

Date of Hearing: January 13, 2026

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

Marc Berman, Chair

AB 1382 Castillo – As Amended January 5, 2026

NOTE: This bill is double referred and if passed by this Committee will be re-referred to the Assembly Committee on Judiciary.

SUBJECT: Ethics Over Aesthetics Act.

SUMMARY: Prohibits selling, offering for sale, or importing for profit a transgenic pet animal in California, subject to certain exceptions.

EXISTING LAW:

- 1) Establishes the Polanco-Lockyer Pet Breeder Warranty Act, which regulates the sale dogs by dog breeders. (Health and Safety Code (HSC) §§ 122045 *et seq.*)
- 2) Requires every dog breeder to deliver to each purchaser of a dog a specified written disclosure and record of veterinary treatment. (HSC § 122050)
- 3) Requires dog breeders to maintain a written record on the health, status, and disposition of each dog for a period of not less than one year after disposition of the dog. (HSC § 122055)
- 4) Prohibits a dog breeder from knowingly selling a dog that is diseased, ill or has a condition, which requires hospitalization or nonelective surgical procedures. (HSC § 122060)
- 5) Requires every breeder who sells a dog to provide the purchaser at the time of sale, and a prospective purchaser upon request, with a written notice of rights, including conditions to return a dog and be eligible to receive a refund for an animal or reimbursement for veterinary fees. (HSC § 122100)
- 6) Establishes the Polanco-Lockyer-Farr Pet Protection Act, which regulates the sale of dogs and cats by pet dealers. (HSC §§ 122125 *et seq.*)
- 7) Prohibits a pet dealer from possessing a dog that is less than eight weeks old. (HSC § 122155(b))
- 8) Establishes certain requirements, restitution processes, and consumer rights related to the purchase of a dog by a pet dealer that subsequently falls ill within specified timeframes. (HSC §§ 122160-122190)
- 9) Prohibits an online pet retailer, as defined, from offering, brokering, making a referral for, or otherwise facilitating a loan or other financing option for the adoption or sale of a dog, cat, or rabbit. (HSC § 122191)
- 10) Prohibits pet dealers from selling a dog unless it has been examined by a California-licensed veterinarian, and requires that the dealer quarantine any sick or diseased animal separate from the healthy animals until a veterinarian determines the dog is free from infection. (HSC § 122210)

- 11) Requires every retail pet dealer to conspicuously post a notice indicating the state where the dog was bred and brokered on the cage of each dog offered for sale. (HSC § 122215)
- 12) Requires any person, dealer, or business selling a dog, cat, or rabbit to a purchaser located in California to provide a written notice that contains information including, but not limited to, the origin and known health records of the animal. (HSC § 122226)
- 13) Prohibits a pet store operator from selling a live dog, cat, or rabbit in a pet store unless the animal was obtained from a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group that is in a cooperative agreement with at least one private or public shelter, as specified. (HSC § 122354.5(a))
- 14) Requires pet store operators to maintain specified minimum standards regarding enclosures. (HSC § 122352)
- 15) Prohibits a public animal control agency or shelter, an animal rescue group displaying animals at a pet store, or an animal rescue group operating a retail establishment from offering dogs, cats, or rabbits for adoption unless the animals are sterilized, and the adoption fees from being more than \$500. (HSC § 122354.5(c))
- 16) Subjects a pet store operator who violates the prohibition on the sale of retail animals, who failed to correct the first notice of a violation to a civil penalty of \$1,000 and \$5,000 for subsequent violations, as specified. (HSC § 122354.5(d)(2))
- 17) Prohibits “brokers”, as defined, from making available for adoption, selling, or offering for sale a dog under one year of age, a cat, or a rabbit, subject to certain exemptions. (Business and Professions Code § 122365.1)
- 18) Prohibits the hatchery production and stocking of transgenic species of salmonids. (Fish and Game Code (FGC) § 1210)
- 19) Prohibits the spawning, incubation, or cultivation of any transgenic fish species in the water of the Pacific Ocean that are regulated by California. (FGC 15007)

THIS BILL:

