

VOLUME 47, ISSUE 6
ISSUE DATE: **MARCH 16, 2015**
RULE ADOPTIONS

LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS

Adopted Amendment: N.J.A.C. 13:45A-12.3

Administrative Rules of the Division of Consumer Affairs

Sale of Animals

Required Practices Related to the Health of Animals and Fitness for Sale and Purchase

Proposed: July 7, 2014, at 46 N.J.R. 1549(a).

Adopted: November 14, 2014, by the **New Jersey Division of Consumer Affairs**, Steve C. Lee, Acting Director.

Filed: February 18, 2015, as R.2015. d.039, **without change**.

Authority: N.J.S.A. 56:8-1 et seq., specifically 56:8-4 and 56:8-92 et seq.

Effective Date: March 16, 2015.

Expiration Date: December 14, 2018.

Summary of Public Comment and Agency Response:

The official comment period ended September 5, 2014. **The New Jersey Division of Consumer Affairs received no comments.**

Federal Standards Statement

A Federal standards analysis is not required because the adopted amendments are not subject to any Federal standards or requirements.

Full text of the adoption follows:

SUBCHAPTER 12. SALE OF ANIMALS

13:45A-12.3 Required practices related to the health of animals and fitness for sale and purchase

(a) Without limiting the prosecution of any other practices that may be unlawful under N.J.S.A. 56:8-1 et seq., it shall be a deceptive practice for a pet dealer to sell animals within the State of New Jersey without complying with the following minimum standards relating to the health of animals and fitness for sale and purchase:

1.-6. (No change.)

7. The pet dealer shall accept receipt of a veterinary certification of unfitness and an itemized bill of all veterinary fees incurred prior to the consumer's receipt of the veterinary certification of unfitness that have been delivered by the consumer within 14 days following the consumer's receipt of the veterinary certification of unfitness from the issuing veterinarian. The certification of unfitness shall contain the following information:

i.-ix. (No change.)

8.-10. (No change.)

11. A pet dealer shall give the following written notice to a consumer prior to the delivery of the animal. Such notice, signed by both the pet dealer and the consumer, shall be embodied in a separate document and shall state the following in 10 point boldface type:

KNOW YOUR RIGHTS--A STATEMENT OF

NEW JERSEY LAW GOVERNING THE

SALE OF DOGS AND CATS

. . .

In order to exercise these rights, you must present to the pet dealer a written veterinary certification that the animal is unfit for purchase and an itemized bill of all veterinary fees incurred prior to your receipt of the certification. Both of these items must be presented no later than 14 days after you have received the certification of unfitness. In the event that the pet dealer wishes to contest the certification or the bill, he may request a hearing at the Division of Consumer Affairs. If the pet dealer does not contest the matter, he must make the refund or reimbursement not later than ten days after receiving the veterinary certification. Although your dog or cat is required to be examined by a licensed veterinarian prior to sale, symptoms of certain conditions may not appear until after sale. If [page=659] your dog or cat appears ill, you should have it examined by a licensed veterinarian of your choice at the earliest possible time.

. . .

12.-13. (No change.)