# Centre for Animal Welfare Law, Analysis and Methodology University of Veterinary Medicine



## Comparative study of laws and regulations regarding puppy mills in some European countries

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#### 1. Abstract

The puppy mill industry involves the relentless overbreeding of dogs in an unethical manner which poses significant threats to animal welfare, the integrity of the gene pool and public health. This thesis investigates the legislation in place in different European countries and the need for legislation to combat overbreeding and regulate commercial sales and the illegal puppy trade. These laws protect animals from cruelty, encouraging responsible breeding practices while reducing pressure on animal shelters and promoting public awareness. Through a comparative analysis of existing laws in the Czech Republic, Hungary, Ireland, Romania, Slovakia, Spain, and the UK,this study provides a comprehensive overview of the legal frameworks, the penalties imposed for non-compliance, and the collaborative efforts required to combat the exploitative practices fueling the puppy mill industry.

#### Absztrakt

A kutyaszaporítás az ebek etikátlan, folyamatos szaporítását foglalja magában, amely komoly veszélyt jelent az állatok jóllétére, a génállomány épségére, valamint a közegészségügyre is. Ez a szakdolgozat több európai ország jogszabályait vizsgálja azzal a céllal, hogy feltárja a szaporítás visszaszorítására, a kereskedelmi értékesítés szabályozására és az illegális kutyakereskedelem megfékezésére irányuló jogi kereteket. Az ilyen jogszabályok védik az állatokat a kegyetlenségtől, felelős tenyésztési gyakorlatokra ösztönöznek, csökkentik az állatmenhelyek terheltségét, és elősegítik a társadalmi tudatosság növelését. Írország, az Egyesült Királyság, Magyarország, Spanyolország, Románia, Csehország és Szlovákia hatályos jogszabályainak összehasonlító elemzésével a tanulmány átfogó képet nyújt a meglévő jogi keretekről, a jogsértések esetén kiszabott szankciókról, valamint azokról az együttműködési erőfeszítésekről, amelyek szükségesek a kutyaszaporító ipar kizsákmányoló gyakorlatai elleni küzdelemhez.

## 2. Introduction

The bond between humans and dogs is one of the most profound connections in the natural world. For centuries, dogs have served not only as companions but as protectors, workers, and loyal members of our families. Yet, beneath this bond lies a darker reality: the unchecked practices of overbreeding and puppy mills, where profit often supersedes the welfare of these sentient beings.

Writing a thesis on this topic isn't just an exploration of animal welfare law; it is a moral imperative. The commercial exploitation of dogs through overbreeding and puppy mills results in widespread suffering – female dogs are bred relentlessly, often in unsanitary and inhumane conditions, and puppies are sold without proper health screening. Such practices not only inflict physical and emotional harm on the animals but also determine the trust we, as a society, should place in those responsible for their care.

At the core of the issues lies the question of accountability: what role should law and regulations play in curbing these abuses? Laws against overbreeding and puppy mills are not merely legal formalities; they are a reflection of our collective values. They protect the most vulnerable, ensure that animals are treated with dignity, and challenge a system that prioritizes profit over compassion. By examining the effectiveness and gaps in these laws, we can push for a world where the well-being of dogs is not an afterthought but a central concern.

In pursuing this topic, I am to shine a light on the urgent need for stronger, more enforceable laws, and to advocate for a future where all dogs are given the chance to live healthy fulfilling lives. This thesis is not only a legal analysis but a call to protect those who cannot protect themselves.

I chose to research this topic as I wanted to highlight the importance and sensitivity of this subject. As veterinarians, it is within the ever-growing list of our responsibilities to not only treat animals within the clinic but to educate buyers and sellers about the consequences of puppy mills and hopefully one day to put an end to them.

#### 3. Objectives

This literature review will assess the impact of overbreeding of dogs and puppy mills across Europe and the broader implications on animal welfare. We will take a look at how this became such an uncontrolled industry and what continues to drive it. We will analyse the current legislation in place and evaluate laws and regulations addressing the overbreeding and the operation of puppy mills in different countries. We aim to identify voids regarding enforcement of penalties and regulation to combat puppy farming and investigate a uniform guideline for the humane treatment and breeding practices of dogs.

#### 4. Review Criteria/ methods

The research examined the existing laws of various European countries, supplemented by credible scholarly and media sources, to identify the laws and policies relevant to this study over the past year. Google Scholar was used to conduct other areas of research including the section on illegal puppy trade. Other resources used were animal welfare groups, kennel club guidelines and criminal penal codes by country and news articles reported across the Czech republic, Hungary, Ireland, Romania, Slovakia, Spain and The Uk. These countries were chosen based on the known premise that much of the illegal pet trade comes from Eastern Europe and infiltrates into Western Europe.

## 5. What are puppy mills?

Puppy mills are large-scale, commercial dog breeding operations that prioritize profit over the health and well-being of the animals. These facilities often breed dogs in overcrowded, unsanitary conditions with little to no veterinary care, socialization, or exercise. The main goal of puppy mills is to maximize the number of puppies produced, often at the expense of the dogs' physical and emotional health.

Dogs in puppy mills are typically kept in small cages, stacked on top of one another, and are bred continuously until they can no longer reproduce. The puppies, which are often sold to pet stores or through online channels, may suffer from genetic defects, poor socialization, and health problems due to the conditions in which they are raised (Weber, 2015), (Collier, 2014).

The term "puppy mill" is commonly used to describe operations that neglect proper care and treatment of dogs, focusing instead on mass production for profit. As a result, these facilities have been a major concern for animal welfare organizations, which advocate for stricter regulations to prevent the mistreatment of animals (Collier, 2014).



