

10,000

Estimated number of puppy mills in the United States, both USDA licensed and un-licensed



107,558

Estimated number of female dogs kept for breeding at USDA licensed facilities

2.02 Million

Estimated number of puppies sold annually who originated from puppy mills, USDA licensed and non-USDA licensed

Bills and Mills: How Ag-Gag Legislation and Puppy Mills Affect Dog Trainers

By Rachel Brix, CPDT-KA

Dog trainers are often called upon to provide help with a wide range of behavioral issues. Typically, those issues are common to most dog parents, such as leash-pulling, inappropriate barking, potty training or jumping. But dogs that come from substandard commercial breeding facilities, often referred to as “puppy mills,” are encumbered with much more severe behavioral issues and oftentimes health problems as well.

Arkansas is the most recent state to pass what is known as an “ag-gag bill,” which aims to stop whistleblowers in many sectors, including puppy mills. These types of bills impede the animal welfare progress because concerned citizens who report substandard breeders are essential to protecting animals and bringing about public awareness. The USDA has also recently removed internet access to its animal facility database. Therefore, by silencing whistleblowers with ag-gag laws and removing timely public access to pertinent breeder information, the consumer’s ability to be well-informed when searching for reputable breeders has been compromised. Ultimately, as trainers, it is critical we stay current with these types of bills and be well-versed in the behavioral problems associated with dogs from substandard breeding facilities. By helping dog parents work through these types of issues, we can help keep dogs in their homes and keep more dogs out of shelters.

The Puppy Mill

Puppy mills are large scale commercial breeding operations, where the health and well-being of the dogs, especially the breeding dogs, is severely compromised for the sake of optimizing profits. To save space, dogs are usually kept in small and stacked filthy wire cages without even enough room to turn around. These dogs do not receive veterinary care, which often results in untreated ailments, diseases or death. Puppy mill breeding dogs have extremely limited human interaction and live their entire lives in cages, most never even seeing the light of day. These dogs are deemed strictly as property, and are used until they no longer serve a purpose. The term “puppy mill” does not include reputable breeders.

Breeding females are the most abused in this insidious industry. They are bred every heat cycle and when they are no longer able to produce they are sold at auction or to research labs, euthanized or otherwise discarded. The puppies, if not bred to sell to labs themselves, are sold to pet stores or sold online where unsuspecting training clients purchase them often believing they are getting a healthy and “papered” dog. The Humane Society of the United States reports there are approximately 10,000 puppy mills in the U.S.

Effects of the Ag-Gag Bill

Ag-gag is a recently-coined term for bills and laws that make it either difficult or impossible for whistleblowers to expose inhumane treatment of animals. Typically, animal advocacy organizations have been successful in court cases by investigating and videotaping systematic animal abuse. Since ag-gag bills prevent the collection of evidence, it cripples the ability to establish a pattern of cruelty and prove violations of animal protection laws. Consequently, offenders can claim any footage as an “isolated incident” and avoid repercussions, such as fines or prosecution.

Therefore, ag-gag laws have the potential not only to keep puppy mills legal, but also provide legal protection from attempts to expose suspicious practices.

At their inception, ag-gag bills aimed to protect animal agriculture facilities from prosecution. However, more recent ag-gag bills, like the one in Arkansas, involve a much broader scope that can be used to silence those with concerns about puppy mills and other business endeavors that tend to involve animal cruelty in some form.

With the passage of HB1665, Arkansas became the eighth state to enact such a controversial law. But the Animal Legal Defense Fund and other organizations vow to challenge Arkansas' new law: "[We are] already challenging Ag-Gag laws in [other states]. We'll see Arkansas in court soon," according to the Animal Legal Defense Fund's website.

In 2015, North Carolina's Governor McCrory vetoed an ag-gag bill, only to have his veto overridden by the House and Senate. But in other states, such as Idaho, ag-gag laws have been successfully challenged and declared unconstitutional by higher courts.

Arkansas Governor Asa Hutchinson asserted in his statement, "This law protects employers from employees who might use their access to intentionally cause damage to the employer." While the new law would provide some protection from a disgruntled employee, it has the increased potential to decrease accountability for violations of the Animal Welfare Act by legally concealing potentially questionable animal facility operations from the public.

