

S.250

AN ACT RELATING TO CROPPING A DOG'S EARS FOR
NONTHERAPEUTIC PURPOSES

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. LEGISLATIVE FINDINGS

(a) According to the American Veterinary Medical Association, ear cropping of dogs for nontherapeutic reasons is neither medically indicated nor of benefit to the patient. This procedure causes pain and distress and, as with all surgical procedures, is accompanied by inherent risks associated with or related to anesthesia, blood loss, and infection.

(b) According to the Vermont Veterinary Medical Association (VVMA), few, if any, veterinarians in this state continue to practice ear cropping for nontherapeutic purposes, and the procedure is no longer taught in veterinary medical school. When the VVMA polled members regarding the practice of ear cropping for dogs, members who responded were completely in favor of banning the procedure by nonveterinarians and voted three to one to ban the procedure outright.

(c) Ear cropping of dogs for cosmetic purposes is legally banned in many countries (Australia, Great Britain, Austria, Belgium, the Czech Republic Denmark, Finland, Greece, Luxembourg, Norway, Portugal, and Sweden, Switzerland); prohibited by the European Convention for the Protection of Pet

Animals (Belgium, Bulgaria, Germany, Lithuania, Romania); and strongly discouraged by a number of national veterinary associations (Argentina, Canada, Bosnia-Herzegovina, Croatia, Estonia, Hong Kong, Hungary, Ireland, Italy, Japan, Malaysia, New Zealand, Poland, South Africa, Spain, Taiwan, and Uruguay).

Sec. 2. 13 V.S.A. § 367 is added to read:

§ 367. CROPPING DOGS' EARS

(a) As used in this section:

(1) "Ear cropping" means the surgical alteration, manipulation, or removal of any part of a dog's ear so that the ear then heals in a pointed, erect, or severed state.

(2) "Therapeutic purpose" means a medically necessary procedure to address disease or injury of the dog's ear or to address a condition that jeopardizes the dog's health. Therapeutic purpose does not include the prevention of an ear infection.

(b) No person shall perform or otherwise arrange for the performance of an ear-cropping procedure on a dog. This subsection does not apply if a person in Vermont arranges to have a dog's ears cropped in another state in which the practice is legal.

(c) A person who violates subsection (b) of this section shall be assessed a civil penalty of not more than \$3,000.00 for a first offense. If a person violates

subsection (b) of this section and has a prior adjudication for a violation of subsection (b) of this section, such person shall be charged with mutilation under subdivision 352(2) of this title, and upon conviction shall be punished in accordance with that section.

(d) This section shall not apply to a procedure performed with appropriate anesthesia, by a veterinarian who is licensed to practice in Vermont, solely for therapeutic purpose.

(e) Nothing in this section shall prohibit any of the following:

(1) Showing a dog with cropped ears in a dog show or competition.

(2) Owning or harboring a dog with cropped ears.

(3) Selling, buying, or adopting a dog with cropped ears.

Sec. 3. 4 V.S.A. § 1102 is amended to read:

§ 1102. JUDICIAL BUREAU; JURISDICTION

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(b) The judicial bureau shall have jurisdiction of the following matters:

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(8) violations of 20 V.S.A. § 2056a, 2056b, and 2056c, relating to unauthorized disclosure of criminal record information;

(9) violations of 7 V.S.A. § 656, relating to illegal possession of alcoholic beverages;

(10) violations under 7 V.S.A. § 658(c)(1), relating to an employee of a second class licensee selling alcohol to a minor during a compliance check;

and

(11) violations under 13 V.S.A. § 367(b), relating to cropping a dog's ears, first offense.