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Missouri: The Puppy Mill Capital of the World

By Jared Jones*

As of 2018, Missouri leads the nation in number of puppy mills.¹ In the Humane Society's "Horrible Hundred Puppy Mill" Report, Missouri topped the national charts in number of puppy mills outdoing second place Ohio by almost double (twenty-three puppy mills in Missouri versus thirteen in Ohio).² 2018 marked the sixth year in a row in which Missouri lead the nation.³ This has resulted in Missouri being crowned "Puppy Mill Capital of the World."⁴ In fact, it is estimated that around one-third of all puppies across the country come from Missouri, despite Missouri's legislative efforts.⁵ Missouri is one of only fifteen states that require licensing, inspections, and some level of care. The level of care merely requires adequate food, shelter, water, and rest.⁶ However, this has done little to curb the problem of puppy mills.⁷

According to the Humane Society, irresponsible breeding leads to an estimated 1.5 million euthanasia across the United States each year.⁸ In the same report, the Humane Society states puppy mills supply around ninety-

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¹ Jackie Rehwald, *Missouri Tops Humane Society's Horrible Hundred Puppy Mill Report for Sixth Year in a Row*, Springfield News-Leader (May 15, 2018), <https://www.news-leader.com/story/news/local/ozarks/2018/05/15/humane-society-report-finds-missouri-leads-nation-puppy-mills-horrible-hundred-usda/608475002/>.

² *The Horrible Hundred 2018 A sampling of Problem Puppy Mills and Puppy Sellers in the United States*, The Humane Society of the United States (2018), <https://blog.humanesociety.org/wp-content/uploads/2018/05/Horrible-Hundred-May-9-2018-FULL-FINAL.pdf>.

³ Rehwald, *supra* note 1.

⁴ Mindi Callison, *Missouri: Puppy Mill Capital of the World*, Bailing out Benji (May 4, 2018), <https://bailingoutbenji.com/missouri-puppy-mill-capital-of-the-world/>.

⁵ *It's Time for Harder Crackdown on Puppy Mills, Where Missouri is the Capital*, Springfield News-Leader (May 19, 2018), <https://www.news-leader.com/story/opinion/editorials/2018/05/19/time-harder-crackdown-puppy-mills-where-missouri-worst/623240002/>.

⁶ Mo. Code of State Regulations 30-9.010 Animal Care Facilities Definitions.

⁷ *Id.*

⁸ Julia Curley, *California Puppy Mill Ban Will Require Pet Stores to Sell Rescue Animals*, Today (Oct. 14, 2017), <https://www.today.com/pets/california-puppy-mill-ban-will-require-pet-stores-sell-rescue-t117511>.

nine percent of all dogs sold from pet stores nationwide.⁹ In 2017, California crafted new legislation in attempt to deal with puppy mills.¹⁰ This legislation, the nation's first of its kind, requires pet stores to sell only rescue animals.¹¹ A rescue animal is defined as a dog, cat, or rabbit that was obtained from a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group, as defined, that is in a cooperative agreement with at least one private or public shelter, as specified.¹² This restriction took effect January first of this year.¹³ Under this legislation, pet stores could be fined up to five hundred dollars for the sale of an animal that is not a rescue.¹⁴

Critics of the law, mostly private pet store owners, fear the bill will hurt business and limit customer access to the most popular breeds.¹⁵ However, animal rights activists count the new mandate as a win.¹⁶ The Humane Society and the American Society for the Prevention of Cruelty to Animals also championed the legislation.¹⁷ Both groups are adamant that the new law will lead to better treatment of animals, more adoption of rescue animals, and the decline in the number of unnecessary animal deaths.¹⁸

This analysis is likely overly optimistic, and legislation such as this is unlikely to solve the issue in Missouri. The legislation requires brick-and-mortar pet stores to sell only rescue animals. The problem is, brick and mortar stores have been on the decline.¹⁹ A major factor in their decline is e-commerce.²⁰ A short google search of "California puppies" shows just how unimpactful this sort of legislation is. On the Hoobly Classifieds there

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² See Cal. Health & Safety Code § 122373 (West).

¹³ *Id.*

¹⁴ *Id.*

¹⁵ Curley, *supra* note 7.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ Wolf Richter, *Here's Which Brick-and-Mortar Retailers are Getting Hit the Hardest*, Business Insider (May 19, 2018), <https://www.businessinsider.com/brick-and-mortar-retailers-getting-hit-the-hardest-2018-5>.

