

## **Licensed Breeders Advisory Board Meeting**

### **Compliance Division Report**

**August 23, 2017**

Russel Taulli, Compliance Division

#### Public Outreach

An informational brochure has been created. This brochure describes the Licensed Breeder Program; who needs a license; how to apply for a license; and how to file a complaint regarding unlicensed activity.

Russel Taulli, Compliance Division program specialist, visited the Canton Tx Trade Days "Dog Alley" on August 4th. Russ visited with each puppy and cat seller to introduce himself and TDLR and distribute brochures with information on obtaining a BRE license or reporting unlicensed activity. Many of the sellers were licensed and had their licenses posted in their areas. Many other sellers were not licensed but claimed to be from out of state, or have too few females, or to sell too few puppies, to need a license. Almost all the licensed breeders reacted positively to the visit.

Russel intends to visit other regional trade day markets soon.

# **LICENSED BREEDER ADVISORY COMMITTEE**

## **Enforcement Division Staff Report August 23, 2017**

### **Case Highlights**

- On April 17, an Agreed Order was entered against Sharon Lee Larremore, assessing an administrative penalty of \$1,500, for offering to act as a dog or cat breeder without a license.
- On June 5, an Agreed Order was entered against Cindy Oliver d/b/a My Baby Puppy, assessing an administrative penalty of \$2,250 for failing to maintain primary enclosures so they have no sharp points or edges that could injure the dogs, and failing to have each animal used for breeding examined by a veterinarian at leave once every twelve months.
- On June 16, a Commission Order was entered against Craig Tobler d/b/a Owner's Pride Companions, assessing an administrative penalty of \$3,000 for acting as a dog breeder without a license.
- On July 26, an Agreed Order was entered against Michael and Connie White d/b/a M & CW Inc, assessing an administrative penalty of \$4,000 for offering and acting as a dog breeder without a license on multiple occasions.

### **Key Statistics -- Fiscal Year 2017**

Shown below are the key statistics for the Licensed Breeder program and for all TDLR programs combined through July of Fiscal Year 2017.

<b><u>Statistic</u></b>	<b><u>BRE</u></b>	<b><u>TDLR</u></b>
• Number of cases opened:	55	11,195
• Number of cases resolved:	51	11,282
• Number of Agreed Orders:	10	2,198
• Total amount of penalties assessed:	\$19,705	\$4,896,229
• Total amount of penalties collected:	\$12,505	\$2,392,565

# Licensed Dog and Cat Breeders Advisory Committee Field Operations Division Report



August 23, 2017

## **MOST COMMON VIOLATIONS**

3<sup>RD</sup> Quarter, Fiscal Year 2017

**1. Standards of Care-Housing Generally.** – 16 Tex. Admin. Code Ch. 91.100(3)(A). The surfaces of housing facilities--including houses, dens, and other furniture-type fixtures and objects within the facility--must be constructed in a manner and made of materials that allow them to be readily cleaned and sanitized, or removed or replaced when worn or soiled. Interior surfaces and any surfaces that come in contact with dogs or cats must: (i) be free of excessive rust that prevents the required cleaning and sanitization, or that affects the structural strength of the surface; and (ii) be free of jagged edges or sharp points that might injure the animals.

**2. Responsibilities of Licensee-Annual Inventory.** – 16 Tex. Admin. Code Ch.91.76(a). Not later than February 1 of each year, a licensed breeder shall submit to the department, on a form prescribed by the department, an accounting of all animals held at the facility at any time during the preceding calendar year.

**3. Standards of Care—Veterinary Care.** - 16 Tex. Admin. Code Ch. 91.112(d). Breeding cycles. A licensed breeder shall provide breeding females adequate rest between breeding cycles as recommended by a veterinarian based on the breed, age, and health of the individual breeding female and documented by a veterinarian in the medical records related to each animal.

**4. Standard of Care – Veterinary Care.** – 16 Tex. Admin. Code Ch. 91.112(a). Annual examination. A licensed breeder shall have each animal used for breeding examined by a veterinarian at least once in every twelve-month period. The annual examination required by this section must be conducted in accordance with practices established under the Veterinary Licensing Act and documented by a veterinarian in the medical records related to each animal.

**5. Standards of Care—Onsite Personnel.** – 16 Tex. Admin. Code Ch. 91.110(b). Each employee of a licensed facility whose duties or responsibilities include the handling of or caring for a dog or cat shall have the appropriate training documented by the licensee; to include at the minimum subject matter covering basic animal care and handling, prevention of infectious disease, and kennel sanitization.

