



Requirements for

Dog Sellers & Dog Facility Operators

Department of Agriculture, Trade and Consumer Protection | Division of Animal Health

Wisconsin law requires that some dog breeders and others involved in dog sales, adoptions, and sheltering to be inspected and licensed. It also requires that dogs be examined by a veterinarian before they are sold or adopted for a fee, and prohibits sale of puppies until they are 7 weeks old. This is a summary of the requirements for facilities and animal care that licensees must meet.

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Who needs a license?

- **Dog breeders** selling at least 25 dogs a year, from more than 3 litters that they have bred.
- **Dog breeding facilities** from which at least 25 dogs a year are sold, from more than 3 litters.
- **In-state dog dealers** selling or offering to sell at least 25 dogs a year that they did not breed and raise.
- **Out-of-state dog dealers** who import at least 25 dogs a year into Wisconsin, regardless of whether they bred and raised them.
- **Non-profit animal shelters and rescue groups** sheltering/fostering at least 25 dogs a year.
- **Animal control facilities** that contract with a city, village, town or county.

Need more information?

ON THE WEB:

https://datcp.wi.gov/Pages/Programs_Services/DogBreedersSellersLaw.aspx

EMAIL:

DATCPanimals@wi.gov

CALL:

(608) 590-8519

* Note that requirements are based on a licensing year and not a calendar year. Annual licenses expire on Sept. 30.



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Who does not need a license?

- **Licensed veterinarians** who keep dogs only when providing veterinary care or treatment.
- **A person conducting a one-time liquidation sale** from one location, with 30-days notice to DATCP, if:
 - There are 30 or fewer dogs owned or kept at the location when the sale starts, or at any time during the sale.
 - No other dogs are moved to the location during the sale.
 - No other owner sells dogs from the location during the sale.
 - The seller was not licensed in the preceding license year, and didn't conduct a liquidation sale the previous license year.
 - The seller does not engage in activities for which a license is required in the following year.
- **Operators of temporary dog markets**, with 10-days notice to DATCP, if they:
 - Provide adequate facilities and take steps to assure humane care.
 - Have a certified Wisconsin veterinarian examine dogs daily if the market runs more than one day
 - Gather and keep required information about the sellers and the dogs.
 - Allow DATCP to inspect during market hours.
- **Boarding kennels, dog groomers and pet owners.**

Home custody providers and fosterers

- **Individuals who keep dogs at their homes for a licensed person** do not need to be licensed themselves. However, they may be subject to inspection.
- **Rescue groups and humane societies** that do not operate a shelter—but only send animals to foster homes—must be licensed if they shelter at least 25 dogs a year in foster homes.

License period

- The license period is from Oct. 1 to Sept. 30.
- **Licenses expire on Sept. 30 every year.** Renewal notices are provided to license holders every August.
- A license is not transferable between locations; a license holder that moves to a new location must apply for a new license prior to operating at the new location.

Annual fees

- **Animal control facilities and shelters:** Flat fee of \$250.
- **Breeders, breeding facilities and in-state dealers** pay according to how many dogs they sell annually:
 - 25-49 dogs: \$550
 - 50-99 dogs: \$1,100
 - 100-249 dogs: \$1,650
 - 250 or more dogs: \$2,200



- **Out-of-state dealers:**
 - 25-49 dogs: \$825
 - 50-99 dogs: \$1,650
 - 100-249 dogs: \$2,475
 - 250 or more dogs: \$3,300
- **Late renewal:** Normal fees plus 20%.
- **Operating without a license in the previous 365 days:** Normal fees for license, plus a surcharge equal to the total of all applicable license fees due.

Posting licenses/reports

- License holders must prominently post the license and most recent inspection report at each licensed location.
- License holders must post their license number in each advertisement, including online advertisements.

Inspections

- DATCP may inspect locations listed on the license and other locations where someone else keeps dogs for the license holder. (*See home custody providers/fosterers*)
- Prior to issuing a license, a pre-licensing inspection must be completed. If the necessary standards are not met, DATCP may deny the application and the applicant must reapply.
- License holders will be inspected at least once every two years.
- Inspections include dog health, standards of care, and recordkeeping.
- License holders are charged a re-inspection fee of \$400 if DATCP has to return after a routine inspection to verify that violations have been corrected. Licenses will not be renewed without payment of re-inspection fees.

