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Attorneys General Enforce Lemon Laws and Penalize Puppy Mills

WRITTEN BY

Agustin E. Rodriguez | Christopher Carlson | Namrata Kang

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The American Veterinary Medical Association estimates that over 65% of US households own a pet. Puppies are a particularly popular choice. But sometimes, after a puppy comes home to its new family, it might appear lethargic or in pain, and stumble when walking.

Some pet stores and distributors sell puppies without disclosing illness and congenital defects, producing a nightmare of a seriously sick animal and thousands of dollars in medical expenses for pet owners.

State attorneys general are cracking down on the practice, and more state legislatures are enacting puppy lemon laws.

AG Enforcement

In January 2023, New York Attorney General Letitia James reached a $200,000 settlement with Pet Zone for not providing consumers complete medical records for pets, and allegedly deceiving families into buying sick puppies.

In October 2021, former Maryland Attorney General Brian Frosh reached a $500,000 settlement with Just Puppies and the company's owner for selling puppies from puppy mills after Maryland enacted 2020 Puppy Mills Act.

As defenders of consumer protection in their states, state attorneys general also act as the primary protectors of puppies. An uptick in pet sales during the pandemic brought an increase in state AG enforcement actions.

As the demand for pets surged, it also provided ripe opportunities for bad actors to take advantage of consumers. Attorney general offices across the nation, however, appear to be mobilizing to hold these bad actors accountable.

In Virginia, the AG's office includes an Animal Law Unit. In Pennsylvania, the AG enforces the state's Puppy Lemon Law with a civil penalty of up to $1,000 for each violation.

Recent state legislation also will continue to empower state AGs. California, Illinois, New York, and parts of Nevada have laws banning pet stores from selling pets. Philadelphia and Houston also passed similar measures

banning dog retail sales, with Washington, D.C. awaiting congressional approval for its recent legislation.

As more states pass laws banning sales from puppy mills, state AGs will continue to patrol the following violations.

Puppy Mills

States are increasingly banning retail stores and online brokers from selling pets because these puppies often come from puppy mills. These breeding operations are notorious for poor treatment of dogs and unhealthy living conditions like cages without food or water and extreme temperatures.

“Puppy mills are the hidden horrors behind the cute little puppies you see for sale online and in pet stores,” Amanda Rivera told us. She is president and founder of Peace Love and Poms Rescue, a rescue organization for small breed dogs in need.

Customers looking to buy puppies online or at pet stores “don’t see the parents living in cramped caged, covered with painful mats and their own excrement, suffering from infections, rotting teeth, and disease, but we do when we save the parents.”

Maryland’s attorney general has actively enforced its anti-puppy mill statute by reaching numerous settlements and alleging violation of the state’s Unfair, Deceptive, and Abusive Practices statute, as companies made “statements that are capable of misleading consumers or to fail to disclose material facts, the omission of which deceives or tends to deceive consumers.”

Former Attorney General Brian Frosh’s settlement with Just Puppies for $500,000 and one with Maryland Puppies Online for $75,000 allowed consumers who purchased sick dogs from retailers to receive compensation to help pay for their pet’s care. Frosh’s successor Anthony Brown reached a settlement last month with Charm City Puppies, levying a $75,000 civil penalty.

Puppy Lemon Laws

Most states have puppy protection acts in place, but some states also have enacted puppy lemon laws, which require sellers guarantee an animal’s good health before sale.

Puppy lemon laws prevent pet dealers from selling a consumer a pet that suffers from an illness, deadly disease, or congenital defects that could adversely affect the pet’s health, and from providing a clear notice to the consumer at the point of the sale.

New York AG action against Pet Zone alleged the company “provided consumers with deceptive medical records that did not include a full list of medication provided to the pet to hide previous illnesses,” and once the pets were sold, they became sick.

In December 2021, James also successfully banned two 5 Corners Pet stores in New York for allegedly selling hundreds of sick or injured puppies to unaware consumers.

These actions are not limited to blue states like New York or Maryland. It is a bipartisan issue that attorneys general across the political spectrum care about. In Florida, Attorney General Ashley Moody reached a $200,000 settlement with Hoof's Pets for deceiving consumers by selling sick or dying puppies in violation of Florida's Puppy Lemon Law.

Puppy Scams

Sometimes, scammers deceptively advertise puppies that do not exist. Michigan Attorney General Dana Nessel warned consumers of such scams, and since 2020, her office received 129 complaints of alleged puppy scams, with 24 in 2022.

Similarly, in Arkansas, former Attorney General Leslie Rutledge announced a lawsuit against two men who pocketed $160,000 for creating deceptive websites and advertising American Kennel Club-registered puppies at discounted prices, when the puppies were not real.

State attorneys general continue to crack down on companies and bad actors that benefited from the COVID-19 pandemic, and the pet industry is no exception. We expect to see a flourish of bipartisan activity in this space.

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