



November 2018

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

Many individuals and businesses that sell or adopt out 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 AWA pertain to dogs?

Answer. The AWA and associated regulations require 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 AWA restricts the import 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 AWA is concerned?

A. Compensation is any remuneration for the animal, regardless of whether it is for profit or not for profit. Remuneration thus includes, but is not limited to, payments, sales, adoption fees, donations, and any other benefit related to the animal. Compensation is not limited to 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 involving 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 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;
- transferring dogs (and receiving any compensation) to another individual, business, or organization for subsequent placement or adoption;
- retail sales (including adoption) of dogs where the buyer, seller, and dog are not physically together in the same place so the person buying or acquiring the animal cannot observe it prior to purchase or taking custody;
- 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 more than eight dogs.

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;
- 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);
- selling at retail (including adoption) dogs when the purchaser uses the dogs for hunting, breeding or security purposes; and
- exhibiting a dog (or dogs) that exclusively resides at the residence of the pet owner, where the owner derives less than a substantial portion of his/her income from the exhibition.

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, experiments, teaching and surgery 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.



Animal Care

www.aphis.usda.gov/animal_welfare/

- 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;
- transporting dogs for compensation between shelters or rescue groups for resale (including adoption); and
- transporting dogs for hire to and from pet stores, veterinarian offices, etc., such as a pet taxi.

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

A. For more information, please contact:

USDA Animal Care
 2150 Centre Ave.
 Building B, Mailstop 3W11
 Fort Collins, CO 80526-8117
 Phone: (970) 494-7478
 E-mail: acwest@aphis.usda.gov

USDA Animal Care
 920 Main Campus Drive Suite 200
 Raleigh, NC 27606-5210
 Phone: (919) 855-7100
 E-mail: aceast@aphis.usda.gov

USDA is an equal opportunity provider and employer.