Record-keeping requirements

- **Records in written or readily readable electronic form** must be kept at least 5 years at the license holder's principal place of business, available to DATCP on request.
- **Address of every location** where license holders keeps dogs, the name of the person responsible for administering each location, and the name and address of anyone to whom dogs are consigned for home custody.
- **Records required for each dog:**
 - **Health records**, including observation and treatment records (regardless of who administered the treatment).
 - **Vaccination records**, including the type of vaccine, serial/ lot number, date administered, and person whom administered.



- **Breed registration records**, if any.
- **Written behavior and socialization plan.**
- **For all dogs under the license holder's custody or control during the license year**, including those in home custody:
 - Description including breed or type, sex, birth date or approximate age, color, distinctive markings.
 - Location where each is kept.
 - Any USDA official ID and any other ID tag, tattoo or microchip information available.
- **For dogs born under license holder's custody or control**, statement to that effect
- **For dogs not born under license holder's custody or control:**
 - Date license holder acquired the dog.
 - Identity of person from whom the license holder acquired the dog, including name, address and USDA facility license or registration number, if any.
- **For dogs no longer under license holder's custody or control:**
 - Date the dog left the license holder's custody or control.
 - Where the dog went.
 - Name of person who took custody or control, if anyone.
 - Copy of any certificate of veterinary inspection that accompanied the dog.

Sales and adoptions / certificates of veterinary inspection (CVI)

- **Dogs less than 7 weeks old cannot be sold.**
- Whenever a licensee sells or adopts out a dog for a fee, a CVI and vaccination records must accompany the dog.
- **CVIs:**
 - If issued in Wisconsin, must be completed and signed by Wisconsin certified veterinarian; if issued for dogs entering Wisconsin, must be completed and signed by an accredited veterinarian.
 - CVIs issued in Wisconsin must be on a form provided by DATCP; those issued in other states must be on forms approved by DATCP.
 - CVIs will be sold only to veterinarians, not to license holders directly.
 - CVIs must include:
 - Seller's name and address.
 - Dog's breed, sex and age.
 - Whether dog is spayed, neutered or intact.
 - Vaccinations administered by the veterinarian completing the CVI.
 - For intact dogs sold at public auction, documentation of a negative brucellosis test within 30 days before sale.
 - A heartworm positive dog may not be sold, transported or exhibited as it is considered to have an infectious, contagious or communicable disease.



- Veterinarian’s statement: Dogs listed show no signs of communicable disease not noted, vaccinations and test results are as indicated, and the CVI is not a warranty.
- Veterinarian’s signature and date, within 10 days after he/she examines the dogs.
- CVI remains valid for 30 days after examination.
- Copies go to buyer, seller, and issuing veterinarian.

Dog imports

- Imported dogs must be accompanied by a CVI.
- Dogs older than 5 months of age must be vaccinated against rabies within 30 days of import if not vaccinated at time of import.
- Any additional required information under current import rules. These may change based on disease outbreaks and other factors, so before importing, check http://datcp.wi.gov/Animals/Animal_Movement/index.aspx or call (608) 224-4872.

General standards of care

- **Food and water requirements:**
 - Feeding at least once a day, unless health needs demand a different schedule.
 - Proper amount and type of nutrition based on age, size, weight, health and condition.
 - Uncontaminated and palatable food stored in clean containers.
 - Fluid and uncontaminated water, available all day or as often as necessary to keep dogs hydrated.
 - Durable, clean food and water containers (disinfected at least once a week).
- **Health and veterinary care requirements:**
 - Humane handling, without physical harm or unnecessary injury.
 - Daily body, mobility and behavior checks.
 - Grooming as often as necessary to maintain dog health, comfort, and welfare; including preventing matted hair and overgrown nails.
 - Dogs with communicable diseases separated from other susceptible animals.
 - Veterinary exams as often as necessary to assure adequate care.
 - Timely veterinary care for sick, diseased or injured dogs and when necessary, legal and humane euthanization.
- **Exercise requirements:**
 - Reasonable daily exercise based on breed, size, age and condition.
 - Daily access to an indoor or outdoor area where dogs can run.
 - No repetitive unsupervised activity, such as running on a treadmill, except for good cause.
- **Grouping and separation requirements:**
 - Separation into compatible groups.
 - Females in estrus kept separated from sexually intact males except for breeding.
 - Potentially harmful aggressive dogs kept separate from other dogs.



- Puppies under 4 months kept separate from all adults except dam or foster dam, unless under direct supervision.
- **Behavior and socialization requirements:**
 - Daily, full-body physical contact with other compatible dogs, unless there's good cause to avoid it.
 - Daily positive human contact besides feeding time.
 - Safe toys in the primary enclosure, unless there's a good cause to remove them.
 - Written plan for meeting these requirements, with instruction to employees and agents.
- **Veterinary care:**
 - DATCP may require a license holder to have a licensed veterinarian examine a dog that shows signs of illness, injury or neglect.

