

## Puppy Mills Then and Now

### *A Decade of Progress*



***“A puppy mill is an inhumane dog breeding operation, which offers dogs for monetary compensation or remuneration, in which the physical, psychological and/or behavioral needs of the dogs are not being fulfilled due to inadequate housing, shelter, staffing, nutrition, socialization, sanitation, exercise, veterinary care, and/or inappropriate breeding.”<sup>1</sup>***

#### **History:**

According to Canis Major V. publications, puppy mills originated in the post-World War II era. Midwestern farmers looking for an alternative crop reacted to a growing demand for purebred puppies, resulting in the development of the first commercial puppy businesses. As the business grew, both small and large retail outlets began to sell puppies through pet departments. At around the same time, the first pet store chains were born.<sup>2</sup> Through indifference or ignorance, many puppies were left unsocialized or exposed in existing chicken coops or rabbit hutches. In addition, veterinary care for these puppies was often overlooked. As a result, organizations such as The Humane Society of the United States began to investigate breeding kennels, leading to the passage of the Animal Welfare Act of August 24, 1966.<sup>3</sup> We estimate that there are about 10,000 puppy mills located around the country.<sup>4</sup>

A legal definition for the term "puppy mill" was established in *Avenson v. Zegart*, 577 F. Supp. 958, 960 (United States District Court, D. Minnesota, Sixth Division January 17, 1984): "a dog breeding operation

---

<sup>1</sup> Definition as agreed by multiple animal welfare organizations and pet industry businesses and organizations.

<sup>2</sup> Canis Major Publications (2007). "Just what is a puppy mill?"

<sup>3</sup> United State Department of Agriculture (2003-08-21). "Animal Welfare Act"

<sup>4</sup> Humane Society of the United States (2007-07-17). "FAQs"

in which the health of the dogs is disregarded in order to maintain a low overhead and maximize profits."

Although pet overpopulation has declined somewhat over the past 20 years, largely due to pet owner education and spay/ neuter efforts, The HSUS estimates that three to four million dogs and cats are still euthanized each year for lack of homes in animal shelters across the country. Meanwhile the puppy mill industry churns out an estimated two to four million puppies per year for the pet trade, flooding the market with puppies who are often poorly bred and whose parents will spend their entire lives in small wire cages. In contrast to responsible breeders who only produce small numbers of puppies that are carefully raised in their homes, puppy mill puppies are often sick due to the overcrowded and unsanitary conditions in which they are born.

### **The HSUS Puppy Mills Campaign:**

The Puppy Mills Campaign for The Humane Society of the United States is the largest, most aggressive, and most successful campaign fighting against the inhumane commercial dog breeding industry. With five full-time animal welfare experts, supported by more than 11 million constituents throughout the country, the campaign has made significant and meaningful strides towards eliminating this problem.

## **Widespread Success**

### **I. Consumer Education and Outreach**

As the largest member-based animal welfare organization, The HSUS has an extensive reach into all social media driven markets. This strength enables us to get the word out quickly and initiate advocacy and engagement within a very short time frame. The HSUS maintains one of the top three most watched non-profit YouTube channels. In 2012, our staff-produced videos on YouTube were viewed by 9.34 million people. One video alone, the story of Billy, a dog rescued from a North Carolina puppy mill last fall, was seen by 500,000 people in just seven days.

The HSUS has 1.4 million supporters who regularly receive our emails that encourage action on a wide-range of animal welfare issues. As a result, nearly two million actions were taken on behalf of animals last year. Our main HSUS Facebook page maintains 1.6 million fans and hundreds of thousands of others through an additional 100 pages and groups. Though relatively new, more than 54,000 people now subscribe to our SMS alerts and 180,000 people follow our work on Twitter. Our website, [humanesociety.org](http://humanesociety.org), receives 1.3 million unique page views per month.

This capacity is critical to the success of the campaign's Puppy Mill Action Week, which runs advertising in numerous markets and engages thousands of individuals to learn more and do something about puppy mills. The campaign also recruits pet stores to sign a pledge not to sell puppies and encourages these stores to work with local shelters and rescue groups to encourage pet adoption. The Puppy

Friendly Pet Store initiative has signed up more than 2,000 stores within the past few years in nearly every state in the country.