Figure 1. A puppy mill in rural United States. (PETA, 2012)

#### 5.1 History of the puppy mill trade

The explosion of the puppy mill trade and overbreeding originates back to the post-WWII era in the United states of America, when there was an economic boom. In the time that followed the war, families who now found themselves moving out of cities and rural areas to more suburban dwellings began seeking animals as companions to join their families to epitomize their new newfound 'middle-class' status. Thoroughbred dogs, in particular, became a very favoured fashion to display their class, while mixed-breed dogs became less of a commodity and was nearly looked down upon (Weber, 2015). This increasingly growing demand for pets coincided with the shift in the agricultural industry.

In the mid-late 1940's and 1950's, many smaller-scale farmers began to struggle with the industrialization and increasing competition from large agricultural corporations. Where working animals now had less and less value, farmers saw the trend in the demand for companion pets and took the opportunity to profit on this movement and turned to dog breeding as a quick way to make money. The U.S Department of Agriculture (USDA) even encouraged this and promoted it as a profitable business model (Weber, 2015), (Collier, 2014).

At the same time as the agricultural shift, pet stores began to proliferate in the suburbs, following the growing demand for companion animals and in turn also created a steadier demand for puppies. Farmers began converting barns, chicken coops, and other idle buildings on their land to accommodate for this and more often creating appalling and ill-equipped breeding conditions. This movement prioritized quantity over quality and thus, these 'puppy mills' provided pet stores with a steady stream of puppies which became a major part of the supply chain. Due to the early success of this, there was little to no concern for the health and welfare of these animals, and there was very little regulation governing it (Weber, 2015). Initially, there were few laws controlling the breeding and sale of animals which allowed for the uncontrolled breeding of puppies. Dogs were left in unsuitable, overcrowded, and unsanitary conditions, with little oversight, which led to various and diverse health and behavioural problems. In a short space of time, overbreeding became rampant as breeders began to focus solely on maximising profits. Furthermore, the high demand for specific purebred breeds added to the controversy of today's controversy over the puppy mill trade (Collier, 2014).

Over time, awareness of the subject grew, leading to the advocacy and efforts to put an end to the trade. Some regulatory changes came into force, for example, the Puppy Uniform Protection and Safety (PUPS) Act, which was introduced in 2013 which targeted loopholes allowing breeders to sell puppies online without any regulation (Collier, 2014).

This issue exploded by numerous folds when the covid pandemic hit. The Covid-19 pandemic occurred at the end of 2019, caused by the SARS-CoV-2 virus, and caused a global health crisis. Originating in Wuhan, China, it spread worldwide rapidly and in March 2020, a pandemic was declared by the World Health Organisation (WHO). The virus is mainly transmitted through respiratory droplets. A range of symptoms included mild respiratory symptoms including cold-like symptoms to severe pneumonia, often resulting in acute respiratory distress syndrome (ARDS) (Ochani et al., 2021)

Governments worldwide introduced strict measures including lockdowns and severely restricted movements, particularly evident in Europe. These implementations were introduced to curb the spread of Covid-19. The pandemic led to significant stress on healthcare systems, mental health, and economies; with the closure of many shops, restaurants, and bars seen in abundance. However, one economy that began to thrive was the domestic pet industry. This was a knock on effect from the desire for dog companionship during lockdown and Covid restrictions put in place all over the world. Working from home was a huge contributor to the demand for pets and indirectly contributed to the illegal trade. The profit made from the trade also substantially increased, leading to more competition within the industry and an even larger outburst of the industry (Kale, 2020).

## 5.2 Illegal Puppy Trade

Unfortunately, responsible breeding has subsided due to many reasons including greed and increase in demand for companion animals. Checks under legislation have not been clear for travelling across countries, and following the lockdown protocols which compounded the world during Covid-19, meant the lack of post-import checks which aided in allowing illegal importation to continue by numerous fold (Boyden, 2020). The profits accumulating from the illegal trade were substantial and increasing which left a gap in the market to meet consumer demand, which also inflated their value during the pandemic (Maher and Wyatt, 2021).

In a research paper conducted in by Maher and Wyatt (2021), an investigation was carried out comparing the illegal pet trade and its consequences. The paper highlights how the trade has resulted in harm to animals through inappropriate breeding (with exaggerated features and inherited disorders), general health decline in the species (lack of veterinary care, removal from

the mother too early, exposure to diseases), unsanitary living conditions as well as inappropriate travel conditions and abandonment (Maher and Wyatt, 2021).

Eastern Europe is majorly involved in the illegal trade which has been driven by an increase in demand of companion animals and designer breeds from Western Europe. The Czech republic, Hungary, Poland, Romania and Slovakia not only have a lower cost of living than western Europe, but animal welfare legislation is not always as tight. The substandard prices are also a consequence of the absence or forged identification documents and vaccinations, which would be impossible to achieve with adequate compliance with legislation (Giu, 2016).

With an increased demand for "designer breeds" of dogs, it has been a key avenue in Eastern Europe to generate large sums of money. Dealers often traffic very young puppies which have been taken from their mothers too early, and transported across borders in modes of uhnsuitable transport, often concealed in cages, fake wall pannels or under floorboards (Ford, 2021) as depicted in Figure 2. Sales often take place on the internet and according to this literature, a Hungarian puppy farm can generate a French bulldog puppy for between 20 and 40 euros, which will be sold to a British or Irish buyer for up to 5000 to 8000 euros.