Standards of care (indoor enclosures)

- Be large enough for the dam to stretch out so all puppies can nurse at the same time, and for the number and temperament of the puppies.
- Include an area where the dam is not accessible to the puppies (solid floor not required in this area).
- **Nursery enclosures** are primary enclosures for puppies between weaning and 4 months. They must be large enough to allow all the puppies to turn around, stand up, lie down, and move normally, and to encourage socialization and exercise.
- **Temporary enclosures for one dog** do not have to meet primary enclosure size standards if:
 - Only one dog is in the enclosure at a time.
 - The dog is in the enclosure for 12 hours a day or less.
 - The enclosure is large enough to accommodate the length of the dog's body from tip of the nose to base of the tail.
 - The dog can stand normally and comfortably, turn around, and lie down.
- **Floors and interior surface requirements:**
 - Enclosures shall be structurally sound and maintained in good repair to protect dogs from injury.
 - Dirt floors are prohibited.
 - Floors and other interior surfaces must be built and maintained to keep dogs clean, dry and safe, and must be regularly cleaned and sanitized.
 - Metal wire mesh floors are allowed if:
 - The wire is coated to prevent injury to dogs' feet.
 - The wire is a heavy enough gauge to prevent sagging and injury to dogs' feet.
 - Openings in stainless steel or wire mesh floors must be small enough to prevent the smallest dog's feet from going through or becoming entangled.
- **Stacked primary enclosure requirements:**
 - Floor of top enclosure 52 inches or less from the floor of the room.
 - Stacking arrangement that allows for safe dog handling, adequate ventilation and temperature control, easy cleaning and sanitization, and easy inspection.



- Fully ventilated front and solid floor (or non-solid floor with a solid catch pan) that is easy to clean and sanitize in each stacked enclosure.
- Stacked enclosures stable when filled to maximum capacity.
- No feces, urine, dirt or debris falling from higher enclosures to those below.
- **Lighting, temperature and ventilation requirements:**
 - Enough natural or artificial light on a day-night cycle to assure proper care, maintenance and inspection of the facility and the dogs.
 - Heating and cooling based on the ability of breed to adjust to temperature changes, with protection from heat, cold and humidity that may harm the dogs' health. An indoor facility must be heated at a minimum of 50° F.
 - Adequate ventilation with fresh or filtered air to minimize odors, drafts, ammonia levels and condensation.
 - Indoor-outdoor air exchange required.
- **Cleaning and sanitizing requirements:**
 - Feces removed from primary enclosures, exercise areas, and other holding areas at least once a day and more often if necessary for dogs' health and comfort.
 - Primary enclosures and other holding areas cleaned and sanitized as often as necessary to keep them free of accumulated dirt, debris and disease hazards (Disinfected at least once a week).
 - Primary enclosures cleaned and sanitized before new dogs placed in them.
 - Dogs removed from enclosures and holding areas before cleaning and sanitizing and not returned until the area is dry.
 - Clean, dry, breed-appropriate bedding or solid resting place appropriate for breed, age, and condition, unless other arrangements are necessary for dog's health and safety.
 - Pests and parasites shall be controlled as necessary to maintain dog health and comfort.

Standards of care (outdoor enclosures)

- **Dogs kept outdoors must be:**
 - Able to tolerate temperatures and conditions based on breed, age, health, and condition.
 - Acclimated to the temperatures that may occur.
- **Minimum area**, not including any dog shelter, is determined by size of the largest dog, measured from the tip of the nose to the base of the tail, and by the size and total number of dogs in the enclosure.
 - *First calculate size needed for the largest dog in the enclosure:*
 - Largest dog up to 10 inches nose to tail, 4.5 square feet.
 - Largest dog 11-16 inches nose to tail, 8 square feet.
 - Largest dog 17-22 inches nose to tail, 12 square feet.
 - Largest dog 23-26 inches nose to tail, 18 square feet.
 - Largest dog 27-30 inches nose to tail, 24 square feet.
 - Largest dog more than 30 inches nose to tail, 30 square feet.
 - *Then add this much space for each additional dog:*
 - Each dog up to 10 inches nose to tail, 3.375 square feet.



