

Included in Senate version of Farm Bill as passed 12/14/07

SEC. 11072. PROTECTION OF PETS.

(a) *Short Title.*--This section may be cited as the "Pet Safety and Protection Act of 2007".

(b) *Research Facilities.*--Section 7 of the Animal Welfare Act (7 U.S.C. 2137) is amended to read as follows:

SEC. 7. SOURCES OF DOGS AND CATS FOR RESEARCH FACILITIES.

(a) *Definition of Person.*--In this section, the term "person" means any individual, partnership, firm, joint stock company, corporation, association, trust, estate, pound, shelter, or other legal entity.

(b) *Use of Dogs and Cats.*--No research facility or Federal research facility may use a dog or cat for research or educational purposes if the dog or cat was obtained from a person other than a person described in subsection (d).

(c) *Selling, Donating, or Offering Dogs and Cats.*--No person, other than a person described in subsection (d), may sell, donate, or offer a dog or cat to any research facility or Federal research facility.

(d) *Permissible Sources.*--A person from whom a research facility or a Federal research facility may obtain a dog or cat for research or educational purposes under subsection (b), and a person who may sell, donate, or offer a dog or cat to a research facility or a Federal research facility under subsection (c), shall be--

(1) a dealer licensed under section 3 that has bred and raised the dog or cat;

(2) a publicly owned and operated pound or shelter that--

(A) is registered with the Secretary;

(B) is in compliance with section 28(a)(1) and with the requirements for dealers in subsections (b) and (c) of section 28; and

`` (C) obtained the dog or cat from its legal owner, other than a pound or shelter;

`` (3) a person that is donating the dog or cat and that--

`` (A) bred and raised the dog or cat; or

`` (B) owned the dog or cat for not less than 1 year immediately preceding the donation;

`` (4) a research facility licensed by the Secretary; and

`` (5) a Federal research facility licensed by the Secretary.

`` (e) *Penalties.*--

`` (1) **IN GENERAL.**--A person that violates this section shall be fined \$1,000 for each violation.

`` (2) **ADDITIONAL PENALTY.**--A penalty under this subsection shall be in addition to any other applicable penalty.

`` (f) *No Required Sale or Donation.*--Nothing in this section requires a pound or shelter to sell, donate, or offer a dog or cat to a research facility or Federal research facility.

`` (g) *Limitation.*--The Secretary shall phase out, by the date that is 5 years after the date of enactment of this subsection, the use of random source dogs and cats from class B dealers in accordance with a schedule established by the Secretary."

(c) *Federal Research Facilities.*--Section 8 of the Animal Welfare Act (7 U.S.C. 2138) is amended--

(1) by striking ``**SEC. 8.** No department" and inserting the following:

`` **SEC. 8. FEDERAL RESEARCH FACILITIES.**

`` Except as provided in section 7, no department";

(2) by striking ``research or experimentation or"; and

(3) by striking ``such purposes" and inserting ``that purpose".

(d) *Certification*.--Section 28(b)(1) of the Animal Welfare Act (7 U.S.C. 2158(b)(1)) is amended by striking ``individual or entity'' and inserting ``research facility or Federal research facility''.