## II. Investigations

Pet store investigations conducted by The HSUS have led to significant increases in consumer awareness of the connection between pet stores and puppy mills and have put the pet industry on the defensive. In 2007, an HSUS exposé revealed that the upscale Los Angeles pet store, Pets of Bel Air, which reportedly sold puppies to celebrities such as Paris Hilton and Britney Spears, was obtaining its puppies from puppy mills.<sup>5</sup> **The investigation led directly to a consumer lawsuit and the store shut down the following year.**



On November 20, 2008, The HSUS revealed the results of an eight month investigation of Petland stores. The investigation revealed that Petland stores across the country marketed puppy mill puppies to unsuspecting consumers. At the time of the investigation, there were 140 Petland stores in the U.S. and 60 in other countries. Collectively, these stores sold tens of thousands of puppies each year. The HSUS investigators reviewed USDA and/or state kennel inspection reports on over 100 of Petland’s breeders, and found that more than 60 percent of the reports listed serious violations of basic animal care regulations. **In the wake of this investigation—which was followed by nationwide demonstrations at Petland stores and an “Animal Planet Investigates” episode on Petland in 2010 (featuring new HSUS undercover footage)—Petland’s business has substantially declined internationally and dozens of Petland stores went out of business.**

Our 2011 investigation into New York City pet stores, released during the holiday buying season, connected some of the worst puppy mills in the Midwest to the upscale stores in Manhattan and showed that consumers were often deceived by pet store sales people who claimed that the store did not use puppy mills as suppliers. Our pre-investigation research showed that some of these stores bought puppies from mills listed on The HSUS “Missouri Dirty Dozen” report. Our investigation was covered extensively by television and print news media in New York State.

In 2012, we conducted an investigation into puppies sold at Chicagoland stores—again, visiting in-person a dozen stores to find out what consumers are told about the origin of the puppies being sold. Our pre-investigation research analyzing certificates of veterinary inspection showed that pet stores in

---

<sup>5</sup>“Defunct pet store Pets of Bel Air fined \$4.8 million in lawsuit alleging it sold puppies obtained from puppy mills.” *Los Angeles Times*. August 11, 2009, can be found at: <http://latimesblogs.latimes.com/unleashed/2009/08/pets-of-bel-air-puppy-mill-judgement.html>[http://www.bluemaumau.org/11665/worst\\_25\\_franchises\\_highest\\_failure\\_rates\\_2012](http://www.bluemaumau.org/11665/worst_25_franchises_highest_failure_rates_2012)

the Chicago area obtained puppies from breeders on The HSUS Missouri Dirty Dozen list and other licensed and unlicensed mills in the Midwest, including Wanda Kretzman's in Minnesota—a facility with over 1,000 dogs and numerous violations of the minimum standards of the Animal Welfare Act. This investigation was also released during the holiday buying season, resulting in local media attention and several calls from whistleblowers who had worked in one of the stores we investigated. The HSUS investigators also checked to see whether the Chicago stores are in compliance with the relatively new "pet shop disclosure law." Investigators found most of the Chicago stores in violation of the law, which requires the prominent display of breeder identity and location for each puppy displayed for sale.

### **III. Litigation and Enforcement**

The HSUS's legal team has been very active in the puppy mill arena. **The HSUS attorneys have won a series of precedent-setting court rulings upholding laws regulating commercial breeders in Florida, Oklahoma, Pennsylvania, and just this past week, Texas.** These cases have confirmed the states' constitutional authority to regulate dog breeding, enabling legislative reforms in other states.

The HSUS's legal team has also filed a number of lawsuits on behalf of consumers defrauded by the puppy mill industry, including cases in Arizona, Florida, and Missouri. In South Florida, for example, The HSUS, along with consumers, filed a first-of-its-kind class action lawsuit against Wizard of Claws for selling sick dogs from puppy mills.<sup>6</sup> When a judge denied a motion to dismiss the case, Wizard of Claws immediately filed for bankruptcy, resulting in the store's closure and the sale of its assets. The HSUS stepped in to ensure that all the puppies who remained in the store were sent to local nonprofit shelters for adoption.

**In 2011, The HSUS took the nation's largest online seller of puppies to court.** Purebred Breeders is an online dealer which owns approximately 800 different puppy-selling websites. Each of the websites is designed to look like a local, high-end breeder collective, but The HSUS's investigation demonstrated that many of the puppies sold by Purebred Breeders were really from substandard puppy mills, and many were sick. The three-month-long investigation was featured on NBC's Today Show<sup>7</sup> and highlighted the connection between misleading Internet websites and puppy mills. This investigation led to a consumer lawsuit with more than 60 plaintiffs located across the country. The case is still pending in Florida.