Although ag-gag bills offer protection to commercial breeders, states and localities are combatting puppy mills in other ways. For example, jurisdictions in 18 U.S. states and three provinces in Canada have enacted laws preventing the sale of commercially-bred dogs in pet stores; and several of these cities, such as San Francisco and Phoenix, instead require pet stores to sell only shelter or rescue dogs, according to the Best Friends Animal Society. Also in 2016, New Jersey enacted a similar law state-wide. These strides are a win-win: selling fewer puppy mill dogs and promoting adoption means more public awareness and education and reduces the need for puppy mills.

The USDA and Enforcement of the Animal Welfare Act

The USDA is the agency responsible for regulating puppy mills and enforcing compliance of the Animal Welfare Act (AWA). But in a stunning move, the USDA shut down long-time public access to the Animal and Plant Health Inspection Service online database (APHIS) in February. This database contains access to nearly 8,000 facilities, including commercial breeders licensed by the USDA. Information regarding their compliance must now instead be requested through the filing of an FOIA request (Freedom of Information Act), which can take months, even years. This severely hinders consumers from obtaining current information regarding breeders when looking to purchase a dog. The agency explained the online database was removed for privacy concerns.

In response to removing the public's access to the database, many animal welfare organizations have issued statements and even court challenges. In a CNN interview, Michael Budkie, executive director of Stop Animal Exploitation Now! concluded, "Essentially this is going to help labs and animal dealers and animal breeders who break the law to remain undetected and out of the public eye, because it will slow down the process of obtaining information."

The USDA explained the online database was removed for privacy concerns and issued its own statement saying, in part, "We remain equally committed to being transparent and responsive to our stakeholders' informational needs, and maintaining the privacy rights of individuals with whom we come in contact."

According to the Chicago-based organization The Puppy Mill Project, the USDA had 110 inspectors responsible for 8,872 facilities in 2010. Inspectors responsible for dog breeding facilities are also responsible for inspecting animal research facilities, animal exhibits/exhibitors (zoos, circuses, etc.) and animal transporters. The less "risk" a facility poses (i.e., frequency of violations), the less often it is inspected. Therefore, the proliferation of puppy mills is not surprising since many facilities remain unchecked for long periods of time. While the average consumer and pet owner have quite possibly heard of puppy mills, they often do not equate the store-bought dog or one they found on the internet as having come from such a situation.

Unfortunately, only 21 states have laws that regulate commercial breeding facilities and most are only required to meet the USDA standards of care, according to the American Society for the Prevention of Cruelty to Animals. The USDA relies on the outdated and inadequate Animal Welfare Act of 1966, which is still the only federal law that regulates the treatment of animals, to govern its inspections and enforcement. For example, under the AWA it is legal to keep a dog in a cage only six inches longer than the dog in each direction, with a wire floor, stacked on top of another cage, for the dog's entire life. Many animal advocates, and more and more states, believe the AWA is outdated and in dire need of updates to more accurately reflect modern research regarding dogs' physical and mental needs and shifting values and opinions shared by most of the public.

all livestock and other animals deemed property and thus cause undue hardship to business and agriculture.

Yet MAAL succeeded in getting the measure on the ballot in 2010, and it narrowly passed by a four percent margin. But almost immediately, the hard-fought win was challenged with a bill that resulted in the Missouri government overturning Prop B. Eventually a precedent-setting compromise was reached, known as the Canine Cruelty Prevention Act that favored mill dogs and is enforced by the Missouri Department of Agriculture and the Missouri Attorney General's Office.

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Ag-Gag Compounds an Already Tough Fight

Even before the rise of ag-gag legislation, improving the lives of mill dogs was, and continues to be, a hotly contested issue. A prime example is the Puppy Mill Cruelty Prevention Act (also known as Prop B), the Missouri Alliance for Animal Legislation (MAAL) proposed in 2010. This bill was aimed at improving the lives of dogs forced to live in commercial breeding facilities in the most prolific puppy mill state, which had approximately 3,000 puppy mills at the time. Despite fierce opposition, the campaign ended as a victory for factory-farmed dogs.

