Dear Sir/Madam

Consultation on the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2012

Thank you for inviting the Farmers’ Union of Wales to comment on the Welsh Governments draft Regulations which would tighten the licensing criteria for the breeding of dogs in Wales. Following an internal consultation with its membership, the following views are submitted for your information.

The FUW fully supports the aims of the proposals, given the historic problems with the proliferation of illegal ‘puppy farming’ in Wales and the poor standards of welfare and animal husbandry associated with some of these establishments.

Whilst the Union fully supports the promotion of good practise and high animal welfare standards for breeding dogs, it is concerned that the proposals will do little to improve the welfare of dogs kept at illegal puppy farms, whilst introducing draconian measures on responsible dog owners for whom dog breeding is not the primary objective of ownership.

Given the Welsh Governments stated aim of reducing red tape and bureaucracy, its failure to consider exempting working dogs from the draft regulations, despite acknowledging the arguments for doing so, will result in increased red tape for many dog owners and a great deal of extra work and resources for Local Authorities as the regulations impact on a large number of people who hitherto have not been and never would consider dog breeding to be a ‘commercial activity’.

Without prejudice to the preceding views, the Union submits the following comments on the questions raised in the document.

Question 1: Section of the draft Regulations identifies the criteria for a person to become licensed as a breeder. Are you content? If not, why not?

The Union is concerned that the requirements for licensing, as outlined in the draft Regulations are rather ambiguous, it is suggested that the following amendment be inserted into the first line of section 4.
“The activity of ‘commercial’ breeding as defined in regulation 5…..”
The FUW is also concerned that the Welsh Government has failed to recognise the situation where working dogs and pet dogs are present on an agricultural premises, who may well be caught up with licensing regulations which are disproportionate to the type of breeding undertaken.

Many working farms will have more than three ‘breeding bitches’ as defined by the Regulations (An unneutered female dog over the age of 6 months) on the farm, however, these dogs may be working, being trained and or retired and yet the farm could potentially come under the Regulations as outlined in section 5.

Farmers and hunt kennels are already subject to a range of inspections and so increasing the costs and bureaucracy for those businesses for whom dog breeding is not a primary enterprise would be a retrograde step.

The FUW agrees that the definition of a licence holder is adequate, if not extreme, particularly for those caught up with the requirements, despite dog breeding not being the primary purpose of keeping the dogs.

The Union is concerned that many farms, hunt kennels and indeed small scale breeders will be caught up by these Regulations, whilst the ‘puppy farms’ the legislation intends to cover will continue to operate illegally.

**Question 2:** We are proposing a staff to dog ratio of 1 attendant to 30 dogs to reflect current guidance. Are you content? If not, why not?
The FUW is concerned that setting a prescriptive figure for minimum dog/staff ratio, does not take into account the needs of different breeds of dog or indeed the size and temperament of the dogs in question.

It could be argued that long haired large breeds would require more attention than smaller short haired low activity breeds and so there should be some flexibility in the requirements to ensure that unscrupulous breeders cannot exploit the Regulations at the expense of animal welfare.

**Question 3:** These draft Regulations may have an impact on the cost to licensed breeders. We would be grateful for any information on the costs and also to seek your views of the draft Regulatory Impact Assessment.
Without prejudice to the above, the FUW does agree that the guidance is detailed enough to enable both enforcement officers and dog breeders to understand the standards required at a licensed premises and indeed believes that for most responsible dog owners these would be the minimum standards.
However, some concern has been expressed by some members involved in commercial dog breeding that the returns outlined in the draft RIA do not adequately reflect the returns from dog breeding, particularly the costings for vet and med, food and variable costs etc, which are considered to be on the low side.

**Question 4:** If there are any other issues about the legislation or the Ministers guidance please respond below...
As outlined previously, the Union believes that a distinction should be made between those premises who keep working dogs and those who breed puppies commercially.

Welsh farming is heavily dependent on livestock production and the majority of farmers will need working dogs to help them undertake their day to day work. Breeding working dogs is generally undertaken to improve the bloodlines of working dogs and it is only the surplus that are sold on as puppies.

Similarly a hunt kennels may breed to maintain pack numbers and to ensure an even age profile within the pack. Puppies are not sold commercially, as any puppies not needed by the hunt are drafted to other packs, which helps improve and maintain bloodlines.

The FUW believes that unless working dogs are exempted from the Regulations, there will be a greater level of bureaucracy and paperwork, on those who do not breed as a commercial enterprise, more local authority resources being utilised to police a large number of ‘new licensed premises’, leaving less time to seek out the illegal puppy farming establishments who should be the focus of these proposals.

The Union fully supports the Assembly Governments aims of improving the welfare standards of dogs kept solely for commercial breeding purposes; however it believes that the draft regulations criteria will also affect a number of farmers who may well be drawn into the licensing requirement due to the lack of flexibility within the proposals.

The Union believes that working dogs should be exempted from the licensing requirements and would welcome the opportunity to discuss in further detail the implications of these Regulations for farmers.

Yours sincerely

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Deputy Director of Agricultural Policy