

## SENATE THIRD READING

SB 312 (Umburg)

As Amended September 02, 2025

Majority vote

**SUMMARY**

Requires individuals to obtain and submit a health certificate to the Department of Food and Agriculture (CDFA), and to the buyer, when selling or importing dogs into California, and requires the CDFA to retain and make available to the public, upon request, specified information related to the health certificates.

**Major Provisions**

- 1) Repeals current law contained in the HSC, and places and expands laws in the Food and Agriculture Code related to health certificates for a person selling, transporting, or importing a dog into California for the purpose of resale or change of ownership.
- 2) Requires that a person selling, transporting, or importing a dog into California for the purpose of resale or change of ownership obtain and submit a health certificate, completed by a licensed veterinarian dated no more than 10 days before the date on which the dog is brought into this state.
- 3) Requires that health certificates be submitted directly to the CDFA and the buyer of the dog.
- 4) Requires that a health certificate must include, but is not limited to, the following information:
  - a) The date of the examination;
  - b) A statement that the examination revealed no clinical evidence of infectious or communicable disease, including external parasites and fungi, and that, to the best of the veterinarian's knowledge the dog has not recently been exposed to such infectious or communicable disease;
  - c) Any vaccinations, treatments, or tests, and the results;
  - d) A statement that the dog has been properly immunized by a rabies vaccination within 12 months before the date of importation into the state, unless the dog is under three months old or a veterinarian certifies in writing that specified circumstances would endanger the life of the dog;
  - e) The number of dogs in the shipment;
  - f) A description of each dog, including breed, sex, and age;
  - g) The microchip number for each dog, if microchipped;

- h) The physical address for both the origin and destination of the dog in the shipment which shall not be a post office box, airport, parking lot, or other non-fixed location, as specified;
  - i) The signature, printed name, physical address, and state license number of the accredited veterinarian who examined the dogs in the shipment;
  - j) The full name and physical address, email address, and telephone number of the consignor, as defined, and the buyer; and
  - k) The United States Department of Agriculture license number associated with the breeder of the dog, if applicable.
- 5) Specifies that completion of a United States Department of Agriculture Form 7001 satisfies the health certificate requirements so long as it is completed within 10 days prior to import and contains all required information above.
  - 6) Authorizes the CDFA to utilize a different form of health certificate so long as it is completed within 10 days prior to import and contains all required information above.
  - 7) Requires that the person selling, transporting, or importing the dog into California submit the health certificate to the CDFA and the buyer via an electronic transmission.
  - 8) Makes a health certificate received by the CDFA a public record, as specified.
  - 9) Requires the CDFA to make the submitted health certificates available upon request, without first requiring the submission of a public records request, as specified.

## COMMENTS

*Interstate Dog Importation.* In order to prevent the spread of communicable diseases and parasites, states across the country require some form of a health certificate, or "certificate of veterinary inspection" (CVI) for animals that are imported or travel across state lines. In many states, respective agriculture departments or other state agencies regulate CVIs and health requirements for out-of-state animals. While every state requires some sort of CVI for livestock and poultry, not all—but many—require CVIs for dogs, and some even require CVIs for other companion animals like cats and rabbits. While CVIs vary somewhat state-by-state, all require minimum information such as the animal's place of origin, veterinary identification, and proof of certain vaccinations. Notably, in recent years some states like New York and California have adopted and encouraged the use of electronic CVIs where applicable, citing greater accuracy and security.

In California, CVIs or similar health certificates are required for most animals coming into the state, with many being directly administered by, and submitted to, the state's Department of Food and Agriculture (CDFA). Respective to dogs, current law established by AB 1809 (Maeinschein, Ch. 498, Stats. of 2014) requires that individuals who import dogs intended for resale or change in ownership obtain a health certificate from a licensed veterinarian in their state or country of origin within 10 days prior to the dog being brought into California. These certificates are

required to be submitted to the public health department of the relevant county where the dog will be sold or received, and failure to comply with these requirements is punishable by a \$250 infraction per dog.

While current law is vague as to what specific information must be included in this certificate, it deems that submission of the U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) Form 7001 to the county health department is satisfactory for meeting California CVI requirements. This form is provided by the USDA as a certifiable, consistent resource to meet various international and national pet import and export requirements, and includes important information such as the origin of the animal, age and breed descriptors, any vaccines or treatments administered, the license number of the examining veterinarian, and more. Additionally, current law allows each county to develop their own canine health certificate as they deem appropriate, and to use the information they receive as they see fit.

*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.

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.

*Further Legislative Reforms.* Building off existing federal and state laws, the Legislature has made additional reforms in recent years to the sale of animals coming from large-scale animal

"mills" and other cruel commercial operations. In an effort to reduce the flow of pets sourced from breeder mills, AB 485 (O'Donnell, Chapter 740, Statutes of 2017) was enacted in 2018 to prohibit pet store operators from selling a live cat, dog, or rabbit unless the animal is offered through a public animal control agency or shelter, specified nonprofit, or animal rescue or adoption organization. Pet store operators who violate these provisions are subject to a civil penalty of up to \$500 for each animal offered for sale.

To address loopholes that resulted from the implementation of AB 485, in which commercial breeders guised their businesses as nonprofit organizations to circumvent prohibitions, further legislation enacted in 2021 (AB 2152, Gloria & O'Donnell, Chapter 96, Statutes of 2020) specifically defined the type of animal rescue organizations that pet stores could source animals from. Additionally, AB 2152 prohibited pet stores from displaying animals except for cases of providing display space for nonprofit partners. In 2023, AB 2380 (Maienschein, Chapter 548, Statutes of 2022) was enacted to further curb the importation of commercially-bred pets into California, and address unscrupulous and predatory lending practices in the pet market by prohibiting online pet retailers from offering or brokering a loan or other financing option for the adoption or sale of a dog, cat, or rabbit.