The HSUS's legal team also won a court order requiring the United States Department of Agriculture to disclose Animal Welfare Act compliance data concerning dozens of the nation's largest puppy mill operators, and also filed more than a dozen lawsuits and legal actions that helped secure the passage of Prop B in Missouri in 2010. Other legal actions are planned in the near future.

---

<sup>5</sup>"Big Lawsuit for Little Victims" *Wayne Pacelle's Blog*. June 20, 2007, can be found at: [http://hsus.typepad.com/wayne/2007/06/off\\_to\\_sue\\_the\\_.html](http://hsus.typepad.com/wayne/2007/06/off_to_sue_the_.html)

<sup>7</sup>"Did online puppy site sell sick pets?" *Today*. December 7, 2011. Can be found at: <http://video.today.msnbc.msn.com/today/45580711#45580711>

#### **IV. Research**

Since 2006, The HSUS Puppy Mills Campaign has taken the lead in conducting nationwide puppy mills research, including: tracking some of the worst puppy mill offenders in the country through inspection reports; tracking the numbers of licensed breeders at the federal and state levels to see whether their numbers are increasing or decreasing over time; monitoring the shipments of puppies from puppy mills to pet stores to determine where pet stores are sourcing their puppies; documenting and tracking puppy buyer complaints by issue, region and supplier; and researching pet industry supporters that regularly lobby against breeding reforms. The purpose of this research is both to track the effectiveness of our work and to determine where and how we can best target our future efforts.

#### **V. Rescue and Direct Response**

Over the past decade, The HSUS's rescues and raids on puppy mills have saved the lives of tens of thousands of dogs. In 2007, one of our raids, perhaps the largest in U.S. history, saved almost 1,000 dogs from Horton's Pups, owned by Lanzie "Junior" Horton, in Hillsville, VA. The catalyst for the raid was The HSUS' five-month investigation of Virginia's underground puppy mill industry, which included footage of this facility.<sup>8</sup> Horton was charged and convicted of multiple counts of animal cruelty, and within a year, with our assistance, the state of Virginia passed the first law limiting the number of dogs that could be kept at a single commercial breeding facility to 50 adults. Several more states (Louisiana, Oregon and Washington) passed similar laws over the next few years.

**Following the raid at Horton's Pups, The HSUS went on to expand its puppy mills staff and Animal Rescue Team, and in 2009 it announced a toll-free puppy mills tipline.** In 2012, thanks to a donor's generosity, we were able to launch a rewards program, in conjunction with the tipline, which offers \$5,000 for information that leads to a successful case. The HSUS has rescued more than 9,000 dogs from more than 50 different puppy mills across the U.S. and Canada since 2006. A chart of these rescues is included with the proposal.

#### **VI. Public Policy Reform**

##### Federal Legislative and Regulatory Reforms:

The HSUS has been a leader in promoting legislative and regulatory changes that would address all large-scale dog breeding facilities. At the federal level, the campaign's focus has been on: requiring licensing of all retailers, improving inspections of breeders, and prohibiting the importation of puppies. The combination of more aggressive messaging about puppy mills, effective pet adoption marketing, and more stringent enforcement of the Animal Welfare Act (the federal law overseeing puppy mill

---

<sup>8</sup>"Notorious Va. Puppy Miller Sentenced Under New Puppy Mill Law." (July 13, 2009). Can be found at: [http://www.humanesociety.org/news/press\\_releases/2009/07/notorious\\_virginia\\_puppy\\_miller\\_sentenced\\_under\\_new\\_law\\_071309.html](http://www.humanesociety.org/news/press_releases/2009/07/notorious_virginia_puppy_miller_sentenced_under_new_law_071309.html)

operators), has contributed to a **cut in the number of USDA-licensed commercial dog breeders by almost half**, from 3,486 in 2009, to 2,904 in 2010, and 2,205 in 2011.<sup>9</sup>

At the urging of The HSUS and other stakeholders, in 2010 the Office of Inspector General (“OIG”) for the United States Department of Agriculture (USDA) released a scathing 69-page report<sup>10</sup> criticizing the agency’s lack of reasonable enforcement, which generated widespread government, media, and public attention—all of which called on the USDA to make significant improvements in its enforcement program.

