

Animal Welfare Code of Practice – Breeding dogs and cats

In June 2021, the NSW Parliament passed the [Prevention of Cruelty to Animals Amendment Act 2021](#) which made several important changes to the *Prevention of Cruelty to Animals Act 1979* (POCTAA).

It also called for a revision of the [Animal Welfare Code of Practice – Breeding dogs and cats](#) to be published by 31 August 2021.

Over the last few months, the Department has heard from stakeholders that some Standards within the Breeding Code have caused confusion.

The Department is focusing the revision of the Code on these **key areas** of concern as raised by **the majority** of stakeholders.

Stakeholder input is an important part of the revision process and the Department has designed the following submission to help capture stakeholder views.

SUBMISSION INSTRUCTIONS

1. Please read the attached PDF *Animal Welfare Code of Practice – Breeding dogs and cats*, then use the table below to provide your feedback.
2. The Department is seeking one consolidated feedback table from each stakeholder group.
3. Submit your feedback by **Wednesday July 14th** by emailing this form to animal.welfare@dpi.nsw.gov.au

Thank you for your interest in the welfare of breeding dogs and cats in NSW.

FEEDBACK TABLE

Stakeholder group name: ROYAL NSW CANINE COUNCIL (trading as DOGS NSW)

Stakeholder group primary contact: Mr Brian Crump

Chair/DOGS NSW Media & Government Legislation Committee

C/- info@dogsnsw.org.au

Submission date: 7 July 2021

Issue area
6.1.1.6 Fence height Feedback that 180cm fence height for dogs in pens is not appropriate for all breed sizes, and that there was no definition for enclosure.
Stakeholder group feedback

Definition: Enclosure- means a pen, run or yard in which an animal can exercise without escaping.

Fence heights: the suggested heights are a minimum

TABLE 1: MINIMUM SIZES FOR DOG ENCLOSURES

Animal/s	Min floor area	Min Height	Min width
	(m ²)*	(cm)	(cm)
Puppies +/- Bitch	3.5		100
1 dog, < 30 cm height at shoulder	1.5	100	90
1 dog, < 40 cm height at shoulder	1.5	100	90
2 dogs, < 40 cm height at shoulder	2.5	100	90
Socially compatible group of dogs, < 40 cm height at shoulder, housed in back yard or house	1.5 per animal	–	–
1 dog, 40–60 cm height at shoulder	2.4	150	90
2 dogs, 40–60 cm height at shoulder	3.6	150	90
Socially compatible group of dogs, 40–60 cm height at shoulder, housed in back yard or house	2.4 per animal	–	–
1 dog, > 60 cm height at shoulder	3.5	180	120
2 dogs, > 60 cm height at shoulder	5.2	180	120
Socially compatible group of dogs, > 60 cm height at shoulder, housed in back yard or house	3.5 per animal	–	–

* Minimum floor area includes the area allocated to bedding

Issue area
8.2.1.6 Vaccination requirements Feedback that these no longer reflect best practice.
Stakeholder group feedback

Vaccination protocols

- 8.2.1.6 Dogs must be vaccinated against distemper, hepatitis and parvovirus (the core vaccines) in accordance with the manufactures recommendations unless with the written approval of a veterinary practitioner. Non-core vaccines should be used in risk situations such as outbreaks of disease in consultation with your Veterinarian.

Issue area
5.1.1 Record keeping Feedback that requirements indicate record keeping has to be paper based.
Stakeholder group feedback

Records

- 5.1.3 Record keeping - the basic information must be kept in English, in any format and be readily accessible.

4.1 STANDARDS

- 4.1.1.** The following information must be recorded relating to each dog or cat housed at a breeding facility:
- a description of the dog or cat which includes: name, microchip number; sex (including whether desexed); breed; colour; distinguishing features; vaccination status; details of any special medical and dietary requirements; and
 - the date of birth; and the date of acquisition/arrival, and registration number (for purebred animals) of owned and leased dogs and cats; and
 - the name, address and telephone number of owner or lessee of the dog or cat; and
 - details of preventative and veterinary treatment of dogs and cats, including routine husbandry procedures such as worming or parasite control; and
 - for leased dogs or cats and those under guardianship, the name and contact telephone number of the veterinary practitioner who normally attends the animal; and
 - the disposal of owned, leased and those under guardianship, dogs and cats including the date and details of the disposal.

- 4.1.2.** Information which details each litter bred must be recorded and must include: the name and microchip number of both the dam and the sire; the date of mating(s); the date of whelping/queening; identification details of each animal within the litter, including any abnormalities or deaths.

- 4.1.3.** Current records must be maintained for animals under the control of the animal care giver.

