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Questions and Answers: Activities with Dogs Requiring a USDA License/Registration

Many individuals and businesses that buy or sell dogs, exhibit them to the public, transport them commercially, or use them in research must be licensed or registered under the Animal Welfare Act (AWA) by the United States Department of Agriculture (USDA). This Tech Note lists the major types of regulated and exempt businesses, but does not cover all cases. If you have questions about your status, USDA's Animal Care program can answer your questions and help you determine if you require a license or registration.

Question. How does the Animal Welfare Act pertain to dogs?

Answer. The AWA and associated regulations requires a USDA license for anyone who (for compensation or profit) buys, sells (including adoption), or negotiates the sale of dogs for research, exhibition, or use as a pet; or for hunting, breeding, or security purposes at the wholesale level. Additionally, the Animal Welfare Act restricts the importation of dogs for purposes of resale, prohibits dog-fighting ventures, and provides protections to prevent the theft of pet dogs.

Q. What does compensation mean as far as the Animal Welfare Act is concerned?

A. Compensation is any payment for the animal, regardless of whether the payment is for profit. Payment could be sales, adoption fees, donations or any economic benefit related to the transfer of the animal. Payment does not necessarily mean the transfer of money if other benefits are received in connection with activities that require a license or registration.

Q. What type of license is required?

- A.** Your specific activities using dogs (and other regulated animals) will determine the type of license.
- A Class A licensee is a breeder whose business consists of dogs and other regulated animals bred and raised on his or her premises in a closed or stable colony (plus those acquired for the sole purpose of maintaining or enhancing the breeding colony).
 - A Class B licensee is a dealer or broker whose business includes the purchase and/or resale of any dog or other regulated animal. This includes brokers and auction operators because they negotiate or arrange the purchase, sale or commercial transport of dogs.
 - A Class C licensee is an exhibitor who shows or displays dogs or other regulated animals to the public.

Examples of activities requiring a USDA license include but are not limited to:

- wholesale sales of dogs for use as pets or for hunting, breeding or security purposes;
- retail sales (including adoption) of dogs where the buyer, seller, and dog are not physically together in the same place so the buyer can observe the animal prior to purchase or taking custody;
- dog acquisitions from an auction for resale (including adoption) as pets;
- sales (including adoption) of imported dogs where the buyer, seller, and dog are not physically together in the same place so the buyer can observe the animal prior to purchase or taking custody;
- the sale of any dog not born and raised on the business owner's premises for research purposes; and
- the exhibition of dogs regardless of any compensation.

Q. When is a license not required?

A. Examples of when a USDA license is **not** required include but are not limited to:

- retail sales (including adoptions) where the buyer, seller, and dog are physically together in the same place so the buyer can observe the animal prior to purchase or taking custody;
- maintaining a total of four or fewer breeding female dogs and selling (wholesale or retail) only the offspring of these dogs (born and raised on the business owner's premises) for pets or exhibition;
- selling fewer than 25 dogs per year (that were born and raised on your premises) for research, teaching or testing purposes or to any research facility;
- transporting dogs (or arranging for their transportation) solely for the purpose of breeding, exhibiting in purebred shows, boarding (not in association with commercial transportation), grooming or medical treatment;
- participating in dog races, field trials, coursing events, purebred dog shows, or fairs or exhibitions intended to advance agricultural arts and sciences;
- buying (including adoption) dogs solely for your own personal use and not selling or exhibiting them;
- operating a pound or shelter (or a business under contract with a pound or shelter) under the jurisdiction of a state, county, municipality, township or city (including government-operated and government-contract shelters); and
- selling at retail (including adoption) dogs when the purchaser uses the dogs for hunting, breeding or security purposes.

Q. When is a registration required?

A. A registration is required by any person operating or intending to operate as a research facility, carrier, or intermediate handler.

- A *research facility* is any school (except elementary or secondary), institution, organization, or person that uses or intends to use live dogs in research, tests, or experiments, and that (1) purchases or transports live dogs in commerce, or (2) receives funds under a grant, award, loan, or contract for the purpose of carrying out research, tests, or experiments.
- A *carrier* is the operator of any airline, railroad, motor carrier, shipping line, or other enterprise that transports any animal for hire.



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- An *intermediate handler* is any person, department, agency or instrumentality of the United States (or of any state or local government) receiving custody of dogs in connection with their commercial transportation.

Examples of activities requiring a registration include but are not limited to:

- transporting dogs for compensation to a carrier; and
- transporting dogs for compensation between shelters or rescue groups for resale (including adoption)

Q. Where can I get more information about becoming licensed and/or registered?

- A.** For more information, please contact:
- USDA Animal Care
 - 4700 River Road, Unit 84
 - Riverdale, MD 20737
 - Phone: 301-851-3751
 - Web site: www.aphis.usda.gov/ac
 - E-mail: ace@aphis.usda.gov

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