Prop B's opposition felt their businesses or way of life were being threatened when animal interests were being elevated from more than simple property. Karen Strange of the Missouri Federation of Animal Owners wrote Prop B was "not really about dog breeders...but rather an attack against all agriculture and our freedoms of personal property rights." There was a general consensus in Missouri among detractors, such as the Missouri Farm Family Agricultural Alliance, the Missouri Farm Bureau and the Missouri Pork Producers Association, that if dogs' living conditions were forced to improve, the trend would then extend to

According to MAAL's website, many breeders chose to close rather than comply, so that it "not only closed down 1,000 puppy mills, but dramatically improved standards of care for thousands of other breeding dogs across the state. All breeding dogs now have to be provided veterinary care, including an annual veterinary examination, have unfettered access to outdoor exercise, increased living space, and can no longer be housed on wire flooring."

Ideally, all pet owners would adopt from shelters or breed-specific rescues; but because of the high demand for specific breeds and "designer dogs" (purebreds from parents of two different breeds, such as the labradoodle or puggle), puppy mills are an unfortunate reality. According to a 2014 survey, Best Friends Animal Society indicates 66 percent of people are willing to consider adoption versus buying a pet; however 25 percent of survey respondents would look at other options instead of adoption, which means there is still a strong market for puppy mills.



◀ A matted dog is free at last from its confinement by the Animal Rescue Corps.
Photo by Kristina Bowman, Animal Rescue Corps.

How Dog Trainers Can Help

While we may not choose to advocate for dogs on a political level, we advocate for them every time we successfully help a dog and pet parent learn and bond, and help ensure the dog remains in the home. Identifying puppy mill puppies is a critical first step. Red flags are dogs obtained by pet store purchases – nearly all pet store dogs come from puppy mills – or dogs gotten over the internet or “in the parking lot of a big box store,” according to the Puppy Mill Project and the Humane Society of the United States.

Once identified, it is critical to remember puppy mill puppies have usually been taken from their mothers and littermates at about six-weeks-old, oftentimes earlier; therefore, the socialization with littermates and their mother has most likely been severely compromised due to the living conditions of the puppy mill and the likelihood the mother is ailing to some degree. Also, the critical development typically occurring during the fear period and second socialization period (both usually considered to occur at about 8-11 weeks) are at extreme risk of having negative behavioral effects as well, especially if the puppy has been traveling to or is housed at a pet store. Furthermore, the puppies most likely have not had any appropriate human interaction during this entire time.

While most experts agree that experiences—or lack thereof—during sensitive periods of development can have lasting damaging effects on a dog, they also agree some of those negative effects can be minimized. It is up to us to help our clients reach a level of understanding and training that can help them make informed decisions about what steps to take.

In addition to behavior issues, puppy mill dogs are also at high risk for health issues that may be present at purchase or may not appear until well after the family is already attached to their new pet. Because puppy mill dogs are typically bred from unhealthy and often inbred parents, they are especially at risk for congenital and hereditary conditions such as: heart and kidney disease, musculoskeletal, endocrine, and respiratory and blood disorders, epilepsy, deafness and eye conditions. It is not uncommon for families to spend thousands of dollars on veterinary bills in attempts to save the puppy mill dog from major health issues only to have to face behavioral issues as well. : “Ultimately, as trainers, it is critical we stay current with these types of bills and be well-versed in the behavioral problems associated with dogs from substandard breeding facilities. By helping dog parents work through these types of issues, we can help keep dogs in their homes and keep more dogs out of shelters.” — Rachel Bri

So by the time a puppy mill dog comes to a trainer the owners are often exasperated. They may be experiencing various types of aggression, anxiety, fear or shyness, extreme difficulty with housebreaking or leash training and food aggression. Other issues include: trembling, hoarding, lack of height or depth perception, light and/or surface sensitivity or avoidance and erratic sleeping patterns. These variables share two things in common: first, puppy mill dogs will need extra training and second, as trainers we need to be prepared.

We can make it a part of our business and mission to educate our clients on choosing dogs that are a great fit for their family, and steering them toward shelters or purebred rescues or Petfinder, where they can find specific breeds. But as trainers and thereby supporters of healthy and happy dogs and advocates of responsible pet ownership, we must be familiar with these new laws and how they affect our clients, the lives of the pets we help and the integration of these pets into loving families and society at large.

Take Action

Calling is the most effective action you can take! Please call your U.S. Representative and your two U.S. Senators. Look up your legislators’ phone numbers at humanesociety.org.

Rachel Brix is a veteran high school teacher who decided to pursue a full-time career with dogs. She has been a lead trainer at Petco and managed two shelters. For more information, please visit [page 6](#) for our contributors.