*Figure 2*. A number of young puppies transported in the boot of a car with little space and no bedding (TV3, 2016).

#### 6. Laws and regulations governing puppy mills

There are many laws and regulations across Europe to protect animals against cruelty and overbreeding in these puppy mills. Most countries have detailed challenges in curbing illegal breeding, especially in more recent years as this is a growing problem. A lot of public awareness has been created regarding the topic and many tighter laws have been introduced. However, many laws have been placed, it is important to note that the regulations of these laws are not always followed. The following are a list of the countries studied and the sets of laws and regulations which protect the welfare of dogs with regards to general health status and overbreeding.

#### 6.1 Czech Republic

The Czech republic is one of the few countries whereby there has been a decrease in the pet dog population. In 2010, there were over 3 million pet dogs however while looking at these figures again in 2023 – it is roughly 2.2 million (Statistica, 2023).

In the Czech republic, like in other EU countries alike, there has been significant convern for animal welfare advocates and authorities however the government has implemented stricter regulations as outlined below. Strict record keeping along with non-complaince fines (up to  $\notin$ 20,000) have been outlined.

Act No. 246/1992 on the Protection of Animals Against Cruelty (Zákon č. 246/1992 Sb., na ochranu zvířat proti týrání). This foundational act establishes general standards for the humane treatment of animals, defining cruelty acts and setting penalties (246/1992 Sb. Zákon na ochranu zvířat proti týrání). This act was later amended in 2021 to include tighter restrictions on breeding practices, limiting the number of litters per animal and banning breeding practices that compromise animal health.

Act No. 166/1999 on Veterinary Care (Zákon č. 166/1999 Sb., o veterinární péči). This establishes a legal framework for veterinary services, health monitoring and disease prevention, including a guideline for the inspection of breeding facilities. ((Zákon č. 166/1999 Sb., o veterinární péči)). In 2020 this act was amended to ensure that all dogs are microchipped and registered in a national database.

Regulation on the Sale and Advertising of Animals are also outlined in this law. These regulations are set to ensure that any animals sold meet specific requirements. They must

accurately fit the description, including age, breed, and condition. The rules also limit the advertisement of animals for sale which usually restricts selling to registered breeders and verified organisations.

**Czeck Kennel Club (Český kynologický svaz) Guidelines.** The Czech kennel club outlines and promotes ethical dog breeding and responsible ownership. The set guidelines of sets out the standards for health testing, breeding practices and ensures the dogs integrity by correct documentation. The guidelines set out by the kennel club also support compliance with national and EU regulations concerning health and welfare and the sale of animals.

**Czech Criminal Code.** Recent amendments to the Czech criminal code sets out penalties for animal cruelty and covers intentional harm, abandonment and illegal breeding. These provisions support the Animal Protection Act Against Cruelty (1992), disallowing perpetrators to behave in unethical manors.

State Veterinary Administration (Státní veterinární správa – SVS). This is the main body to regulate animal health and welfare in the Czech republic and was established according the the Veterinary Act 166/1999. The SVS enforces veterinary standards and disease control – especially in breeding facilities. The authority conducts inspections of these breeding facilities and monitors the breeders compliance with microchipping, ensuring that standards are being adhered to.

In the Czech republic, the Animal Protection Act and Veterinary Care Act ensure humane treatment towards breeding dogs and furthermore the 2021 Amendment to the Animal Protection Act tightens these regulations. The mandatory microchipping and registration system is also employed here. The Czech Kennel Club sets standards of an ethical order for pedigree breeders. The SVA (state veterinary administration) play a pivotal role in the compliance of these national and EU-wide animal welfare standards.

#### 6.2 Hungary

Hungary remains a significant country regarding puppy farms with significant animal welfare issues. Since the Covid-19 pandemic, Hungary has seen a large increase in the demand for companion animals leading to a sharp rise in the exploitation of dogs in this manner. In a study conducted by Vetter, it was found that "more than half of Hungarian households are dog owners. She explains that in 2018, only 36% of households were considered dog owners,

however in 2023, it was 56% (Hungary Today, 2023). There are a considerable amount of Hungarian breeders that export puppies to western Europe – Although there are legal restrictions regarding online advertisement of animals, there are still a number often sold through online ads however numerical values are difficult to obtain due to limited transparency.

Animal Protection Act (1998). Standards for proper treatment, housing and care to prevent harm and unnecessary suffering are outlined in this Act. It also oversees humane practices in handling breeding and keeping animals while also promoting public awareness of responsible animal care. (Animal Protection Act, 1998)

**Government Decree No. 41/2010 on the Welfare and Protection of pets.** This is a set of guidelines for the treatment and care of companion animals. It outlines the minimum care points for pets such as suitable living conditions, veterinary care and responsible pet ownership practices such as microchipping (Government Decree No. 41/2010).

**Regulations of the Sale of Animals – advertisement and sale requirements; Ban on Thirdparty Sales.** This is a set of requirements set out in Hungary to combat irresponsible breeding and trade practices by banning third-party sales. This promotes transparency in the market as well as creating better conditions for animal welfare and also encourages better interaction between buyers and sellers (Regulations of the Sale of Animals).

**Hungarian kennel Club (MEOE) Provisions**. A guideline provided for the safe and ethical breeding, registration and exhibition of dogs in Hungary. The MEOE also recognises high quality breeding with rewarding ethical breeders. (Hungarian Kennel Club Provisions)

**Veterinary Authority (NEBIH).** The NEBIH in Hungary oversees animal health and welfare by implementing regulations for veterinary practices, while also laying guidelines to promote responsible pet ownership (Veterinary Authority NEBIH).