- 1) Defines a “cosmetic transgenic trait” as “transgenic trait that alters, modifies, or engineers a transgenic pet animal’s appearance or natural functions, which may include, but not be limited to, novel fur, skin, feather, or scale coloring, the removal of claws or vocal cords, or the addition or subtraction of appendages.”
- 2) Defines a “transgenic pet animal” as “a pet animal that possesses a transgenic trait, and includes the progeny of a transgenic pet animal.”
- 3) Defines a “transgenic trait” as “a trait that has been deliberately altered, modified, or engineered, through means not possible under natural conditions, by insertion of a foreign gene using genetic engineering methods, including, but not limited to, the introduction of chromosomes containing artificially transferred genetic material from any other organism or a laboratory construct, regardless of whether the original source’s genetic material was

altered, modified, or engineered before insertion, or whether the originally transferred genetic material was inherited through normal reproduction.”

- 4) Prohibits a person from selling, offering for sale, or importing for a profit a transgenic pet animal that possesses a cosmetic transgenic trait in California.
- 5) Clarifies that this prohibition is not applicable if:
 - a. The transgenic trait is for the sole purposes of benefitting the health of the animal,
 - b. The transgenic trait is for the sole purpose of enhancing the transgenic pet animal’s interaction with humans, and does not alter the natural functions of the animal,
 - c. The transgenic pet animal is an aquatic pet species produced through breeding, conjugation, fermentation, hybridization, in vitro fertilization, or tissue culture, and no transgenic organisms are involved.
 - d. The transgenic pet animal is an aquatic pet species produced through whole genome ploidy manipulation.
- 6) Establishes that each transgenic sold, offered or sale, or imported into the state shall be a separate violation, each punishable by a civil penalty of no less than \$5,000.
- 7) Authorizes the district attorney of the county in which a violation occurred to take an action to enforce this bill’s provisions.

FISCAL EFFECT: This bill is keyed non-fiscal by the Legislative Counsel.

COMMENTS:

Purpose. This bill is sponsored by *Social Compassion in Legislation*. According to the author:

AB 1382 is a necessary response to a troubling trend: the commercialization of gene-edited pets. Gene editing should be reserved for advancing medical research and addressing critical ecological challenges, not for turning animals into living accessories. This reckless commercialization trivializes the ethical implications of genetic modification and exposes animals to unknown health risks. Beyond the potential for unintended genetic consequences, introducing gene-edited pets into the mainstream market could have severe repercussions, including disruptions to ecosystems if these animals were to escape or be released. Additionally, it paves the way for exploitative breeding practices, where profit-driven motives outweigh the well-being of the animals involved. Our shelters are already overflowing with overbred dogs, cats and rabbits. California must draw a clear line: animals are not commodities, and we will not allow genetic consumerism to dictate their future.

Background.

State Regulation of Pet Sales. California has a long history of regulating pet sales in the state beyond federal standards, with a number of laws that oversee pet dealers and their businesses, and aim to protect the wellbeing of the animals they sell. The Lockyer-Polanco-Farr Pet Protection Act (Pet Protection Act) establishes requirements on pet dealers in California. When

selling a pet to a consumer, pet dealers must provide purchasers with written information about the animal's health, including any known illnesses or conditions. Additionally, before any dog or cat is sold, it must be examined by a licensed veterinarian to ensure it is free from contagious diseases and fit for sale. The Pet Protection Act also outlines consumer remedies in the event a purchased animal is found to be ill or affected by a congenital or hereditary condition within 15 days of sale, in which case the consumer may be entitled to a refund, an exchange, or reimbursement for veterinary costs. The law also imposes recordkeeping requirements, obligating dealers to retain documentation regarding the source of animals, veterinary treatments, and sales transactions for a specified period. Enforcement of the Pet Protection Act is delegated to local animal control agencies and humane officers, who are authorized to conduct inspections and enforce compliance, and violations of the law may result in civil penalties and administrative actions.

