

# Companion Animals

## Puppy Imports

By Edie Bowles, Advocates for Animals

*“One of our key reforms here is to end the abhorrent, cruel practice of puppy smuggling and low-welfare pet imports. Now the Transition Period has finished, and we have left the EU, we have the opportunity to go further than ever. We have been working closely with our colleagues across the Devolved Administrations and NGOs to provide protection for those animals brought in by these unscrupulous traders, and to prevent the trade as much as we can.”*

*- DEFRA Action Plan for Animal Welfare, p.14*

In its Action Plan for Animal Welfare, published in May 2021<sup>1</sup>, the Government committed to increase the minimum age that dogs can be non-commercially moved or commercially imported into Great Britain. This proposal has the potential to disincentivize both a legal and illegal trade and to close the loopholes within the ban on third party puppy selling, otherwise known as Lucy's Law.

### Current framework

The legal framework that regulates the commercial sale of puppies can be broken down on a domestic and international import basis and

on what is regulated, unregulated and illegal.

#### *Domestic*

Domestically the puppy trade in England (and soon to be Scotland and Wales) is regulated by essentially banning third party selling, this means dogs must be with their biological mothers when they are sold. In addition breeders have a maximum number of litters they can breed and sell. There are still some unregulated aspects of the trade, such as the selling of surplus puppies from a pet dog and illegal puppy farming and third party selling that still takes place.

#### *International imports*

In terms of imports into the UK, the picture is far less clear and fraught with inconsistencies and loopholes.

If dogs needed to be seen with their biological mothers before being sold, it is difficult to see how the commercial import of puppies could continue. Therefore, to allow the trade to continue, Defra is currently interpreting the relevant provisions on certain dog breeding practices under The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (LAIA), mentioned above, as only applying to domestic sale and not international imports.

This means that the import of puppies for sale is regulated by two frameworks 1) the requirement for a pet shop licence under LAIA, which is far less stringent than a breeding licence would be, for example there are no maximum litter numbers or a requirement to see the mother and 2) the Balai Directive, which is largely to protect public health through a series of animal health measures, than to protect animal welfare.

In addition, the trade is also riddled with illegality, including overt and covert puppy smuggling. Covert smuggling simply involves hiding the

<sup>1</sup> [Action Plan for Animal Welfare - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97200/action-plan-for-animal-welfare.pdf)



puppies at border control. Overt puppy smuggling is when puppies are being brought into the country for commercial trade, but under the guise of being a pet.

### Why this matters

It is not possible to estimate the scale of legal and illegal puppy imports; however, one thing for certain is that it is large and growing. Estimates put the trade at 1.3 billion Euros over 12 EU Member states<sup>2</sup> and £130 million UK-wide.<sup>3</sup> In addition, the demand for puppies over lockdown increased significantly. The RSPCA's submission to an EFRA enquiry into puppy smuggling in 2020 stated:

*During lockdown, Google searches for 'Puppies near me' increased more than six times (650%) with 15,000 searches in July 2020 compared to 2,000 in January 2020. The figure was also five times higher than the same month last year (July 2019). This resulted in a*

*reported shortage of puppies and the price increased dramatically in a short period of time. For example, internet searches found prices of French bulldogs increased from the usual price of £1500-2000 to £7000.<sup>4</sup>*

English breeders have been unable to satisfy the demand and as such there has been a sharp rise in the commercial import of dogs, shown through an increase in the number of Intra-Trade Animal Health Certificates issued.

This rise in imports, the scale of which is not fully known due to the fact multiple dogs can come under one certificate and illegal smuggling is by its nature hard to measure, has meant that dogs are being sold in the UK, which have been bred in conditions, which would not be permitted had they been bred in this country. There are also the welfare concerns with travelling long distances and a real risk of zoonotic diseases. A very public incident of the issues attached to puppy imports happened in 2020 when reality star Molly Mae's imported pomeranian puppy died soon

2 IBF International Consulting et al. 2016

3 Wyatt et al. 2017

4 [https://committees.parliament.uk/written-evidence/14875/html/#\\_ftn5](https://committees.parliament.uk/written-evidence/14875/html/#_ftn5)

after arrival.

## **Solution**

The most robust solution would be to ban the commercial import of puppies into the UK. Failing that, Defra's solution to increase the minimum age on imports is the next best thing. Increasing the minimum age to six months allows better detection of the age of the puppy, which is hard to do before that point. Increasing the minimum age also takes away the desirability factor attached to the cuteness of a puppy, which will fade as they age and result in an influx of dogs to rescue centres. This minimum age should not apply to rescued dogs that are being re-homed in the UK.

**Postscript: On 21st August 2021, DEFRA announced<sup>5</sup> a public consultation on proposals to increase the minimum importation age of puppies from 15 weeks to six months of age. The proposal would apply across Great Britain.**

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<sup>5</sup> <https://www.gov.uk/government/news/new-powers-to-tackle-cruel-puppy-smuggling-move-step-closer>