**Hungarian Criminal Code.** According to research this code makes cruelty to animals a punishable offense. Section 244 related to cruelty of animals can warrant imprisonment up to 5 years for an offense, making it one of the strictest animal cruelty provisions in Europe. Section 247 relates to the organisation of Illegal Animal Fights (Hungarian Criminal Code, 2012).

In Hungary, the main laws to protect against overbreeding and welfare and the Animal Protection Act (1998) and the Government Decree on Pet Welfare (2010). These provide the legal framework to regulate the overbreeding of dogs. As well as this, NÉBIH conducts

mandatory inspections for microchipping, etc., which aims to see owners be compliant with laws and helps to reduce illegal operations.

Another advancement made has been initiated with a new decree which will see a ban on sales of certain pet animals at animal fairs – including dogs, domestic cats and wild-caught birds. This decree will come into force in the middle of November of this year (2024). This decree has targeted unlawful breeders at organised fairs and favour the licenced breeder (Hungary Today, 2024).

#### 6.3 Ireland

Ireland is unfortunately known as the "puppy factory" capital of Europe, known for its relaxed regulation in dog breeding, which has contributed to a rise in unethical breeding practices. In Ireland, the industry is estimated to be worth €187 million, with a large portion of puppies sold for exports (Unger, Ferguson and Walsh, 2024).

As a comparison, in 2016 there were 895 registered puppy farms in Britian, producing approximately 70,000 puppies per year, while in the Republic of Ireland, there were 73 registered farms producing at least 30,000 puppies per year, averaging at 420 pups per farm in Ireland to 78 per farm in Britian (Russell, 2016).

In 2022, over 7000 dogs were surrendered or rescued to Irish pounds, marking a large increase in comparison to previous years. Additionally these figures have reached record levels in 2023, with a high volume but also long-lasting impact on the welfare of these dogs. As a consequence of unethical breeding we see a large decline in health and increase in behavioural issues due to the conditions and means of which they are bred and raised (Unger et al., 2024).

**The Control Of Dogs Act 1986 and 1992.** These provide legal framework for the regulation of dogs in Ireland. The 1986 act established the basis for controlling dog ownership and management requiring a license to prove ownership of pet animals (Control of Dogs Act, 1986). The 1992 amendment of this act updated the previous to strengthen regulations and identifications along with the control of specific breeds and responsibilities of dog owners (Control of Dogs Act, 1992).

**The Dog Breeding Establishments Act, 2010**. This aims to protect dogs against overbreeding on premises. This act came into force in 2012 and outlines the legal requirements for anyone in the possession of dogs that are capable of breeding. The act ensures that dog breeders register

with local authorities and meet specific requirements regarding care, health and housing. This act also sets the limitation for the number of dogs that can be bred and inspections are to be carried out to mandate that breeders maintain all records of their animals with the necessary information (Dog Breeding Establishments Act, 2010).

**The Animal Health and Welfare Act 2013.** This Act gives a general overview of animal protection in Ireland. It imposes strict penalties on offenses carried out including cruelty and neglect, and it outlines the acceptable standards for housing, nutrition and veterinary care. The regulation of breeding, and sale of dogs is also outlined to ensure that commercial animal-related activities are not overlooked (Animal Health and Welfare Act, 2013).

**The Microchipping of Dogs Regulations, 2015**. This came into force in June 2015 to control the rearing, selling and importing of dogs in Ireland. It states that all dogs in Ireland must be microchipped by the time they react 12 weeks old. The regulations for non-compliance include fines, which aims to improve animal welfare and reduce stray animals (S.I. No. 63/2015 - Microchipping of Dogs Regulations, 2015.).

Animal Health and Welfare (Sale or Supply of Pet Animals) regulations, 2019. This is the most recent regulations enforced in Ireland. It sets out specific conditions for the sale, supply and advertisement of pet animals, including dogs. The regulation of puppies and dogs for sale encourages breeders to breed humanely and promotes responsible breeding (S.I. No. 681/2019 - Animal Health and Welfare (Sale or Supply of Pet Animals) Regulations 2019).

#### 6.4 Romania

Puppy farming is a growing problem in Romania with a large number of highly unregulated breeders. Romania is a huge hub for exports, and with the increasing want for thoroughbred dogs and designer breeds, drives the sector further, creating in come cases horrendous conditions, lack of veterinary case and severe health issues.

Romania in particular has a very large significance in the puppy trade, particularly in countries where tighter breeding restrictions are in place. Although some legislative measures have been taken in the last number of years – the enforcement of these remains incredibly inconsistent.

Law No. 205/2004 on Animal Protection (Legea nr. 205/2004 privind protectia animalelor). This law outlines the legal framework for animal welfare and in more recent years there have been amendments to strengthen the protection by imposing fines and prison

sentences for serious cases of abuse, including unauthorised breeding practices (Legea nr. 205/2004 Privind Protectia Animalelor).

**Ordinance No. 55/2002 on the Breeding and Commercialization of Companion Animals** (Ordonanta nr. 55/2002). Romania's ordinance establishes strict guidelines for the ethical breeding, sale and distribution of pets. It largely covers the safety and ethicality of owning restricted and dangerous breeds but also has restrictions places on sales to ensure that animals are not overbred and commercialised in unethical ways (Ordonanta nr. 55/2002).

