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SB 312: Puppy Importation Transparency Act



SUMMARY

To increase transparency for consumers, SB 312 mandates that dog importers submit health certificates electronically to the California Department of Food & Agriculture within 10 days of shipment and requires those certificates to be made publicly available. This health certificate information is crucial for individual consumers to confirm information about their dog and is also helpful to humane law enforcement agencies as they work to investigate fraud and malfeasance.

EXISTING LAW

Nearly every state in the country requires anyone shipping a dog into their state for sale or ownership transfer to submit a copy of a completed health certificate to that state's equivalent of CDFA. California state law has never required shippers of dogs to send these forms to CDFA; nevertheless, it is such standard practice that CDFA has for many years received copies sent to them (in paper form and more recently electronically) anyway. Their protocol until shortly after this story broke was to destroy the records immediately. Note that state law does require similar health certificates to be filed by shippers of other species with CDFA (e.g., sheep, goats, etc.).

In 2013, AB 1809 (Maienschein) required *importers* of puppies purchased from out of state sources to file health certificates with their local county health department. This practice is not occurring, there is no real nexus here, nor does this requirement allow for transparency or accountability.

In 2017, California banned the sale of puppies at retail stores (AB 485, O'Donnell). But the *Times* story makes clear that other sales channels continue to thrive, often preying on uninformed consumers. The combination of high demand, misinformation, and a lack of transparency makes protecting consumers and dogs next to impossible.

PROBLEM

Tens of thousands of puppies are being bred out of state – typically in so-called “puppy mills” and then sold (often online) and shipped to Californians – sometimes directly, and other times through brokers. Unlike other states, California has no record of these sales because it does not require shippers to file a copy of the dog's health certificate with the state. Other states make these records available online (in some cases) and through public records requests.

Given the high propensity for misleading consumers and the large volume of dogs entering the state, this health certificate information is in the public interest – for individual consumers to review to confirm information conveyed to them by sellers, or humane law enforcement agencies, which could zero in on brokers and others who may be deceiving consumers and, in some cases, selling sick animals.

SOLUTION

Due to the high numbers of puppies that California consumers are buying online and importing from out of the state, SB 312 requires:

- Shippers of dogs for sale into the state to electronically submit completed health

certificates to CDFA within 10 days of shipment;

- Defines what constitutes a complete health certificate;
- CDFA to make these health certificates publicly available, without redaction, and in compliance with the California Public Records Act;
- CDFA to publish the electronic records on their website; and,
- Repeal existing law requiring dog health certificates to be submitted to local public health departments.

SUPPORT

San Diego Humane Society (Sponsor)
ASPCA (Sponsor)
Best Friends Animal Society
California Animal Welfare Association (Cal
Animals)
San Francisco SPCA
The Humane Society of the United States
Valley Humane Society

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