

Failure of MDA to Report Inhumane Dog Breeders to the Office of the Attorney General

Background

The commercial dog breeding industry is a viable cottage industry in the state providing a source of income to many rural residents. Unfortunately, the industry has been plagued over the years by inhumane breeding facilities. The Canine Cruelty Prevention Act (CCPA), introduced by Governor Parson when he was in the Senate, was passed in 2011 to provide humane care for the animals and to rid the industry of the bad apples that were harming the reputation of the entire industry. In the first few years of its implementation, the CCPA was extremely successful in ridding the state of hundreds of inhumane dog breeders thus protecting the welfare of the animals and restoring credibility to the industry.

Law

Canine Cruelty Prevention Act (273.347)

Recognizing the need to hold dog breeders accountable, the CCPA specifically granted authority to the Missouri Department of Agriculture (MDA) to refer substandard facilities to the Attorney General for legal action.

Problem

In recent years, **MDA has discontinued referring inhumane dog breeders to the Attorney General's Office for legal action.** Allowing scofflaws to operate with impunity has rendered the CCPA meaningless allowing disreputable breeders to ignore basic standards of humane care while **some are committing criminal acts of neglect and cruelty.** This has led once again to national and local media stories highlighting Missouri's reputation for cruel puppy mills. In recent months, The *Springfield News-Leader* and the *St. Louis-Post Dispatch* have reported on as well as editorialized on MDA's failure to effectively enforce the CCPA and report bad breeders to the Attorney General. The *News-Leader* stating that "**It's time for a harder crackdown on puppy mills**" **May 19, 2018.**

Missouri Department of Agriculture

In the past, MDA referred numerous cases to the Attorney General for legal action. At one time referrals were so numerous that a special unit was established within the Attorney General's Office to handle these cases – Canine Cruelty Prevention Unit. Regrettably, the Department of Agriculture has stopped reporting persistent substandard breeders. After the news media reported on this failure, MDA finally referred ONE chronic inhumane dog breeder to the Attorney General, yet numerous other breeders with serious and chronic violations have gone unreported and allowed to maltreat their animals. (See attached list of the most serious problematic facilities as documented in state and federal inspection reports.) ***This failure to report inhumane breeders has demoralized staff and is decreasing enforcement efforts across the board as there is no incentive to cite violations when there are no consequences for bad actors – even for those who threaten state employees.***

Consequences

The president of the Missouri Pet Breeders Association was recently fined \$6,000 and issued a cease and desist order by federal authorities for repeatedly failing to provide veterinary care to sick and injured animals. Due to legal action by USDA, this breeder subsequently surrendered his federal license **yet he still possesses a state license and MDA has taken no action against this dog breeder.**

What kind of message does this send to the public when **the official representative of the dog breeding industry in Missouri is cruelly treating his animals with no consequences from state authorities?** Because of the prevalence of sick puppies being sold in pet stores throughout the country, most of which originate from Missouri, over 250 municipalities have subsequently banned the sale of dogs in pet stores. In addition, the states of California and Maryland recently passed legislation banning the sale of dogs statewide in pet stores due to the large number of sick dogs that were being sold in their states. Similar legislation has been filed in other states. **The California legislature specifically mentioned Missouri as the source of sick puppies being sold in California as the reason for their state ban.**

Effective enforcement measures not only protect the welfare of the animals but ensure the credibility and reputation of the dog breeding industry in the state and enhance its financial viability.