**Ordinance No. 155/2001 on the Management of Stray Dogs (Ordonanta nr. 155/2001 privind gestiomarea câinilor fără stăpân)**. This ordinance doesn't directly affect breeders per-say however it requires local authorities to manage stray populations humanely by sterilization to reduce stray populations while also penalising for non-compliance while also promoting adoption initiatives (ORDONANȚĂ DE URGENȚĂ nr. 155 Din 21 Noiembrie 2001).

**Mandatory Microchipping and Registration (Government decision No. 1059/2013).** This decision made ensures that all stray dogs are microchipped and sterilised. This is an amendment of the Ordinance No. 155/2001.

Law No. 60/2004 on the Regulation of the Sale and Adoption of Dogs. This law outlines the ethical sale and adoption of dogs. It mandates all sales of dogs or dogs for adoption must be microchipped, vaccinated and must obtain the proper legal documentation. It also encourages adoption from shelters rather than buying from breeders. These requirements aim to ensure that dogs are sourced responsibly (LEGE nr. 60 Din 24 Martie 2004).

**Romanian Penal Code.** The penal code is the primary legal document which governs criminal offenses and penalties in Romania, including crimes committed against animals. Illegal breeding practied and neglect are outlined here.

In Romania, there is a comprehensive framework for protecting dogs both from overbreeding and puppy mills. Both the Ordinance on Breeding and Commercialization of Companion Animals (2002) and the Animal Protection Law (2004) are the main laws which set out specific welfare standards for breeders. The mandatory microchipping and registration, again plays a vital role. Enforcement by ANSVSA is carried out to breaches.

#### 6.5 Slovakia

Slovakia has had an increasing population of pet dogs over the last years. In 2023, it was an estimated 911,000 dogs were kept as pets in comparison to 890,000 pet dogs back in 2020 (Statistica, 2023b).

Slovakia continues to face challenged regarding illegal breeding operations, like everywhere else in Europe, however despite this there has been an increase in awareness about conditions in unregulated puppy farms. The trends in Slovakia mirrors that of other countries in Eastern Europe, where unlicenced puppy farms are an ongoing issue due to insufficient regulatory enforcement and high demand for expensive pets in Western Europe.

Act No. 29/2007 on Veterinary Care (Zákon č. 39/2007 Z. z. o veterinárnej starostlivosti). This act provides the legal framework for animal health and welfare. This act evers standards for animal identification. Microchipping and veterinary practices. It outlines the role of authorities for the inspection of breeding facilities and ensuring ethical treatment of sick animals. As well as this, the act outlines the conditions to be followed and regulates breeding and selling in an aim to precent overpopulation. (Zákon č. 39/2007 Z. z. o veterinárnej starostlivosti). In 2017 an amendment was made to this act to improve microchipping in which failure to comply would result in bigger fines.

Act No. 282/2002 on the Protection of Animals (Zákon č. 282/2002 Z. z. o ochrane zvierat). This act establishes basic animal rights and measures against cruelty. It outlines rights for animals while also regulate breeding practices, sale conditions and transportation of sold animals. Violations can lead to fines and aims to meet EU animal welfare standards. (Zákon č. 282/2002 Z. z. o ochrane zvierat). In 2018, an amendment to this act saw higher standards for animal care in breeding facilities along with increased penalties for cruelty.

**Czeck and Slovak Kennel Clubs**. These clubs as previously mentioned, set out a guideline for the ethical breeding of companion animals as well as a guideline on health measures, veterinary care and ethical ownership.

**Penal Code of Slovakia (Trestný zákon).** The penal code outlines the legal consequences for offenses including abuse, illegal breeding and abandomnents. These penalties can include fines, community service, as well as imprisonment (Zákon č. 300/2005 Z. z.).

Regulations on the Sale and Import of Dogs: Sale of Imported dogs; Mandatory Veterinary Inspections. These are designed to protect animal welfare and imported dogs.

Mandatory veterinary inspections must be carried out to ensure dogs meet the necessary health requirements. Any sales must be accompanied by specific documentation. breeders and sellers are required by law to adhere to these and maintain the health status of pets while preventing the establishment of illegal puppy mills (39/2007 Z. z.)

In Slovakia the Veterinary Care Act and Animal Protection Act are central to enforcing animal welfare standards for overbreeding. The mandatory microchipping and registration system again plays a vital role here and enforcement is carried out by the SVPS (state veterinary and food administration)

#### 6.6 Spain

In Spain, there are an impressive 28 million pets, with 40% of households having one. In a study conducted by the Spanish Network for the Identification of Companion Animals (Reiac), there are more dogs than children in the entirety of Spain, with the city of Madrid having double the amount of dogs than children under the age of 3 (AEDPAC, 2022)

Spain moves approximately 2,000 million euro per year on the pet industry, making it the 5<sup>th</sup> highest in the Euopean market. There are many laws governing animal welfare in the pet trade business in Spain, with tighter regulations being made in the last number of years.

Animal Protection Law (Ley de Protección de los Animales,). This law establishes comprehensive measures for animal welfare. It addresses the main issues including abuse, neglect and abandonment (Ley De Protección De Los Animales, 2023).

**Royal Decree 287/2002**. This regulated the potentially dangerous animals in Spain and ensures that owners of of mental and physical capacity to be in possession of them. The decree outlines requirements for registration to own certain breeds, and insurance in order to prevent public harm. It mandates responsible pet ownership practices and sets penalties for those who do not comply (Royal Decree 287/2002).

**National Animal Health Law (Ley 8/2003) de Sanidad Animal)**. This law focuses on establishing health, welfare and protection regulations. It pay attention to disease control and prevention as well as implementation of standards for animal care and monitoring. This law allows authorities to enforce health measures (Ley 8/2003, De Sanidad Animal).