**6. Standards of Care—Routine and preventative care.** - 16 Tex. Admin. Code Ch. 91.112(c). Failed to have the written health care management protocol contain all required health care records, including all authorized exemptions approved by a veterinarian.

**7. Standards of Care-Exercise for Dogs.** – 16 Tex. Admin. Code Ch.91.106(a). A licensee must develop, document, and follow an appropriate plan to provide dogs with the opportunity for daily exercise. In addition, the plan must be approved by a veterinarian and documented by a veterinarian in the medical records related to each dog. The plan must include written standard procedures to be followed in providing the opportunity for exercise.

**8. Responsibilities of Licensee—Mandatory Contract Provisions.** – 16 Tex. Admin. Code Ch.91.74. A licensed breeder must include in each contract for the sale or transfer of an animal: (1) the license number; and (2) the following statement: "Dog and cat breeders are regulated by the Texas Department of Licensing and Regulation, P.O. Box 12157, Austin, Texas 78711, 1-800-803-9202, 512-463-6599, [www.tdlr.texas.gov](http://www.tdlr.texas.gov) or a similar statement adopted by commission rule that includes the department's name, mailing address, telephone numbers, and Internet website address.

**9. Responsibilities of Licensee-Onsite Availability of Law and Rules.** – 16 Tex. Admin. Code Ch. 91.73. A licensed breeder must maintain at each of the breeder's facilities a printed and current copy of Texas Occupations Code, Chapter 802 and rules adopted by the commission regulating licensed breeders; or electronically in a manner prescribed by the department.

**10. Responsibilities of Licensee – Annual Inventory.** – 16 Tex. Admin. Code Ch. 91.76(b). The licensed breeder shall keep copies of the items described by subsection (a) at the licensed breeder's facility and shall make them available on request to the department inspector.

## **DIVISION PERSONNEL UPDATES**

### Personnel Updates

We have posted job openings for four inspector positions. Locations for these inspectors are Dallas/Fort Worth area, Corpus Christi, Houston, and Plano. Interviews for the new inspector positions are in progress the week of August 7, 2017.

**Inspection Statistics Total**  
**License Dog and Cat Breeders**

Month	FY 2017		FY 2016		FY 2015		FY 2014		FY 2013		FY 2012	
	Pre-Lic	Periodic	Pre-Lic	Periodic	Pre-Lic	Periodic	Pre-Lic	Periodic	Pre-Lic	Periodic	Pre-Lic	Periodic
September	0	1	0	0	4	18	1	0	82			
October	2	0	0	20	1	0	2	0	35			
November	0	0	3	42	2	0	1	0	6			
December	0	0	0	52	3	1	1	0	13			
January	1	2	0	0	2	0	2	0	9			
February	5	33	0	0	0	1	3	0	1			
March	2	35	0	0	1	0	3	0	3			
April	1	10	0	0	1	0	5	36	5			
May	0	34	0	0	3	0	7	30	1			
June	1	22	0	0	1	0	1	20	1			
July	1	9	0	0	0	0	5	19	1			
August			0	0	4	2	2	15	0		20	
<b>TOTAL</b>	<b>13</b>	<b>146</b>	<b>3</b>	<b>114</b>	<b>22</b>	<b>22</b>	<b>33</b>	<b>120</b>	<b>157</b>		<b>20</b>	
Periodic inspections are on an 18-month cycle.												

**Cat or Dog Breeder Advisory Board**  
**August 23, 2017**  
**Licensing Statistics**

	<b>FY '17 (7/31/17)</b>	<b>FY '17 *1st qtr</b>	<b>FY 2017 (10/1/16)</b>	<b>FY 2016 (08/16)</b>	<b>FY 2016 (12/15)</b>	<b>FY 2013 (08/12 - 7/13)</b>
<b>Licensed Breeders</b>						
New Licenses Issued	11	-	-	8	7	160
Renewals Issued	134	65	35	4	2	2
Cat Breeders	3	1	3			
Dog Breeders	169	159	148			
Cat & Dog Breeders	2	2	2			
<b>Total Population</b>	<b>172</b>	<b>162</b>	<b>169</b>	<b>172</b>	<b>167</b>	<b>173</b>

\*2nd quarter performance measures not available at the time report was submitted

