

**NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS
DIVISION OF ANIMAL INDUSTRY
10B AIRLINE DRIVE
ALBANY, NEW YORK 12235**

**FACT SHEET
CONSUMER COMPLAINTS ON DOGS AND CATS**

New York State Department of Agriculture and Markets, Article 26A, Care of Animals by Pet Dealers (Pet Dealer Licensing Law).

Under Article 26A a Pet Dealer is defined as a person, firm, corporation or other association that sells or offers to sell more than nine dogs and/or cats per year for profit to the public. Pet breeders who sell or offer to sell less than 25 dogs and/or cats per year that are born and raised on their residential premise are excluded from the law. Also excluded are duly incorporated humane societies dedicated to the care of unwanted animals

Consumers who purchase dogs and/or cats from pet stores or breeders can report possible violations of Article 26A to the Department of Agriculture and Markets. Reportable violations of Article 26A include: 1) housing—indoor/outdoor; 2) sanitation/cleanliness; 3) feeding and watering; 4) veterinary care and records; 5) posted notices and 6) eight weeks of age at time of sale.

Refer to annexed copy of Article 26A for detailed description of law's requirements.

Contact: Ana Colon, Program Manager, Pet Dealer Licensing Program, (800) 554-4501.

New York State Attorney General Andrew Cuomo, General Business Law, Article 35D, The Sale of Dogs and Cats

Under Article 35D a pet dealer is defined as any person, firm, corporation or other association which in the ordinary course of business engages in the sale or offers to sell more than nine animals per year for profit to the public. Duly incorporated humane societies dedicated to the care of unwanted animals are excluded from the law.

Consumers who purchase dogs and/or cats from pet stores or breeders can report possible violations of Article 35D to the Attorney General's office. Reportable violations of Article 35D include: 1) the purchase of a sick dog or cat; 2) refund or return options for the consumer who purchased a sick dog or cat; 3) Information Statement (both pet dealer and consumer must sign and retain a copy); 4) Animal Pedigree Registration; and 5) posted notices for disclosure to consumers.

Refer to annexed copy of Article 35D for detailed description of the law's requirements.

Contact: Office of the Attorney General, Consumer Fraud & Protection Division, (800) 771-7755 (select 0 from menu).

New York State Department of Agriculture and Markets, Article 26, Cruelty to Animals

Unlike Article 26A and Article 35D, the definition of an "animal" in Article 26 is not limited to dogs and cats. Article 26, Cruelty to Animals, defines an animal as "every living creature except a human being."

By law, New York State Agriculture and Markets does not have the authority to enforce Article 26, Cruelty to Animals. Article 26 gives enforcement authority to peace officers, including police officers, constables or agents of a duly incorporated society for the prevention of cruelty to animals.

Any person who believes they witnessed cruelty should immediately report the incident to local law enforcement or any agent of a duly incorporated society for the prevention of cruelty to animals.

Refer to annexed copy of Article 26 for further details.

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