**Regulations on the Sale and Advertising of Animals**. These regulations are designed to prevent unethical practices along with regulating misleading advertisements, mandate the sale

of animals from reputable breeders and setting requirements for documentation needed for dogs.

**The Animal Welfare Act 2023**. This law was enforced across Spain in September 2023 which states that companion animals must be neutered or spayed to prevent reproduction and that only registered breeders may breed animals. It also bans the sale of pets in shop windows which promotes irresponsible breeding (Ley 7/2023, De Protección De Los Derechos Y El Bienestar De Los animales.).

**Spanish Penal Code (Código Penal).** This establishes a legal framework for offenses and punishments in Spain which addresses a wide range of criminal activities regarding animal abuse. Article 340 covers this basis stating the illegality of sexual acts and injury to domestical animals. Animals should also have the adequate veterinary care to restore health. Punishment can include up to 18 months in prison along with fine and a ban on keeping animals (Ley Orgánica 10/1995, Del Código Penal.)

**Inspecions and Enforcement by SEPRONA.** This is the nature protection service in Spain. They can carry out visits etc. to homes where suspicion to animal welfare abuse is questionable.

In Spain, the Animal Protection Law and Royal Decrees are the most important in the regulation of breeding practices. As well as this, autonomous regions enforce additional protections for example, in Catalonia, there are strict laws on dog breeding and also forbids the sale of pets in commercial stores. There is also a license that puts a limit on the amount of litters that a female dog can have in her lifetime. In Madrid, the number of animals a breeder can keep without proper licensing is strictly regulated. In Andalusia, there are specific laws concerning housing and veterinary care. The mandatory microchipping and registration system, also ensures accountability.

The law also places strict identification requirements on pet owners and mandates that only registered breeders can engage in commercial breeding activities. Violations of this act can result in severe fines, ranging from €500 for minor infractions to €200,000 for serious offenses, and may even include prison sentences for extreme cases of abuse or neglect

## 6.7 UK

The UK, just like Ireland, boasts many back yard breeders including far more than are on the registered list. In a study carried out by the British Veterinary Association, it was found that "1

in 4 owners -5.2 million people - admit to doing no research at all" with regards to buying puppies, which adds the the crisis we are facing today (British Veterinary Association, n.d.). Behaviour such as this massively drives the puppy farm industry which has resulted in the tighter restrictions among buying companion animals.

In the UK, the Animal Welfare Act 2006 and Lucy's Law are the two laws with the most major significance with regards to regulating dog breeding and aim to protect from exploitation, overbreeding and also covers welfare conditions.

**The Animal Welfare Act 2006.** This key piece of UK legislation establishes a duty of care for their welfare. It outlines that it is an offence to cause unnecessary suffering and covers the basic needs of animals such as suitable housing, diet and their ability to exhibit their natural behaviour. The act is enforced by agencies such as the RSPCA, which deals penalties such as fines and imprisonment for offenses (Animal Welfare Act, 2006).

**The Animal Welfare (Licensing of Activities Involving Animansl)(England) Regulations 2018.** This regulation strengthens the protection for companion animals by mandating proper licencing, routine inspections and ensuring appropriate welfare standards to those who are involved in companion animal breeding, selling, boarding and exhibiting animals. There are specific requirements laid out within this law which breeders and sellers must meet (Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations, 2018).

The Breeding and Sale of Dogs (Welfare) Act 1999. This act ensures that breeders obtain the necessary license to breed companion animals while also ensures suitable environment, adequate food supply, veterinary care while also aims to promote a good animal-buyer relationship for their well-being (Breeding and Sale of Dogs (Welfare) Act 1999),

**The Sale of Goods Act 1979.** This act more-so protects the consumers in purchasing puppies that are of satisfactory quality. If the pet is ill or for example inbred with medical conditions, the buyer will have legal recourse which can potentially discourage back yard breeders from unethical breeding and sales (Sale of Goods Act, 1979).

**Lucy's Law (2019).** This regulation bans the commercial sale of puppies and kittens from 3<sup>rd</sup>party sellers. This ensures the sale is through a licenced breeder or through adoption from a rescue centre. This was a pivotal regulation brought into the UK with the goal to reduce poor breeding practices, mistreatment of animals for profit and encourages healthy breeding practices (Lucy's Law, 2019). **The Pet Animals Act 1951**. This act contributes to animal welfare to ensure pets that are sold are kept in humane conditions at the time of sale. It largely covered pet shop owners before Lucy's law can instated. However it still promotes better standards for animal treatment in pet trade (Pet Animals Act, 1951).

**Microchipping of Dogs (England) Regulations 2015.** This regulation makes it mandatory for dogs over 8 weeks to be microchipped. It aids in lost and stolen dogs, as well as improving accountability among pet owners. Tracking aids to discourage illegal breeding practices (Microchipping of Dogs (England) Regulations, 2015).

**Dangerous Dogs Act 1991**. This act aims to control and regulate breeds that are deemed dangerous. It restricts ownership, breeding and sale of specific dog breeds. By promoting responsible dog ownership we also encourage proper handling of companion animals (Dangerous Dogs Act, 1991).

**The Dogs (Protection of Livestock) Act 1953**. This act contributes to companion animal welfare by the encouragement of responsible dog ownership in rural areas particularly where livestock are present. Owners are held liable if their animals attack the livestock which can enhance the promotion of appropriate behaviour (Dogs (Protection of Livestock) Act, 1953).