²⁰ *Id.*

are hundreds of “breeders” selling dogs.²¹ While surely not all of these sellers are puppy mill operators, it highlights the ease in which puppy mill operators could continue their business. On Puppyfind, there are over three thousand results when searching for puppies in California.²² Again, this is not to say all breeders that use the website Puppyfind run puppy mills, but it shows another avenue for puppy mills to continue. If Missouri is supplying ninety-nine percent of all dogs sold from pet stores nationwide, legislation which requires pet stores in Missouri to sell only rescues will do little to the puppy mill business which supplies out of state pet stores.

Changing the state to Missouri on Hoobly Classifieds, there are even more dogs for sale than in California.²³ The slight increase in postings makes sense considering ninety-nine percent of all dogs sold from pet stores come from Missouri.²⁴ On Puppyfind, there are over five thousand postings.²⁵ This is before banning the retail sale of non-rescues. Simply put, legislation similar to California’s legislation might have little effect on the puppy mill epidemic of Missouri.

A better, more effective solution is to change the requirements necessary to receive a breeding license, increase the number of inspections, and give the punishments for violating the new regulations some teeth, pun intended.

Right now, there are over eight hundred licensed commercial breeders in Missouri.²⁶ This is not including those licensed as hobby breeders. Hobby breeders, or show breeders, are limited by the number of breeding females they are allowed to have.²⁷ However, the regulations do not prevent hobby

²¹ Hoobly Classifieds, <http://www.hoobly.com/11993/63/10/> (last visited Feb. 9, 2019).

²² PuppyFind, https://www.puppyfind.com/for_sale_state/?state=CA (last visited Feb. 9, 2019).

²³ Hoobly Classifieds, <http://www.hoobly.com/12016/42/0/> (last visited Feb. 9, 2019).

²⁴ Curley, *supra* note 8.

²⁵ PuppyFind, https://www.puppyfind.com/for_sale_state/?state=MO&page=8 (last visited Feb. 9, 2019).

²⁶ Josh Benson, *Commercial Dog Breeding in Missouri: Part 1- What a Difference a Law Makes*, *Missourian* (Sept. 2, 2014), https://www.columbiamissourian.com/news/commercial-dog-breeding-in-missouri-part---what-a/article_befc1e-b719-5e60-98f1-748bf7e761df.html.

²⁷ 2 Mo. Code of State Regulations 30-9.010 - 9.030 (available at <https://www.sos.mo.gov/cmsimages/adrules/csr/current/2csr/2c30-9.pdf>).

breeders from selling to individuals.²⁸ Further, the regulations exempt hobby breeders from licensure and inspections.²⁹ If you are a breeder who breeds solely for the purpose of selling the dogs but have less than ten females, you still qualify for the exemption even without any intention of showing the dogs.³⁰ Beginning the application process to become a hobby breeder is as easy as googling “Missouri dog breeder license.” This should lead you to the Missouri Department of Agriculture. The Animal Care Facility Program has a section titled “Quick Links.”³¹ Under that section, there is a link to the Registration Application and Renewal.³² The option to be a hobby breeder needs to be revoked. It is too easily manipulated. To combat the epidemic of puppy mills, all kennels should be treated the same and held to the same legal standard.

The Animal Care Program, the subset of the Missouri Department of Agriculture, is responsible for ensuring kennels meet this legal standard. As of now, the Animal Care Program is staffed by fifteen inspectors.³³ These inspectors are responsible for all aspects of compliance, from inspections to complaints and inquires.³⁴ The Animal Care Program’s fifteen inspectors for over eight hundred commercial kennels, not including the hobby kennels, hardly seems sufficient for the Puppy Mill capital of the world. If Missouri wants to get serious about changing its puppy mill reputation, Missouri has to make a change.

Edited by Carter Gage

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ *Animal Care Facility Program*, Missouri Dept. of Agric., <https://agriculture.mo.gov/animals/ACFA/> (last visited Feb. 9, 2019).

³² *Id.*

³³ *Commercial Breeders*, Missouri Dept. of Agric., <https://agriculture.mo.gov/animals/ACFA/commercialbreeders.php> (last visited Feb. 9, 2019).

³⁴ *Id.*