



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

## Senator Fuschillo Announces New Law to Protect Consumers WHEN Purchasing Pets

CHARLES J. FUSCHILLO JR. August 2, 2013

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### *New Law Provides Consumers with More Information on the Origins of Their Pet*

Senator Charles J. Fuschillo, Jr. (R-Merrick) recently announced that legislation he supported that would allow consumers more protections when purchasing a pet, has been signed into law by Governor Cuomo. The new law would provide consumers with more information about the origins of their pet, and more protections should their pet become ill, under what is known as the “pet lemon law”.

“As many pet owners know, once an animal comes home and is welcomed into the family, it is very difficult to imagine the possibility of them having a serious or even fatal medical condition,” said Senator Fuschillo. “Too many times, New York consumers are swindled into buying a pet whose medical history is withheld and they end up paying dearly with their hearts and wallets. This law will help provide consumers with some reassurance that their new ‘family’ member is healthy and, if that is not the case, provide them with an ability to recover their costs.”

The “pet lemon law” gives rights to consumers on their newly purchased pets. If a pet is diagnosed with a congenital malformation, is ill, or has a contagious infection or disease, current state law covers consumers within fourteen business days. However, many times these congenital defects or illnesses do not show up in very young animals.

The new law will protect consumers for up to six months if the animal is diagnosed with a congenital defect or illness. Also, the measure calls for the pet broker’s name and address, in addition to the breeder’s name and address, which is already required under the

law. It would also require pet dealers to disclose the location where they receive their dogs, which current law already requires for cat purchases. Additionally, the law increases the minimum fines for violations from \$50 to \$100.

Most importantly for impacted families, the law requires pet shops to provide consumers with a refund of the full purchase price, including any taxes, or the option to select another animal of equivalent value. The consumer will also be able to recover any reasonable veterinary costs that were expended.

While this measure is largely consumer friendly, the law also provides pet shop owners with a financial incentive that will hopefully encourage them to deal solely with reputable breeders who provide great care to the animals under their control. By fining those who sell sick animals, the law will send a clear message to pet shops throughout the state that New York State is working to make sure they operate in a humane and proper way and that those who deal sick or maltreated animals will not be tolerated.

Currently, twenty states have “pet lemon laws”, and fourteen of these states protect consumers for more than fourteen days after the purchase of a pet.

The new law takes effect on January 28, 2014.

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