**The Licensing of Animal Boarding Establishments Act 1963.** This outlines the standards for boarding facilities where animals are temporarily housed. The law states that you must obtain a license, meet proper nutrition, safe housing and take measures in disease prevention (Licensing of Animal Boarding Establishments Act, 1963).

Animal Welfare (licensing of Activities Involving Animals) Regulations (NI) 2020 – northern Ireland. This sets a requirement for the licensing of activities including breeding, sale and exhibition of dogs. This act aims to protect dogs against the exploitation and cruelty of unethical breeders by ensuring compliance with animal welfare standards such as being bred and sold in humane conditions.

#### 7 Similarities

#### 7.1 EU standards:

The European Union has made valiant efforts to improve animal welfare laws for animals, including dogs. There has been a particular progression towards the protection of pets in illegal

trade and overbreeding. The proposal for the regulation of traceability for dogs and cats was outlined in 2023 with the some of the following objectives: ensuring common animal welfare standards; improving traceability; ensuring a level playing field between sellers across the union; and promoting competence for all caregivers (European Commission, Directorate-General for Health and Food Safety, 2023).

The Regulation (EU) 2016/429 was enforced in march 2016 to replace the council directive 92/64 EEC which oversaw the transport of pet animals across European boarders. It now oversees animal transmissible diseases and although it does not deal directly with animal welfare – it includes the "one health" model to protect human health which is directly linked to the health and welfare of animals (Regulation (EU) 2016/429 ).

#### 7.2 Health and Overbreeding regulations:

Each country outlines laws that require owners to conduct health checks for any dog to be bred to be carried out by a licensed veterinarian. In the UK and Ireland, the above restrictions are belonging to broader legislation. These include the Animal Welfare Act 2006 in the UK and the Animal Health and Welfare Act 2013 in Ireland. These laws protect dogs' health and ensure that overbreeding is not a disadvantage to their health. In Ireland, the Dog breeding Establishments Act 2010 mandates proper record keeping, and states that breeders must not have six or more breeding females. In the UK, breeders are required to hold a licence if producing three or more litters over a 12 month period. In Spain, the new animal welfare law, 2023, outlines the regulations on breeding animals, which includes a limit of the number of litters a female dog can have. While all countries studied do not have specific laws governing overbreeding, across the EU they must all be in compliance with the broader EU regulations.

#### 7.3 Breeder Licensing and Inspections:

All countries mentioned require by law, for breeders to be licensed and must be subject to routine inspections which are to ensure compliance with welfare standards. Licensing regulations in Slovakia and the Czech Republic are under laws such as the Veterinary Care Act, and the Animal Protection Act respectively. In the UK the licensing regulations are outlined under the Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018.

## 7.4 Microchipping and Registration:

Each country mentioned has a law to regulate the mandatory microchipping and registration of dogs. This information must also be kept in a national database. It is a crucial system in place

to reduce illegal breeding which also ensures transparency. The laws governing this include The Microchipping of Dogs (England) Regulations 2015 (UK) and the Veterinary Care Act (Slovakia).

#### 7.5 Criminalization of Animal Cruelty:

Each of the mentioned countries has laws to protect dogs against unethical and illegal breeding practices. For example, in the UK, there is the implementation of the UK Animal Welfare Act 2006, and in Romania, law 205/2004 on Animal Protection. These laws outline the penalties including neglect in puppy mills.

#### 8. Differences

#### 8.1. Enforcement Strength:

One of the main differences between these countries is the enforcement of penalties applied. Ireland and the UK have a well implemented framework and also conduct regular inspections of breeders through both animals welfare officers and local councils. Contrary to this, Slovakia, Romania and Hungary face challenges in this field due to limitations of resources which can be seen in the EU monitoring reports on animal welfare.

#### 8.2. Third-party sales restrictions:

Lucy's law has been implemented in the UK which outlines the terms of sale of dogs commercially. It poses a complete ban on sales of puppies by third parties in pet shops which encourages people to buy from reputable breeders. Laws such as this are not found in other countries such as Spain, and Romania. Fortunately, in the Czech Republic, Hungary and Slovakia, there are regulations in place that put a restriction on breeders, but it does not completely ban third-party sales.

#### 8.3. Role of kennel clubs:

In Ireland and the UK, the Kennel Club has had significant power over breeding standards. Hungary, Slovakia and the Czech Republic however have kennel clubs that set out ethical guidelines but the government also plays a more direct role in regulation in these countries.

#### 8.4. Penalties for violations:

Penalties for violation of regulations and directives vary significantly between countries. For example: in the Czech Republic and the UK, there are harsh fines and often imprisonment terms for severe offenses regarding overbreeding of dogs, whereas in countries like and Romania, penalties are outlined on paper but are not consistently enforced.

#### 8.5 Public awareness and reporting:

In Ireland and the UK, there are very well-developed reporting systems if a civilian would like to report abuse of overbreeding dogs or puppy mills. For example, in the UK the RSPCA plays a pivotal role and has a protection hotline for these purposes as well as animal abuse in general. In other European countries mentioned above, while there is a lot of awareness and is growing each day, the system for the public to report such situations of illegal breeders is still developing.

## 9. Puppy mill case studies Case 1.

In a property in Raheenleigh, Co. Carlow, Ireland, a 9-day evacuation took place in what has been said by the ISPCA to be one of the worst neglect cases that they have ever seen. 340 dogs and 11 horses were found on the property with numerous dead animals also on the property (McGreevy, 2019). The owner of the farm James Kavanagh (48) was given a 3-year sentence after pleading guilty to 30 counts of animal cruelty, and his wife received a 12-month suspended sentence. On top of this, Kavanagh was also banned from keeping animals for the rest of his life. The property had been searched on three separate dates: April 3rd, 2013, July 23rd, 2013, and October 1st, 2014, before the notice of closure was issued on April 14<sup>th</sup>, 2015. The couple were convicted under the Animal Health and Welfare Act (Slater, 2019).

