

CCU 7th Floor
Eastbury House
30-34 Albert Embankment
London
SE1 7TL

CHIEF EXECUTIVE'S OFFICE
R.B.W.M.

29 OCT 2009



Email: ccu.correspondence@defra.gsi.gov.uk
Website: www.defra.gov.uk

CCU Ref: DWO153855

Ian Trenholm
Chief Executive
Royal Borough of Windsor and Maidenhead
Town Hall, St. Ives Road, Maidenhead
Berkshire, SL6 1RF

21 October 2009

Dear Mr Trenholm,

*Ian Hunt
Democratic Services*

DOG BREEDING

Thank you for your letter of 24 September to the Prime Minister about dog breeding. Your letter has been passed to Defra as the department with responsibility for this policy area and I have been asked to reply.

The Breeding and Sale of Dogs (Welfare) Act 1999, which amended and extended the provisions of the Breeding of Dogs Act 1973 and the Breeding of Dogs Act 1991, already provides protection for dogs in breeding establishments. Under this legislation, any person who keeps a breeding establishment for dogs at any premises must obtain a licence from the Local Authority. Those people who are not in the business of breeding dogs for sale, so called "hobby breeders", and who produce less than five litters in any period of 12 months, do not need to obtain a licence.

The Local Authority has the discretion whether to grant a licence and, before doing so, must satisfy itself that the animals are provided with: suitable accommodation, food, water and bedding material; are adequately exercised and visited at suitable intervals; and that all reasonable precautions are taken to prevent and control the spread of diseases amongst dogs. Local Authorities are responsible for enforcing the legislation. In addition to ensuring that dogs are kept in suitable accommodation, the law also places limits on the frequency and timing of breeding from a bitch. Bitches cannot be mated before they are a year old, must have no more than six litters in a lifetime and can only have one litter every 12 months. Breeding records must be kept to ensure that these requirements are adhered to. Puppies that are produced at licensed breeding establishments can only be sold at those premises or a licensed pet shop.

The Animal Welfare Act 2006 places a duty to ensure the wellbeing of animals on those who own or are responsible for them. This includes owners and keepers of dog breeding establishments. Failure to provide for the welfare of an animal could lead to a fine of up to £5,000 and/or six months' imprisonment.

This duty of care will help those who enforce the law, such as Local Authorities and the RSPCA, to take action when an animal is being treated contrary to its welfare needs, even though it is not immediately suffering. It also means that all domestic or captive animals, including dogs kept at breeding establishments, must be cared for in accordance with the best animal management practices. It enables those responsible for enforcing animal



welfare standards to work with the owners and keepers to raise standards and, in cases where the owner or keeper is not prepared to provide the care that the animal requires, to take action through the courts.

The Kennel Club currently operate an Accredited Breeders Scheme which seeks to raise the welfare level of breeding bitches and their puppies. We believe that this scheme – which has been operating for a short period – will have valuable lessons that are going to be helpful when considering any new laws in this particular area.

In addition, there are two separate independent reviews currently underway on pedigree dog breeding. These reviews are looking whether the health of some breeds of dogs is compromised by their breed standard. One review is being carried out by the Associate Parliamentary Group for Animal Welfare, which is expected to report after the summer recess in 2009; and the other is being carried out Professor Bateson (and is funded jointly by the Dogs Trust and the Kennel Club) which is due to report in early 2010. The findings of these reviews may affect the legislation on dog breeding in general.

I hope this information is useful.

Yours sincerely,



Stephen Brundle
Customer Contact Unit - Defra