that in-  
18 clude 40 or more pounds) not be bred—

19 “(I) before reaching the age of 2  
20 years; or

21 “(II) after reaching the age of 7  
22 years; and

23 “(vi) that any canine caesarian section be  
24 performed by a licensed veterinarian;

1 “(H) that dogs be housed with other dogs, un-  
2 less health or behavioral issues make group housing  
3 unsafe; and

4 “(I) to make all reasonable efforts to find hu-  
5 mane placement for retired breeding dogs (such as  
6 with an adoptive family, rescue organization, or  
7 other appropriate owner for that dog, and not in-  
8 cluding selling at auction or otherwise placing a re-  
9 tired breeding dog with another breeder for breeding  
10 purposes).”.

11 (b) CONFORMING AMENDMENT.—Section  
12 13(a)(2)(B) of the Animal Welfare Act (7 U.S.C.  
13 2143(a)(2)(B)) is amended by inserting “subject to para-  
14 graph (9),” before “for exercise of dogs”.

15 **SEC. 3. REGULATIONS.**

16 Not later than 18 months after the date of the enact-  
17 ment of this Act, the Secretary shall issue final regulations  
18 establishing the standards for the care of dogs by dealers,  
19 as required by this Act.

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