The Irish Independent reports that the operation cost the ISPCA (the Irish Society of the Prevention of Cruelty to Animals) and other rescue centres  $\in$ 59,000, as most of the seized animals required some form of veterinary treatment, vaccines, and microchipping. Kavanagh was ordered to pay  $\in$ 35,000 of this back to the ISPCA. The judge at the court hearing said that what was discovered at the puppy farm was "something like a biblical" account

The ISCPA also reported that many of the dead animals on the property were used as feed and the living conditions were described at "squalid", with many of the animals having no access to water or food.



*Figure 3*. One of the sheds on the Kavanagh property housing many dogs of different breeds. There is a carcass depicted in the right rear of the photo which the dogs were given as feed (ISPCA, 2019)



*Figure 4*. Three golden retriever type dogs and a Bernese mountain dog outside in filthy surroundings pictured around a horse carcass (ISPCA, 2019).

## Case 2

In Cardiff, Wales in the UK, a mother (Julie Pearce) and two daughters (Rosalie Pearce, and Kaylie Adams) were convicted of running an illegal puppy breeding business in 2022. When the property was raided by officers they described the property as "atrocious" and housing 54 dogs in dark rooms, which were covered in faeces and urine. In one of the bedrooms, found a heavy fly infestation while another 23 animals were found in the dining room of the home without any access to water (Evans, 2023).

Evans writes that the mother and two daughters running the illegal business, had made over £125,000 pounds after 27 litters of puppies between March 2020 and March 2022. The mother of two claims that what began as a "hobby" during the covid pandemic, quickly spiralled out of control. Julie Pearce received a years suspended sentence along with an order to omplete 8 days of rehabilitation. Kaylie Adams and Rosalie Pearce both received a 66-week suspended sentence and 100 hours of comminuty work. All three woman received a ban on owning any animal for 10 years.



Figure 5. Entrance to the living room of the Pearce residence (Ceraphilly Council, 2023).



*Figure 6*. A picture taken from one of the living areas of the animals. Two cages are shown as well as the floor depicted covered in faeces and urine (Ceraphilly Council, 2023).

## Case 3

In January 2020, Spanish national police responded to two illegal Chihuahua kennels just outside Madrid, in the towns of Meco and Arganda del Rey. 270 dogs were found in harrowing conditions in a secret basement of the houses. Many of the dogs had had their vocal cords severed in an attempt to ensure the neighbors would not be alerted. Two dead pups were reported, frozen and wrapped in dirty newspaper.

Five people were arrested having involvement in the illegal kennels. Two veterinarians were among those arrested whose activity was to give the dogs the appearance of legality by providing passports by veterinary centers. They also facilitated access to necessary medicine and provided microchips for the operation. A computer expert was also arrested whose purpose was to run the commercial strategy. The other two ran the operation from their home in Arganda del Rey and were considered one of the main Chihuahua and Pomeranian distributors in Europe.

According to the article by the Euro News Weekly, it was later discovered that the couple behind the illegal breeding facility had registered over 1400 dogs with the Royal Canine Society of Spain and the operation to be worth nearly €2 million (Hodgson, 2020).

#### **10.** Conclusion

The growth of the puppy mill industry and illegal trade of dogs remains a very troubling challenge and unfortunately is a persistent trade across multiple countries. Throughout this thesis, a comparative analysis of the laws and enforcement mechanisms in the Czech Republic, Hungary, Ireland, Romania, Slovakia, Spain and the UK has been conducted and has highlighted the undermining of animal welfare and public health. This study has highlighted significant changes made over the years to legislation which has led to the positive change in the regulation of the industry in some way such as improvement of the transparency of sales and imposing penalties for non-compliance. However, it also highlights the lack of law enforcement and struggles that different countries encounter regarding regulation of animal welfare.

Illegal puppy farms are worldwide and drive a multi-million-euro industry, which is driven by greed, and an ongoing demand for purebred and expensive designer breed pets. It continues to thrive for many reasons, including inadequate penalties and public unawareness. Countries including Hungary and Romania serve as 'hubs' for illegal trade, with many exported puppies each year sent to Western Europe. Similarly, Spain and Slovakia face many challenges regarding unregulated breeding and animal trafficking. Although Ireland is known as the puppy factory capital of Europe, tighter restrictions have been implemented in recent years regarding licencing of breeders and restriction on third party sales. Similarly, in the UK, the introduction of Lucys law has led to a large decline of the puppy farming trade which has provided a blueprint for effective intervention.

Despite the efforts made across Europe in new legislation and the update of outdated laws, some of the root causes have yet to be tackled – dysregulation across the online marketplaces, limitation to public knowledge and lack of penalty enforcement. EU regulations, local level regulations, stronger penalties along with larger emphasis on education campaigns are crucial to address this ongoing issue. This goal can only be reached through the collaboration of the public, government and non-governmental organizations, and effective international cooperation.

This thesis highlights the importance and need for stronger laws and better enforcement policies in an act to combat the issue of puppy mills. Only through this approach, will we reach the goal to ensure humane treatment of animals while also putting an end to illegal breeding operations not only in Europe but globally.

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Finally, I dedicate this work to the animals whose well-being we should aim to protect. I hope it may contribute to a future where boundless respect and care can be achieved.

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