The Pet Store Animal Care Act, contained in Part 6, Chapter 9 of Division 105 of the Health and Safety Code, establishes minimum care and cleanliness standards for animals housed and sold in retail pet stores. The law defines a “pet store” as a retail establishment open to the public that sells or offers for sale animals normally kept as household pets, and outlines detailed requirements for housing, sanitation, feeding, veterinary care, socialization, and environmental enrichment for animals in these stores. Specifically, the law mandates that animals be provided with adequate food and potable water, daily care by competent staff, and housing that ensures comfort through minimum size standards, ventilation, and enrichment devices (i.e., pet toys). Stores must maintain written programs of veterinary care developed in consultation with a licensed veterinarian, and animals showing signs of illness or distress must receive prompt attention. The law also prohibits the sale of animals younger than eight weeks, and requires records of animal origin and health status to be kept for specified periods.

Beyond pet sales that occur in retail settings, California regulates the sale of dogs by dog breeders through the Polanco-Lockyer Pet Breeder Warranty Act (Warranty Act). Under the Warranty Act, “dog breeders” are defined as a person, firm, partnership, corporation, or other association that has sold, transferred, or given away all or part of three or more litters or 20 or more dogs during the preceding 12 months that were bred and reared on the premises of the person, firm, partnership, corporation, or other association. Much like the Pet Protection Act, the Warranty Act allows a consumer to receive a refund or reimbursement should they purchase a sick pet, or a pet that is found to have a hereditary or congenital condition requiring surgery or hospitalization. The Warranty Act further regulates California dog breeders by requiring breeders to provide specific written disclosures, including the breeder’s name, address, information on the dog, and signed statements that the dog has no known diseases or illnesses, as well as a notice of the purchaser’s rights to obtain a refund or reimbursement.

Last year, the Governor signed a trio of bills—AB 506 (Bennett, Chapter 447, Statutes of 2025), AB 519 (Berman, Chapter 478, Statutes of 2025) and SB 312 (Umberg, Chapter 480, Statutes of 2025)—to bring greater transparency and accountability to the commercial dog, cat, and rabbit markets. Specifically, AB 506 established clear contract laws and disclosure requirements that pet sellers’ must abide by when selling one of these animals, and a private right of action for any violation of these requirements. AB 519 banned for-profit pet “brokers” in California, subject to certain exceptions, which prohibits the practice of re-selling a dog, cat, or rabbit that is bred by another individual. Finally, SB 312 established clear guidelines and requirements related to certificates of veterinary inspection (CVIs) for commercial dog importation into California, and required these CVIs be submitted to the Department of Food and Agriculture.

Transgenic Animals. Transgenic animals are genetically modified organisms (GMOs) that have had a foreign gene from another species deliberately inserted into their genome, thus altering their genetic structure and producing a physiological characteristic that does not naturally occur in the organism. Transgenic animals are often used for research or medical purposes; for example, transgenic mice that are modified to can help scientists study the effects of diseases and potential treatments, and recently, the genes of pigs are being modified to develop new solutions for organ transplant. In 2023, scientists at the University of Maryland School of Medicine successfully performed a transplant of a transgenic pig heart into a patient with end-stage cardiovascular disease.

While transgenic animals are primarily used in the fields of science and medicine, there are examples in past decades of transgenic animals being developed for purposes of pet sales and companionship. In 2003, after years of research stemming from breakthroughs in adding fluorescent jellyfish proteins into certain fish species for purposes of studying migration patterns, Yorktown Technologies began to market and sell fluorescent “GloFish” in the United States. Despite early protests from animal rights and consumer watchdog groups, and an initial ban in California, GloFish are sold across the U.S. as ornamental fish and come in many different species: zebrafish, black tetra, rainbow sharks, and more.

Recently, breakthroughs in genomic research and gene editing technology have led to new innovations—and ethical concerns—related to the development of transgenic animals, and particularly transgenic pets. As recently detailed in an article from technology magazine *Wired*, a new startup called “The Los Angeles Project” is experimenting with genetically engineering cosmetic traits in animals, such as glow-in-the-dark rabbits and horned “unicorn” horses. Specifically, the Los Angeles Project has been using methods such as CRISPR gene editing, and “restriction enzyme mediated integration”, or “REMI”, to delete or integrate new genes in the embryos of species like frogs, hamsters, and rabbits. While such methods have been used in the past for purposes of scientific and medical research, founders of the Los Angeles Project have expressed clear intent in developing transgenic animals for the consumer pet market.

