

This is the “Rosenthal” disclosure, enacted in 1991.

HEALTH AND SAFETY CODE SECTION 122300-122315

122300. For purposes of this article:

(a) "Dog dealer" means any person, firm, partnership, corporation, or other association that engages in the acquisition of dogs for retail sale to the public. "Dog dealer" does not include duly incorporated nonprofit humane societies dedicated to the care of unwanted animals that make animals available for adoption, whether or not a fee for the adoption is charged, or pet dealers who do not in the normal course of business sell dogs, but who sometimes exhibit dogs for adoption.

(b) "Dog breeder" means any person, firm, partnership, corporation, or other association that breeds and sells dogs at wholesale or retail.

(c) "Dog pedigree registry" means any of various private agencies that serve to keep track of the breed, lineage, physical characteristics, and historical data regarding dogs that are registered with the agency.

122305. Every dog dealer that sells registered dogs or that claims that the dogs being sold are registered or are registerable with a dog pedigree registry shall post conspicuously within close proximity to the dogs offered for sale, a notice containing the following language in at least 100-point type:

"Pedigree registration does not assure proper breeding conditions, health, quality, or claims to lineage."

122310. (a) For every dog sold by a dog dealer or dog breeder that is sold with any representation that the dog is registered or registerable with a dog pedigree registry, the following fully completed disclosure shall be made, orally and in writing on a separate sheet from any other statements, including, but not limited to, the name of the dog dealer or breeder and the name of the relevant dog pedigree registry:

DOG PEDIGREE REGISTRATION DISCLOSURE

Description of dog: _____

The dog you are purchasing is registered/registerable (circle one) with the _____ (enter name of registry).

Registration means only that _____ (enter name of registry) maintains information regarding the parentage and identity of this dog, it does not guarantee the quality or health of this dog, and it does not guarantee quality lineage. Since dog pedigree registries depend in large part on the honesty and accuracy of persons registering dogs, registration does not guarantee the accuracy of the lineage recorded nor that this dog is purebred.

Acknowledged: _____

Retail purchaser's signature

Date

(b) The disclosure in subdivision (a) shall be signed and dated by the retail purchaser of the dog acknowledging receipt of a copy of the statement and the dog dealer or dog breeder shall retain a copy.

122315. (a) Any dog dealer or dog breeder who fails to comply with the disclosure requirements in Section 122305 or 122310, as the case may be, shall be liable to the retail purchaser for civil damages in an amount equal to three times the cost of the dog. Claim for payment under this section shall be made within one year from the date of purchase of the dog.

(b) The remedies provided in this section shall be in addition to any other remedies or penalties authorized by other provisions of law.