

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

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MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES DIVISION OF ANIMAL HEALTH POLICY STATEMENT REGARDING RESCUE/SHELTER ANIMALS BEING OFFERED FOR SALE/ADOPTION AT RETAIL OUTLETS

March 13, 2015

The Massachusetts Department of Agricultural Resources' Division of Animal Health is charged with enforcing Massachusetts General Law Chapter 129, section 39A, and the related regulations at 330 CMR 12.00, "Licensing and Operation of Pet Shops". These regulations establish the definition of a pet shop, and the requirements for any place or premise where birds, mammals, or reptiles are kept for the purpose of either wholesale or retail sale, import, export, barter, exchange or gift. Further, they require any such place conducting these activities to first obtain a license from the Department. The purpose of these laws and regulations is to prevent the introduction and spread of contagious disease among animals held or disbursed by such facilities.

A number of organizations registered as animal shelters or rescues have sought to reach a wider audience by partnering with licensed pet shops to display their available animals. The Department allows such arrangements, however, it must be with the understanding that the regulations at 330 CMR 12 take precedence over the existing rules for shelters and rescues. As a result, the provisions of 330 CMR 12.07(1) must be strictly adhered to:

All licensees shall isolate all dogs and cats received from sources within or outside of the Commonwealth in a room meeting the requirements of 330 CMR 12.03(2) for a minimum period of 48 hours prior to being offered for sale, barter, gift or other exchange

Any dog or cat brought into a licensed pet shop for the purpose of adoption, a 'meet and greet', or any similar event at which available animals are displayed, must first go through a 48-hour isolation period **in the store**. This requirement applies to all dogs and cats, regardless of their state of origin, including those from within Massachusetts. At the conclusion of the isolation period, the animals must be examined and deemed healthy by a licensed veterinarian before they may be offered to the public for adoption.

Animal related businesses such as pet supply stores, groomers and veterinary offices, which do not currently hold a pet shop license because they do not otherwise sell animals, **will be required to obtain a license to operate a pet shop** should they wish to partner with registered shelters or rescues and offer animals from their premises.

Other businesses, **which have no ancillary connection to the sale or care of animals** (i.e. a bank, or a shoe store), may host animal adoption events for registered shelters or rescues without having to obtain a license to operate a pet shop, so long as the animals only remain at the premises for the duration of the event, and are not kept overnight.

The above policy ensures that the regulations implemented for the purpose controlling contagious illnesses are taken into account in any setting where other animals may be at risk of exposure to disease.