*LA Times Exposé.* Despite California's many past efforts to promote transparency and animal welfare in pet sales, a 2024 investigative report by the *Los Angeles Times* titled "Inside California's Brutal Underground Market for Puppies" exposed that some breeders and pet sellers were exploiting loopholes that allow them to circumvent state laws, reselling or arranging the sale of dogs bred in "puppy mills." Through analysis of more than 88,000 CVIs from states throughout the country, the *Times* identified that more than 71,000 were imported into California. Individual pet dealers and businesses then rebrand and resell these imported dogs as "California-bred" to unknowing consumers. According to the report, many of these pets develop future health problems and consumers are left with little knowledge as to the original source of their pet, nor recourse for the fraudulent sale.

In attempting to procure and research CVIs as part of their investigation, *Times* reporters highlighted the inconsistent and severely lacking nature of animal health certificate submission and retention across California. Since state law requires that CVIs be submitted to county health departments, and defers to each county to determine specific required information and method of submission, CVIs vary wildly from county-to-county in their accessibility, disclosed information, and recordkeeping methodology. Additionally, since CVIs are typically for sales that involve an out-of-state seller, these sellers are often unaware of specific county requirements and default to transmitting CVIs directly to the CDFA, since they are the state agency that typically receives CVIs for other types of animals and in many other states, their respective agriculture departments regulate interstate dog commerce directly.

In response to this investigative report, the author and sponsors have put forward this measure to provide greater consumer transparency in dog sales and align California's CVI requirements for dogs with those in other states. Specifically, this bill strikes current law contained in the Health and Safety Code that outlines CVI requirements and places regulation under the authority of county health departments, and instead recasts and expands these requirements in the Food and Agriculture Code and places authority directly under the CDFA. Specifically, this bill requires that any person selling or transporting a dog into California for resale or ownership transfer must

obtain a CVI within 10 days prior to the dog being brought into the state, and that it must be submitted directly to the CDFA and the buyer of the dog. Unlike current law, this bill specifically outlines what information must be included in the CVI, including the date of the examination, a statement that the dog did not present any clinical evidence of infectious disease, records of vaccinations or treatments, and certain information about the seller, consigner, and buyer. The bill notes that an APHIS Form 7001 is satisfactory for meeting the CVI requirement so long as it is dated within the required 10 days prior to import. Finally, the bill requires the CDFA to make any CVI it obtains available upon request, without requiring a person to submit a request under the California Public Records Act.

Notably, this bill is part of a wider "Close the Puppy Mill Pipeline" legislative package put forward by the sponsors to address issues raised in the *Times* investigation. In addition to this bill, which requires CDFA to retain and make available information related to certificates of veterinary inspection, the package also contains AB 519 (Berman), which expressly bans pet brokers, and AB 506 (Bennett), which would establish specific contract stipulations and consumer restitution measures related to pet sales. AB 519 and AB 506 were both approved by this committee earlier this year and are currently under consideration in the Senate Business, Professions, and Economic Development Committee.

### **According to the Author**

"California has been a longstanding leader in animal welfare, becoming the first state to prohibit the sale of purpose-bred puppies (typically acquired from puppy mills) in pet stores. However, dishonest sellers continue to exploit consumers through deceptive internet marketing practices and/or by posing as reputable local breeders. In reality, they import thousands of puppies from cruel out-of-state breeding operations, deceiving buyers and perpetuating the horrific puppy mill pipeline. Almost every state requires a health certificate for imported dogs to be uploaded to their state department of agriculture but California has never mandated sending these forms to the California Department of Agriculture, which has received and destroyed them for years. This health certificate information is crucial for consumers to confirm information about their dog, and for humane law enforcement agencies who work to investigate fraud during these transactions"

### **Arguments in Support**

This bill is co-sponsored by the *San Diego Humane Society (SDHS)* and the *American Society for the Prevention of Cruelty to Animals (ASPCA)*. In a joint letter co-signed by several animal welfare organizations, they write: "Transparency around the health, sources, flow, and volume of puppies being sold into California that SB 312 will afford is a critical step that will increase consumer protections and allow for better oversight and policymaking with respect to puppies being imported from puppy mills and breeders in other states."

### **Arguments in Opposition**

None on file.

## **FISCAL COMMENTS**

General Fund costs of an unknown amount, possibly approximately \$150,000 per year for CDFA to maintain the health certificates for five years and respond to requests for health certificates.

**VOTES****SENATE FLOOR: 38-0-2**

**YES:** Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

**ABS, ABST OR NV:** Limón, Reyes

**ASM BUSINESS AND PROFESSIONS: 16-0-2**

**YES:** Berman, Flora, Ahrens, Alanis, Caloza, Chen, Elhawary, Hadwick, Haney, Irwin, Jackson, Krell, Lowenthal, Ellis, Nguyen, Pellerin

**ABS, ABST OR NV:** Bains, Bauer-Kahan

**ASM AGRICULTURE: 8-0-0**

**YES:** Soria, Alanis, Aguiar-Curry, Connolly, Jeff Gonzalez, Hadwick, Irwin, Ransom

**ASM APPROPRIATIONS: 11-0-4**

**YES:** Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Ahrens, Pacheco, Pellerin, Solache

**ABS, ABST OR NV:** Sanchez, Dixon, Ta, Tangipa

**UPDATED**

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