Issue area
5.1.1 Record keeping Feedback that responsibilities in guardianship situations are not captured.
Stakeholder group feedback

Definition- Guardianship refers to an animal in the care of a care giver other than the legal owner.
(Including any agreement as to possession or control of the animal other than legal ownership)

5.1.1 Where a Guardianship arrangement exists in the care of animals, both the Guardian and Legal owners must keep and maintain records in accordance with 4.1.3.

Issue area
5.1.5 Emergency evacuation procedures Feedback that these need to be on display.
Stakeholder group feedback

5.1.5 Emergency evacuation procedures. An evacuation plan should be prepared and maintained.

Issue area
6.1.1.11 Biosecurity measures Feedback that isolation area requirements were causing confusion.
Stakeholder group feedback

Biosecurity measures.

6.1.1.11 An isolation facility should be available at either the facility/kennel or at a veterinary hospital.

Issue area
6.3.1.5 Fire extinguishers Feedback that chemical fire extinguishers are required at all facilities.
Stakeholder group feedback

Fire extinguishers.

6.3.1.5 Functioning fire-fighting equipment must be readily available.

NOTE: Chemical fire extinguishers should not be used in close proximity to animals as they can cause respiratory distress.

Issue area
7.3.1 Cleaning and disinfection Feedback that cleaning and disinfection requirements were causing confusion.
Stakeholder group feedback

Cleaning and disinfection.

7.3.1 Areas housing animals should be cleaned regularly with biological waste material and soiled bedding removed on a daily basis. Non-toxic products should be used. Outdoor kennels must be disinfected weekly. Waters containers must be cleaned weekly.

Issue area
8.2.1.10 Heartworm protection Feedback that heartworm requirements were not risk based.
Stakeholder group feedback

Heartworm prevention:

8.2.1.10 Disease prevention measures for heart worm – prevention to be administered in accordance with Veterinary advice.

Issue area
8.2.1.2 Veterinarian's contact details Feedback that display requirements were causing confusion.
Stakeholder group feedback

Veterinary contact details:

8.2.1.2 Contact details of a veterinary practitioner must be available ~~to hired staff~~.

Issue area
Use of 'staff' Feedback that use of 'staff' as a descriptor throughout the code has caused confusion.
Stakeholder group feedback

In Definitions: Substitute the word "Staff" for Animal Care Giver.

4.2.1 Remove, from Clause 4.2.1, the wording "Where staff are employed to care for animals; they should have formal qualifications...."

Issue area
Anything else your stakeholder group would like to raise?
Stakeholder group feedback

Further stakeholder concerns:- **SEE BELOW**

Issue area
Requirement for Formal Qualifications for Staff
Stakeholder group feedback

DOGS NSW supports SECTION 4-Responsibility & Competency of Staff/Objectives which reads “All people who care for and manage breeding dogs and cats should be competent and aware of their responsibilities” – as it is considered this sentence confirms that formal qualification and/or special training of staff is not required.

Issue area
Security Use of Terms “secure”, “lockable” and the interpretations between Stakeholders and Enforcements Agency staff have been identified, to alleviate confusion, the following recommendation is made:-
Stakeholder group feedback

Security

6.3.1.2 Dog housing and cat housing must be secure such that it cannot be opened by the dogs and cats held. **(Note: In an emergency animals must be readily accessible)**

Issue area
Night Facility Current code and suggested below - to align to the companion aspect of animals in which some animals are housed indoors.
Stakeholder group feedback

6.1.1.10 Night facility not considered permanent housing. There must be sufficient space in such a facility for the animal to rest, stand, stretch or turn around, appropriate to the species and breed.

Consider – A Night Facility is an indoor enclosure or crate of appropriate size used temporarily to isolate a dog or cat from nocturnal stress.

Issue area
DOGS NSW would also like to provide feedback specifically around the special requirements of the actual breeding process. Increased welfare is required in the actual breeding process such as we have outlined within our submission which we feel is a must to achieve a better welfare in this area.
The text outlined below in GREEN is from initial DPI code revision in approximately 2017, which we supported. The text in BLUE is what we, as an external stakeholder, identify as best practice in the breeding of companion animals.
Stakeholder group feedback

9.1 SPECIAL REQUIREMENTS FOR MATING DOGS AND CATS

9.1.1 Bitches and queens should not be mated during their first oestrus cycle.

- (a) Bitches, ~~especially in the larger breeds,~~ should not be mated under 12 months of age.
- (b) First degree inbreeding – father/daughter, mother/son, full brother and sister should not occur.
- (c) All breeders are required to maintain generational data to cover this concern