Another recent example of transgenic animals in the news involves the “revival” of the extinct dire wolf by biotechnology company Colossal Biosciences. Receiving significant media coverage, Colossal analyzed a 13,000-year-old dire wolf tooth and a 72,000-year-old ear bone to modify the DNA of gray wolves via CRISPR gene editing to reproduce traits found in the dire wolf samples, such as larger heads, broader shoulders, and a lighter coat. These modified cells were then transferred to denucleated egg cells and implanted into surrogate domesticated dogs. The first “dire wolf” puppies were born in September 2024, and another successfully born in January 2025. Colossal Biosciences has expressed their intent to “de-extinct” other species, such as wooly mammoths, with the eventual goal of reintroducing such species into nature.

Federal and State Regulation of Transgenic Animals. In general, genetically modified animals—and genetically modified organisms generally—are regulated federally by the Food and Drug Administration. The FDA has three categories of what it deems “Intentional Genetic Alterations”, or IGAs, measured by the risk associated with the IGA product or animal. Risk is measured based on a number of factors, such as the risk to the animal or animal species, the potential to harm consumers or food supplies, and possible environmental impacts.

Specific to regulating transgenic animals produced solely for the consumer market, the FDA has taken little regulatory action. In fact, in December 2003 the agency expressly permitted the

commercial sale of GloFish after the pets first began being sold in the market. In its risk assessment, the FDA stated:

Because tropical aquarium fish are not used for food purposes, they pose no threat to the food supply. There is no evidence that these genetically engineered zebra danio fish pose any more threat to the environment than their unmodified counterparts which have long been widely sold in the United States. In the absence of a clear risk to the public health, the FDA finds no reason to regulate these particular fish.

In California, however, regulators have taken a more careful approach. The California Department of Fish and Wildlife (CDFW), via direction from the California Fish and Game Commission (CFGC), regulates the importation, possession, and transport of a wide variety of mammal and aquatic species, including a specific list of “Restricted Species” that are prohibited from being sold or possessed in the state unless expressly permitted by the Commission. Under these restrictions, “Transgenic Aquatic Animals” are included, and are specified to include “freshwater and marine fishes, invertebrates, amphibians, and reptiles”.

Regarding GloFish specifically, the CFGC voted in 2004 to deny permission to sell or possess GloFish in California, despite the FDA’s then-recent risk assessment permitting the commercialization of GloFish nationally. Commissioners cited concerns regarding potential impact to state ecosystems, and sided with consumer watchdogs who argued the FDA review process was slapdash. California’s ban on the sale of GloFish remained for over a decade, until in January 2016 the CDFW issued a letter to Yorktown Technologies reversing the 2004 decision and expressly permitting the sale and possession of GloFish in California. In its letter to Yorktown Technologies, CDFW wrote: “Based on information provided to the California Department of Fish and Wildlife, including species information, scientific reviews, and risk assessments, CDFW determined that … [GloFish] … are not detrimental to and pose no reasonably foreseeable risk to California’s native fish, wildlife, or plants.” Since 2016, subsequent CDFW letters and correspondence have affirmed that GloFish are legal to be sold and possessed in the state.

With concern for the ethical and environmental impacts associated with recent transgenic animal innovations, the author and sponsor have put forward this measure to ban the sale and for-profit import of transgenic pet animals that possess a cosmetic genetic trait. “Cosmetic genetic traits” are defined as “a transgenic trait that alters, modifies, or engineers a transgenic pet animal’s appearance or natural functions, which may include, but not be limited to, novel fur, skin, feather, or scale coloring, the removal of claws or vocal cords, or the addition or subtraction of appendage”. The bill clarifies that transgenic traits that are either “for the sole purpose of benefiting the health of the… animal” or for “enhancing the [animal’s] interaction with humans” (such as promoting hypoallergenic traits) are exempt from this prohibition. Further, recognizing the existing market and proven safety of transgenic pet fish like GloFish, the bill exempts such aquatic pets from the prohibition as well. Each violation of a prohibition under this bill would be punishable by a civil penalty of no less than \$5,000 per violation, and authorizes the district attorney of the county in which a violation occurred to take an action to enforce this bill’s provisions.