In 2008, after pressure from The HSUS about sick, underage puppies imported for the pet trade, the U.S. Congress passed legislation as part of the Farm Bill to prevent the importation of puppies under the age of six months for resale. In 2011, after additional pressure from The HSUS, the USDA proposed a rule to implement this legislation and help prevent the suffering of thousands of puppies from foreign puppy mills who are subjected to harsh overseas transport at a young age, often before they are even fully vaccinated or weaned. We expect the USDA to make final the puppy imports rule in 2013.

Additionally, in 2011 we worked with members of Congress to introduce the Puppy Uniform Protection and Safety (PUPS) Act, which would require any breeder who sells or offers to sell more than 50 dogs a year directly to the public to be licensed and inspected by the USDA. It would address the loophole in the Animal Welfare Act regulations that allows many “direct sellers”—including puppy mills that sell over the Internet—to escape federal oversight, while still protecting the interests of small, reputable breeders who only produce a few litters of puppies a year. PUPS would also require that each dog at USDA-licensed facilities be let out of their cage for at least an hour a day for exercise. That Act attracted 213 cosponsors in the House and 32 in the Senate. On February 27, 2013, that same bill was reintroduced in the House and Senate.



**In 2012, the USDA issued a proposed rule, at our urging, to close a loophole in the Animal Welfare Act regulations and require large-scale commercial breeders selling puppies or kittens online to be federally licensed and inspected**, which would implement the same policy reform as the PUPS Act and require basic standards of care to be provided to the animals.<sup>11</sup> This rule requires that high volume breeders selling dogs over the Internet by mail or phone must be licensed and inspected by the USDA, just like those who sell to pet stores already. The HSUS worked to form a coalition of advocacy groups that together hand-delivered almost 350,000 signatures and comments to the agency in favor of the

---

<sup>9</sup>Statement from USDA spokesman, Dave Sacks (February 2012).

<sup>10</sup>Animal and Plant Health Inspection Service Animal Care Program Inspections of Problematic Dealers, (May 14, 2010), can be found at: <http://www.usda.gov/oig/webdocs/33002-4-SF.pdf>.

<sup>11</sup>Animal Welfare; Retail Pet Stores and Licensing Exemptions, (May 16, 2012), can be found at: <http://www.regulations.gov/#!documentDetail;D=APHIS-2011-0003-0001>

rule. The volume of comments is hard evidence of the reach, activism and influence of The HSUS's supporters. We expect the final rule to be issued in 2013.

#### State Law Reforms:

Because puppy mills that sell dogs directly to the public, including through Internet sales, are not currently regulated by federal law—and because existing state laws vary in strength and effectiveness—the HSUS's Puppy Mills Campaign has worked with state lawmakers across the country to crack down on these mills at the state level. Over the years, the campaign has targeted Iowa, Missouri, Pennsylvania and other top puppy-producing states for reform.

In 2008, The HSUS and its partners achieved a great legislative victory by passing a puppy mill law in Pennsylvania. The law, which took effect in 2009, included many groundbreaking provisions, including a ban on cage stacking and wire flooring at many large-scale commercial breeding facilities, strong requirements for veterinary care, temperature control and air quality, and stronger penalties for violations. While enforcement problems continue to be an issue, Pennsylvania's stronger law did enable authorities to shut down some of its most problematic dealers, including Almost Heaven Kennel in Allentown, from which The HSUS helped rescue more than 200 dogs and cats in 2009.

In 2009, The HSUS initiated a campaign in Missouri. Missourians for the Protection of Dogs (MPD) qualified Proposition B, and voters approved that measure in November 2010. Improvements include a requirement for annual, hands-on veterinary care, closing a loophole in preexisting law to help protect dogs from temperature extremes, increased space requirements, and a ban on the use of wire flooring. State lawmakers weakened some provisions of Prop B, but it remains one of the strongest anti-puppy mill laws in the country. Additionally, the Governor worked with the legislature to secure an appropriation of an additional one million dollars for enforcement of Prop B as modified. Based on the best intelligence we have, more than 800 puppy mills have dropped or lost their licenses in the state since Prop B was approved by voters—that's more than 25 percent of the total number of puppy mills.



In just a few years, **we have successfully strengthened or passed laws in nine of the top ten puppy mill states.** Largely due to the efforts of The HSUS, 34 states now have laws that regulate commercial dog breeders, and every year the Puppy Mills Campaign consistently passes at least five state laws that regulate or improve regulation of commercial dog breeders.