- Each dog 11-16 inches nose to tail, 6 square feet.
 - Each dog 17-22 inches nose to tail, 9 square feet.
 - Each dog 23-26 inches nose to tail, 13.5 square feet.
 - Each dog 27-30 inches nose to tail, 18 square feet.
 - Each dog more than 30 inches nose to tail, 22.5 square feet.
- **Construction requirements:**
 - Enclosures shall be structurally sound and maintained in good repair to protect dogs from injury.
 - Built and maintained to prevent escape.
 - Any roof or overhead screen at least 12 inches higher than standing height of tallest dog.
- **Dog shelter requirements:**
 - Accessible by all dogs in the enclosure.
 - Moisture proof and wind proof structure, insulated to protect against cold and dampness. Made of durable materials, has four sides, a roof and a flat solid moisture-proof floor or a floor raised at least 2 inches from the ground.
 - During cold or inclement weather, the structure shall have a windbreak at the entrance and clean, dry bedding.
 - One shelter big enough to accommodate all dogs without crowding, to allow the tallest dog to stand normally and comfortably, and to allow all dogs to turn around and lie down or multiple shelters that together provide enough space for these conditions and activities.
- Built to prevent injury, allow all dogs to hold or give off enough body heat for health and comfort, stay dry and clean, and protect from predators
- **Shade and wind break**, other than the dog shelter, required adequate to accommodate all dogs in the enclosure.
 - A windbreak to provide protection against cold temperatures that may adversely affect the health of dogs.
- **Outdoor tethering permitted** only if:
 - Dog is of a breed, age, health, and condition that can tolerate tethering.
 - Dog can easily enter and lie down in the dog shelter.
 - Dog is not pregnant or nursing pups.
 - Tether is at least 6-feet long and longer if necessary for the size of the dog, has an anchor swivel, cannot become entangled with anything, and is attached to a non-tightening collar or harness large enough for the dog.
- **Outdoor tethering prohibited** at animal shelters or control facilities for more than 4 hours a day meeting above conditions, with a responsible person present.
- **Run or exercise area requirements:**
 - Access at least 30 minutes a day.
 - Large enough for the dog's size and temperament, considering the number using the area at the same time, and so the dog can run.
 - Shade area big enough for all dogs using the exercise area.
 - Shelter not needed unless the area is also the primary enclosure.



- **Cleaning and sanitation:**
 - Feces removed from outdoor primary enclosures, exercises areas, and other dog holding areas at least once a day and more often if necessary for dogs' health and comfort.
 - Interior surfaces of dog shelters that cannot be readily cleaned and sanitized must be replaced when worn or soiled.
 - Primary enclosures and other holding areas cleaned and sanitized, where possible, to keep them free of accumulated dirt, debris and disease hazards.
 - Pests and parasites controlled as necessary to maintain health and comfort.
 - Clean, dry, breed-appropriate bedding or solid resting place appropriate for breed, age, and condition, unless other arrangements are necessary for dog's health and safety.

Transporting dogs

- **Portable enclosure requirements:**
 - Water-resistant and cleanable material with ventilation, designed to keep all dogs inside clean, dry and safe.
 - Securely closed when in use.
 - Cleaned and sanitized between use for different dogs, and more often as necessary.
 - Secured to prevent reasonably foreseeable movement that could injure dogs, and positioned to provide enough air for all dogs to breathe normally, to keep the entrance accessible for emergencies, to protect all dogs from the elements, and to prevent excreta from falling on dogs.
- **Care during transport:**
 - Protect at all times from hypothermia or hyperthermia, including use of heating or cooling if necessary.
 - Enough room for each dog to turn, stand and lie down, except if dogs are transported during a dog trial.
 - Food and water according to "general standards of care" listed above.
 - Separate incompatible dogs.
 - Visually inspect each dog every four hours.
 - Remove each dog from the vehicle at least every 12 hours, and allow to urinate, defecate and exercise, unless the vehicle is equipped to meet those needs.
 - Remove dogs from the vehicle in a timely fashion at the destination.
- **Transport vehicle requirements:**
 - All dogs need fresh or filtered air, without injurious drafts.
 - Dog cargo space built and maintained to minimize exhaust fumes seeping in.



Prohibited conduct

- License holders, their employees or their agents may not:
 - Interfere with a DATCP inspection or assault an inspector.
 - Fail to produce evidence or records requested by DATCP, without just cause.
 - Misrepresent a dog's breed or pedigree.
 - Move a diseased dog in violation of current laws.
 - Knowingly accept dogs from someone not properly licensed, unless that person accepted the dogs to protect them and promptly reported the acceptance to DATCP.
 - Convey custody or control of a dog to a person who is not properly licensed.