- 9.1.2 A dog or cat must be physically and mentally fit, healthy and free of disease at the time of being mated.
- (a) **Where an animal is known or suspected of having an inherited disease or defect, every effort is made to minimise the disease or defect in the progeny/offspring.**
 - (b) **Severely affected individuals, where the condition affects the health and longevity of the animal, should ideally not be bred from.**

9.4 FREQUENCY OF BREEDING

- 9.4.1 Bitches must not have more than two litters in any two year period, **and not have more than six litters in her lifetime**, unless with the written approval of a veterinarian.
- 9.4.2 Queens must not have more than three litters in any two year period, **and not have more than 6 litters in her lifetime**, unless with the written approval of a veterinarian.
- 9.4.3 If a bitch or queen **is over 6 years** of age and has not has six litters, the person in charge must ensure that the bitch or queen is examined by a veterinarian to ensure the animal's suitability for continued breeding.
- ~~9.4.4 The person in charge must arrange for a bitch or queen to be desexed **as soon as breeding has ceased, or after a maximum of 6 litters.**~~
- 9.4.5 **Bitches and queens should not be bred over 8 years of age without written proof of a veterinary clearance examination.**

9.7 SPECIAL REQUIREMENTS FOR BIRTHING

- 9.7.1 The person in charge of the facility must ensure that within seven days of the expected whelping or kitting date, a pregnant bitch or queen is separated from the remaining breeding population and moved to a specific whelping or kitting housing area and is provided with a suitable whelping or kitting box that is lined with clean bedding that is changed daily.
- 9.7.2 The person in charge of the **commercial** facility must ensure that a sufficiently trained staff member is available to attend and care for whelping bitches and kitting queens during all hours, and to undertake emergency actions as necessary.
- 9.7.3 During birthing, the person in charge of the facility must ensure bitches and queens are monitored by staff on a regular basis ~~every 6 hours~~ **(every 2 hours)** to ensure that the birth proceeds in a normal manner.
- 9.7.4 The person in charge of a facility must ensure that a bitch or queen must be immediately examined by a veterinary practitioner and appropriate action taken if:
- (a) there is evidence that whelping or kitting has commenced and there is no progress within two hours, or
 - (b) abnormalities are observed in the whelping or kitting, or
 - (c) there are concerns for the **health and welfare** of a bitch or queen during the birthing process.
- 9.7.5 The person in charge of a facility must ensure that after birth is complete, **a bitch or queen and her litter are monitored 2 hourly until the puppies or kittens are feeding and maternal acceptance has been firmly established.**

9.7.6 Within 24 hours of delivery of a litter, the person in charge of a commercial facility must ensure the mother and young are examined by a sufficiently trained staff member and health checked by a veterinary practitioner if there are concerns for the welfare of the bitch or queen or the offspring, and the birthing area cleaned and disinfected.

9.7.7 Dogs and cats that are isolated from the remaining breeding population must be provided with **additional care and socialisation.**

9.8 SPECIAL REQUIREMENTS FOR LACTATING BITCHES AND QUEENS

9.8.1 The person in charge of the facility must ensure:

- (a) lactating mothers are provided with additional access to water and a balanced and complete diet on an ad libitum basis.
- (b) Lactating mothers must be housed in such a manner that they are able to escape their young.
- (c) Kittens or puppies must not be separated from their litter or their lactating mother until they are six weeks of age to facilitate socialisation, except where in the best interests of the puppies or kittens, or of their mother.
- (d) **Any lactating bitch or queen that is failing to cope with her litter should receive immediate veterinary attention.**

9.9 ARTIFICIAL REARING

9.9.1 A person in charge of a facility must ensure that adequate resources are available for the artificial rearing of puppies and kittens. Orphaned or pre-weaned puppies and kittens must be fed under the direction of a veterinary practitioner.

9.10 Weaning Puppies and Kittens

9.10.1 The person in charge must ensure:

- (a) Soaked solid food must be offered to puppies and kittens from three weeks of age.
- (b) Puppies and kittens must be monitored when first offered solid food to ensure that the food is acceptable and palatable. Solid food will require moistening or softening to increase edibility and palatability.
- (c) Puppies and kittens are weighed weekly and individual weights recorded in order to monitor that puppies and kittens are achieving a steady weight gain every week
- (d) **Any puppy or kitten which does not achieve a regular weight gain should be referred for veterinary consultation.**
- (e) **Parasite Control – puppies and kittens should be wormed from 2-3 weeks of age with the appropriate wormer for round and hookworm, given at the correct weight dosage according to the manufactures recommendations. They should be wormed at least every 2 weeks until 6-8 weeks of age**
- (f) **Puppies and kittens should be vaccinated and microchipped prior to sale and examined by a veterinarian to determine any health issues**