### **The HSUS's Impact on the Puppy Mill Industry**

Major sellers and breeders have closed their doors as a result of our investigations, consumer education and outreach campaigns, and policy reforms. A 2011 article in *Pet Business* magazine recognized that it is now considered taboo to purchase a puppy from a pet store: "[S]elling puppies draws fire. Even customers, afraid of being on the blunt end of criticism, often don't want to admit to others that they

got their family pet from a store.”<sup>12</sup> Other industry publications have acknowledged a measurable decrease in the sales of dogs in stores across the country. For example in the October 2011 edition of *Pet Age Magazine*, Editor in Chief Karen Long MacLeod writes, “Two years ago, we warned you that pet sales—and puppy sales in particular—were under unprecedented attack. Today, we are sorry to say that the situation is even worse.”



**Many pet stores throughout the country and in Canada are phasing out the sale of puppies in their stores and switching to different business models, which frequently include adoptions of homeless animals.** For example, in 2011 Petland Canada stopped selling puppies in all of their 37 stores. Petland Canada’s CEO, Robert Brissette cited “a drop in sales at pet stores” as the reason for the decision.<sup>13</sup> In 2008, before The HSUS started its series of investigations of its suppliers, Petland USA, the largest puppy-selling pet store chain in the country, had 140 stores that sold puppies. Today, only 85 Petland stores are still in business, and only 70 of those sell puppies. Additionally, Petland ranked as one of the 25 worst franchise brands, where franchise owners struggled more than others to pay back their SBA loans.<sup>14</sup> Petland came in seventh.

Lambriar, Inc. of Mahaska, Kansas, thought to be the second largest puppy broker, or reseller, in the country, closed down in July 2012. As a puppy broker, Lambriar was not directly involved in the breeding of puppies, but was responsible for purchasing dogs from breeders and then transporting and re-selling them to commercial pet stores across the country. A representative for Lambriar stated, “[w]hen you couple the bad economy with increasing rules and regulations and increased pressure from animal rights activists, well, it just got too hard.”<sup>15</sup> In response, *Pet Pardon News* managing editor wrote, “If any evidence was needed that consumer awareness of puppy mills and puppy brokers is having a direct impact on the commercial pet industry, news today that Lambriar Inc., one of the largest puppy brokers in the United States is closing its doors, should signal that efforts against the animal trade are working.”<sup>16</sup>

As a direct result of the campaign’s efforts to increase awareness of the link between pet stores and puppy mills, an increasing number of localities, assisted by The HSUS, are passing ordinances to ban the

---

<sup>12</sup>Boncy, Jennifer. “Confessions of a Pet Retailer.” *Pet Business*. June 2011: 51.

<sup>13</sup>“Petland Set to Stop Selling Puppies and Kittens.” *CTV*. September 9, 2011, can be found at: <http://winnipeg.ctvnews.ca/petland-set-to-stop-selling-puppies-and-kittens-1.694737>

<sup>14</sup>“Worst 25 Franchises to Buy with the Highest Failure Rates, 2012.” *Blue MauMau*. June 15, 2012, can be found at: [http://www.bluemaumau.org/11665/worst\\_25\\_franchises\\_highest\\_failure\\_rates\\_2012](http://www.bluemaumau.org/11665/worst_25_franchises_highest_failure_rates_2012)

<sup>15</sup>Williams, Jeromie. “Industry Giant Puppy Broker To Close Doors,” *Pet Pardon News*. August 1, 2012. Can be found at: <http://news.petpardons.com/industry-giant-puppy-broker-to-close-doors/>

<sup>16</sup>*Id.*





Also in 2011, The USDA revoked the licenses of Diane Stephenson of S & S Family Puppies and Marsha Cox of Mar-Don Kennels, two of the puppy mills The HSUS had profiled in its Missouri Dirty Dozen reports. According to USDA inspection reports, Marsha Cox refused to cooperate with an inspection, erroneously telling a USDA inspector, “you had something to do with the Missouri ‘dirty dozen.’” Previous inspections of her facility had found a seriously underweight dog with an



untreated wound, dogs in cages so awash in feces that they had no clean place to stand, and dogs shivering in below-freezing temperatures without adequate weather protection.

**Conclusion:**

The battle to stop cruel puppy mills is by no means over, but the work of The HSUS has already improved the lives of hundreds of thousands of dogs raised for the commercial pet trade. Society will always have a need for pets, and we strongly embrace the bond we share with companion animals. As we move unswervingly toward the day when pets are no longer euthanized in animal shelters, we work toward the creation of a new system for the breeding of family pets – one in which dogs are raised with the dignity, kindness and care befitting of man’s best friend.