



Buying a Pet

Deciding when, where, and from whom to buy a pet is a big decision with long-term consequences. Whether your new family member is furred, feathered, or finned, you have protections in Minnesota law from unscrupulous sellers. The Minnesota Attorney General's Office offers the following information on how to navigate the purchase of a new pet.

Cats and Dogs – Minnesota Statutes section 325F.79 *et seq.*

Minnesota law offers special protections for people buying cats and dogs (or certain cat or dog hybrids) in retail sales from pet dealers. Minnesota law requires that pet dealers disclose certain information about the cat or dog to buyers, including:

- Name, address, and USDA license number of any breeder or broker who has had possession of the cat or dog before the pet dealer;
- The date of the animal's birth and the date the pet dealer received the cat or dog;
- The breed, sex, color, identifying marks, identifying tag/tattoo/collar number;
- The name and registration number of the parents of the animal, as well as the litter number; and
- A record of inoculations, worming treatments, and medications received while in the possession of the pet dealer.

The pet dealer is also required to provide buyers with a statement that the animal being sold has no known health problem, or a statement signed by the pet dealer disclosing any known health problem and a veterinarian-signed statement with a recommended treatment for the problem. Pet dealers, unless they are the breeder of the animal, must have the animals examined by a veterinarian prior to being offered for sale, both within two days of receiving the animal from a breeder and within four days of delivery to the buyer.

If the pet dealer has advertised that the animal for sale is eligible for registration with an animal pedigree organization, the pet dealer must provide the buyer with documents necessary for registration within 90 days of the purchase.

Pet dealers are required to have posted notices about consumer rights and are obligated to provide buyers with a written notice of rights under Minnesota law.

What to do if you received the wrong breed, or a sick animal?

If you find that the cat or dog you bought has a qualifying undisclosed health problem, Minnesota law provides you with rights to remedies that may include a full refund, replacement, or reimbursement of some veterinary fees. To get this relief, however, you must have the cat or dog you bought examined by a veterinarian within 10 days of purchase, and that veterinarian must write a statement about the animal's condition which existed at the time you received the animal. Relief may also exist up to one year after purchase if a veterinarian states in writing that the animal has died or is ill due to a hereditary or congenital defect, or is not of the breed type represented at the time of sale.

Who is subject to the law?

Not all pet dealers and sales are subject to the law. For example, some organizations including humane societies and animal control agencies are not considered "pet dealers" under the law. "Retail sales" may not encompass



more complex contractual arrangements, like if you buy a dog but also negotiate some sort of ongoing relationship with the pet dealer. As with any contract you sign, it is good practice to ensure you understand what you are agreeing to sign beforehand, and if the contract seems more complex than it needs to be for a simple exchange of money for an animal, you may want to consider how it impacts your rights under Minnesota law.

Other laws cover animal purchases, including purchases of animals that are not dogs or cats

Minnesota law treats pet purchases like the purchase of any other retail good you could buy from a store in the sense that Minnesota consumer protection laws, like the Deceptive Trade Practices Act, False Statements in Advertising Act, and Prevention of Consumer Fraud Act, apply. Those laws, broadly speaking, prohibit sellers from deceptive, misleading, and unfair conduct in advertising and sale of goods like animals. Minnesota law prohibits retailers from lying about or misrepresenting goods—including animals—to consumers.

What to do if you think the law has been broken

Some rights under Minnesota Statutes section 325F.791, about the sale of cats and dogs, are privately enforceable—that is, you can and should consult with a private attorney about your rights under the law for the specific facts of your case. The Minnesota Attorney General also has broad authority to protect consumers against unscrupulous practices in the sale of animals. If you would like to report a problem you have experienced with a pet dealer, you should contact the Attorney General's Office as follows:

Office of the Minnesota Attorney General Keith Ellison

445 Minnesota Street, Suite 600
St. Paul, MN 55101
(651) 296-3353 (Twin Cities Calling Area)
(800) 657-3787 (Outside the Twin Cities)
(800) 627-3529 (Minnesota Relay)
www.ag.state.mn.us

Minnesota's Board of Animal Health licenses and inspects certain commercial breeders of dogs and cats as well as certain kennels throughout the state. The United States Department of Agriculture licenses and regulates certain commercial breeders on the federal level. Accordingly, if you suspect a breeder or kennel maintains unsafe, unhealthy, or unsanitary conditions for their animals, you may wish to make a complaint to the Board of Animal Health or the USDA as follows:

Minnesota Board of Animal Health

625 Robert Street North
St. Paul, MN 55155
(651) 296-2942

Companion.animal@state.mn.us

U.S. Department of Agriculture

Animal and Plant Health Inspection Service
4700 River Road
Riverdale, MD 20737
(844) 820-2234

[www.aphis.usda.gov/awa/regulatory-enforcement/
complaint](http://www.aphis.usda.gov/awa/regulatory-enforcement/complaint)