

March 17, 2015

Re: Pet Shop Disclosure Act

Dear Mayor:

The League would like to make you aware of P.L. 2015, c. 7, the “Pet Shop Disclosure Act”, a law which will go into effect on June 1, 2015.

By way of background, in order to operate a pet shop, applicants must apply to their municipalities for a license in addition to any necessary zoning or land use approvals. Applications must be accompanied by the written approval showing compliance with local and state law, rules, and regulations governing zoning and sanitation from the appropriate municipal officials. Municipalities may issue restricted licenses precluding pet shops from selling cats or dogs. Once a license is issued, it is not transferable to another owner or new premises. N.J.S.A. 4:19-15.8 et seq

If pet shops fail to comply with laws or regulations governing pet shops, municipalities may, acting on the advice of their health officers, suspend or revoke their licenses after a hearing. Grounds for suspension or revocation include the failure to safeguard animal health and the sale of animals unfit for purchase. To this end, each year by May 1, pet shops must report the total number of cats and dogs sold in the prior year to the clerk of the municipality in which they operate, who in turn reports this information to local boards of health. Boards must also accept consumer complaints of illness or death in cats and dogs purchased in pet shops - as well receive notification from the Division of Consumer Affairs of such complaints made to the Division - and, each year by May 1, determine whether pet shop license suspension or revocation (total or just prohibiting cat and dog sales) is required according to statutorily specified ratios of reported illness/death to total number of cats and dogs sold. N.J.S.A. 56:8-95 et seq.

The new law expands pet shops’ disclosure obligations and places certain limitations on pet shops’ sales of cats and dogs. Among other things, this law: 1) increases existing reporting requirements by requiring that pet shops annually disclose cat and dog breeders and brokers’ identifying information to municipalities; 2) requires that pet shops exhibit this identifying information on each animal’s enclosure, as well as breeders and brokers’ United States Department of Agriculture (USDA) inspection histories on or near each enclosure; 3) require all cat and dog breeders and brokers in the pet shop supply chain to be licensed by the USDA and any applicable state agency, and to comply with USDA and New Jersey animal welfare standards for pet dealers and kennels; and 4) prohibit pet shops from purchasing puppies from breeders or brokers that have been cited by USDA inspectors for specified violations.

Municipalities, and their health officers, should be aware of this new law and these requirements. If local health officers notice violations during their licensing inspections, the Division of Consumer Affairs requests that they be notified. The Division can be contacted by phone at 800-242-5846.

If you have any questions, please contact Ed Purcell Esq. at (609) 695-3481 x. 137.

Very Truly Yours,

William G. Dressel, Jr.
Executive Director