

# Does the New USDA Rule Affect Me?

Answer the questions below to determine whether you satisfy the most common conditions subject to the new USDA/APHIS Pet Seller Rule\*

## **Do you breed and sell pets, including dogs, cats, hamsters, etc., or any combination of these?**

If you are selling a dog solely as a breeding prospect, to maintain bloodlines, or for hunting, working, or security, you may be exempt. If you are selling the dog as a pet, you are likely not exempt. It is important that the seller be able to clearly demonstrate their intent in selling the dog at the time of sale.

If you sell animals for a combination of purposes, contact USDA for more information.

If **YES**, go to next question.

If **NO**, then...

## **Do you require all buyers to physically observe the animal before taking custody of it?**

*Face-to-face* transactions are those in which the seller, buyer, and the animal available for sale are physically present so that every buyer may personally observe the animal prior to purchasing and/or taking custody of the animal. Buyers include certain agents/proxies. Sales may take place at any location agreed upon by the seller and the buyer.

If **NO**, go to next question.

If **YES**, then...

## **Do you maintain more than four "breeding females" on your premises?**

USDA has not defined "breeding female" in writing; this is currently determined on a case-by-case basis. "Breeding female" appears to mean female animals with the capacity to breed. Females that an APHIS inspector decides cannot breed due to age, infirmity, illness, or other issues are not included. All breeding females on a premises will be considered, regardless of ownership.

If **YES**, then...

If **NO**, then...

### **You may need to be licensed by the USDA.**

For more information, contact:

Dr. Gerald Rushin, Veterinary Medical Officer, Animal Care, APHIS  
4700 River Road, Unit 84, Riverdale, MD 20737-1236  
(301) 851-3751

### **You may be EXEMPT from the new USDA/APHIS rule.**

You are expected to remain knowledgeable of all applicable laws and regulations dealing with the keeping and maintenance of dogs, and to comply with them as required.

\*For informational purposes only. This is designed as a guide to the most common circumstances for breeders. Other exemptions and requirements exist. If you are uncertain about your status, contact USDA/APHIS to discuss your specific case.

## **American Kennel Club Government Relations**

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