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89TH CONGRESS  
1ST SESSION

# S. 2322

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IN THE SENATE OF THE UNITED STATES

JULY 23, 1965

Mr. MAGNUSON (for himself and Mr. CLARK) introduced the following bill;  
which was read twice and referred to the Committee on Commerce

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## A BILL

To authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That, in order to protect the owners of dogs and cats from
- 4 theft of such pets and to prevent the sale or use of stolen dogs
- 5 and cats for purposes of research and experimentation, it is
- 6 essential to regulate the transportation, purchase, sale, and
- 7 handling of dogs and cats by persons or organizations en-
- 8 gaged in using them for research or experimental purposes
- 9 or in transporting, buying, or selling them for such use.

1        SEC. 2. DEFINITIONS.—When used in this Act—

2            (a) The term “person” includes any individual,  
3        partnership, association, or corporation.

4            (b) The term “Secretary” means the Secretary of  
5        Agriculture.

6            (c) The term “commerce” means commerce be-  
7        tween any State, territory, or possession, or the District  
8        of Columbia or Puerto Rico, and any place outside  
9        thereof; or between points within the same State, terri-  
10       tory, or possession, or the District of Columbia, but  
11       through any place outside thereof; or within any terri-  
12       tory or possession or the District of Columbia.

13           (d) The term “cat” means any live domestic cat  
14        (*Felis catus*) for use or intended to be used for research,  
15        tests, or experiments at research facilities.

16           (e) The term “dog” means any live dog of the  
17        species *Canis familiaris* for use or intended to be used  
18        for research, tests, or experiments at research facilities.

19           (f) The term “research facility” means any school,  
20        institution, organization, or person that uses or intends  
21        to use dogs or cats in research, tests, or experiments,  
22        and that (1) purchases or transports such animals or  
23        certain of such animals in commerce or (2) receives  
24        any funds from the United States or any agency or in-

1        strumentality thereof to finance its operations by means  
2        of grants, loans, or otherwise.

3        (g) The term "dealer" means any person who for  
4        compensation or profit delivers for transportation, trans-  
5        ports, boards, buys, or sells dogs or cats in commerce for  
6        research purposes.

7        SEC. 3. It shall be unlawful for any research facility to  
8        purchase or transport dogs or cats in commerce unless and  
9        until such research facility shall have obtained a license from  
10       the Secretary in accordance with such rules and regulations  
11       as the Secretary may prescribe pursuant to this Act.

12       SEC. 4. It shall be unlawful for any dealer to sell or  
13       offer to sell or to transport to any research facility any dog  
14       or cat, or to buy, sell, offer to buy or sell, transport or offer  
15       for transportation in commerce or to another dealer under  
16       this Act any such animal, unless and until such dealer shall  
17       have obtained a license from the Secretary in accordance  
18       with such rules and regulations as the Secretary may pre-  
19       scribe pursuant to this Act, and such license shall not have  
20       been suspended or revoked.

21       SEC. 5. The Secretary is authorized to promulgate stand-  
22       ards to govern the handling and transportation of dogs and  
23       cats by dealers and research facilities, to promote their  
24       health, well-being, and safety: *Provided, however,* That this



1 authority shall not be construed to authorize the Secretary to  
2 set standards for the handling of these animals during the  
3 actual research or experimentation.

4 SEC. 6. All dogs and cats delivered for transportation,  
5 transported, purchased, or sold in commerce or to research  
6 facilities shall be marked or identified in such manner as the  
7 Secretary may prescribe.

8 SEC. 7. Research facilities and dealers shall make and  
9 keep such records with respect to their purchase, sale, trans-  
10 portation, and handling of dogs and cats, as the Secretary  
11 may prescribe.

12 SEC. 8. The Secretary shall take such action as he may  
13 deem appropriate to encourage the various States of the  
14 United States to adopt such laws and to take such action as  
15 will promote and effectuate the purposes of this Act and the  
16 Secretary is authorized to cooperate with the officials of the  
17 various States in effectuating the purposes of this Act and  
18 any State legislation on the same subject.

19 SEC. 9. No dealer shall sell or otherwise dispose of any  
20 dog or cat within a period of five business days after the  
21 acquisition of such animal.

22 SEC. 10. Dogs and cats shall not be offered for sale or  
23 sold in commerce or to a research facility at public auction  
24 or by weight; or purchased in commerce or by a research

1 facility at public auction or by weight. No research facility  
2 shall purchase any dogs or cats except from a licensed dealer.

3 SEC. 11. The Secretary is authorized to promulgate such  
4 rules, regulations, and orders as he may deem necessary in  
5 order to effectuate the purposes of this Act.

6 SEC. 12. Any person who violates any provision of this  
7 Act shall, on conviction thereof, be subject to imprisonment  
8 for not more than one year or a fine of not more than  
9 \$10,000.

10 SEC. 13. When construing or enforcing the provisions of  
11 this Act, the act, omission, or failure of any individual acting  
12 for or employed by a research facility or a dealer within the  
13 scope of his employment or office shall be deemed the act,  
14 omission, or failure of such research facility or dealer as well  
15 as of such individual.

16 SEC. 14. If the Secretary has reason to believe that a  
17 dealer has violated any provision of this Act or the regula-  
18 tions promulgated thereunder, the Secretary may suspend  
19 such dealer's license temporarily, and, after notice and  
20 opportunity for hearing, may revoke such license if such  
21 violation is determined to have occurred.

22 SEC. 15. If any provision of this Act or the application  
23 of any such provision to any person or circumstances, shall  
24 be held invalid, the remainder of this Act and the applica-

1 tion of any such provision to persons or circumstances other  
2 than those as to which it is held invalid shall not be  
3 affected thereby.

4 **SEC. 16.** In order to finance the administration of this  
5 Act, the Secretary shall charge, assess, and cause to be col-  
6 lected reasonable fees for licenses issued to research facili-  
7 ties and dealers. All such fees shall be deposited and covered  
8 into the Treasury as miscellaneous receipts.

9 **SEC. 17. EFFECTIVE DATE.**—This Act shall take effect  
10 one hundred and twenty days after enactment.





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# A BILL

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To authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes.

By Mr. MAGNUSON and Mr. CLARK

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JULY 28, 1965

Read twice and referred to the Committee on Commerce