In short, the author and sponsor have put forward this measure to ask the Legislature if, while commercial scientists become increasingly occupied with whether cosmetic traits *could* be added to animals through gene manipulation, whether such traits *should* be.

Prior Related Legislation. AB 506 (Bennett), Chapter 447, Statutes of 2025 specified information that must be included in a contract between a buyer and pet seller, prohibit such contracts from requiring a nonrefundable deposit, and provide consumer remedies and rights of action for contracts.

AB 519 (Berman), Chapter 478, Statutes of 2025 prohibited “brokers”, as defined, from selling, offering for sale, or making available for adoption any dog, cat, or rabbit, subject to certain exemptions.

SB 312 (Umberg), Chapter 480, Statutes of 2025 expands requirements related to obtaining and submitting a health certificate to the Department of Food and Agriculture (CDFA) when selling or importing dogs into California, and require the CDFA to retain, and make available upon request, information related to the health certificates.

AB 2380 (Maienschein), Chapter 548, Statutes of 2022 prohibited an online pet retailer, as defined, from offering a loan or other financing for the adoption or sale of a dog, cat, or rabbit.

AB 2152 (Gloria & O’Donnell), Chapter 96, Statutes of 2020 prohibited a pet store from selling dogs, cats, or rabbits, but allows a pet store to provide space to display animals for adoption if the animals are displayed by either a shelter or animal rescue group, as defined, and establishes a fee limit, inclusive of the adoption fee, for animals adopted at a pet store.

AB 485 (O’Donnell), Chapter 740, Statutes of 2017 prohibited, beginning January 1, 2019, a pet store operator from selling a live cat, dog, or rabbit in a pet store unless they are offered through a public animal control agency or shelter, specified nonprofit, or animal rescue or adoption organization, as defined.

ARGUMENTS IN SUPPORT:

This bill is sponsored by *Social Compassion in Legislation*, who writes: “Driven by advancements in genetic modification technologies, the intentional genomic alteration of animals has become a frontier for development. While investments have been made to further this endeavor for potentially beneficial medical advancements, some companies have begun the development of genetically modified cats, dogs, and other pets with altered appearances to fulfil consumer demand for "designer" traits, despite unknown long-term health risks. These genetic modifications run the risk of prioritizing aesthetics over the well-being of the animal, as well as drive consumer demand for novelty pets when there already exists a pet overpopulation crisis.”

ARGUMENTS IN OPPOSITION:

None on file.

REGISTERED SUPPORT:

Social Compassion in Legislation (*Sponsor*)
Angel’s Furry Friends Rescue
Animal Legal Defense Fund
Animal Rescuers for Change
Animal Wellness Action
Berkeley Animal Rights Center

Better Together Forever
Born Again Animal Rescue and Adoption
Compassionate Bay
Concerned Citizens Animal Rescue
Doggie Business Dog Training
Feline Lucky Adventures
Fine Tuning Dog Training
Giantmecha Syndicate
Greater Los Angeles Animal Spay Neuter Collaborative
Hugs and Kisses Animal Fund
Latino Alliance for Animal Care Foundation
Leaders for Ethics, Animals, and the Planet (LEAP)
Los Angeles County Democrats for the Protection of Animals
Los Angeles Democrats for the Protection of Animals
Los Angeles Rabbit Foundation
Michelson Center for Public Policy
NY 4 Whales
Pibbles N Kibbles Animal Rescue
Plant-based Advocates
Project Minnie
Rabbit Savior
Rabbit.org Foundation
Real Good Rescue
San Diego Companion Rabbit Society
Seeds 4 Change Now Animal Rescue
Seniors Citizens for Humane Education and Legislation
Start Rescue
Students Against Animal Cruelty Club - Hueneme High School
The Animal Rescue Mission
The Canine Condition
The Pet Loss Support Group
The Spayce Project
Underdog Heroes
Women United for Animal Welfare
World Animal Protection
930 Individuals

REGISTERED OPPOSITION:

None on file.

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