

## No. 2001-103

## AN ACT

## SB 280

Prohibiting the sale of products containing dog or cat fur, skin or hair; defining a criminal offense; directing the Bureau of Consumer Protection to conduct investigations; and imposing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

**Section 1. Short title.**

This act shall be known and may be cited as the Dog and Cat Product Act.

**Section 2. Definitions.**

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Bureau.” The Bureau of Consumer Protection in the Office of Attorney General.

“Cat.” The genus and species known as *Felis catus*.

“Dog.” The genus and species known as *Canis familiaris*.

“Fur, skin or hair of a dog or cat.” The phrase does not include hair that is shed by a dog or cat through grooming or through natural process.

**Section 3. Prohibition.**

No person shall sell or offer for sale, wholesale or retail, the fur, skin or hair of a dog or cat or any product or part of a product containing the fur, skin or hair of a dog or cat.

**Section 4. Criminal offense.**

(a) Criminal offense.—A person who knowingly sells or offers for sale, wholesale or retail, the fur, skin or hair of a dog or cat or any product or part of a product containing the fur, skin or hair of a dog or cat commits a criminal offense.

(b) Grading of first offense.—A person who commits the criminal offense that is provided for under subsection (a) commits a misdemeanor of the third degree.

(c) Grading of subsequent offense.—A person who commits the criminal offense that is provided for under subsection (a) within five years of a prior conviction for the same offense commits a misdemeanor of the first degree.

**Section 5. Duty to report and investigate.**

(a) Report.—A person who has reason to suspect that a product sold or offered for sale, wholesale or retail, contains the fur, skin or hair of a dog or cat shall report that information to the bureau.

(b) Investigation.—The bureau may receive a report filed under subsection (a) or the bureau may develop information on its own about a possible violation of this act. In either case, the bureau shall conduct an investigation to determine whether the product sold or offered for sale contains dog or cat fur, skin or hair. The investigation may include DNA testing of the product.

(c) Criminal prosecution.—If the bureau determines that the product contains dog or cat fur, skin or hair, the bureau shall report and refer that information for criminal prosecution to the Attorney General or the district attorney for the county in which the product was sold or offered for sale.

Section 6. Unfair trade practice.

A violation of the prohibition under section 3 shall be considered a violation of the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, and the provisions of that act shall apply insofar as they are not inconsistent with this act.

Section 7. Effective date.

This act shall take effect in 60 days.

APPROVED—The 17th day of December, A.D. 2001.

MARK S. SCHWEIKER