

Free-Range Puppies?  
Using the Market Economy to Promote Ethical Breeding Practices

*By: Jennifer R. Wiegand*

Unbleached flour. Free-range chickens. Organic milk. Everywhere you look on the shelves of the marketplace today evidences the fact that the economic laws of supply and demand are working. As consumers today demand more pesticide-free, chemical-free and antibiotic-free foods, a multi-million dollar market has opened up for organic and other natural foods. Even industry giants, such as Wal-Mart, have taken notice of this trend and have added organic foods to their shelves in an attempt to capitalize on this growing, lucrative market.<sup>i</sup> Just as those consumers who value healthy foods have used market forces to influence the conditions in which food is cultivated and produced, so can consumers who care about animals use the market forces to influence conditions in which animals are bred and raised for sale at pet stores across the nation.

The problem with animal sales at pet store sales is that all too many of the animals sold at these stores are supplied by “puppy mills” and other commercial breeding facilities of dubious background. These suppliers breed animals solely for profit, often subjecting them to conditions of mistreatment and suffering in the interest of maximizing profits. To say that these facilities permit such vices as malnourishment, lack of exercise, unsanitary conditions, illness and physical mistreatment in the treatment of their animal population is a gross understatement.<sup>ii</sup> Investigative reports and other exposés over the years have documented instances of animals housed in small cages who never see the light of day, unable to escape their own feces and the insects that are attracted by it, and left to suffer broken bones and untreated wounds in overpopulated environments reminiscent of scenes from the horrors of Nazi concentration camps.<sup>iii</sup>

Unfortunately, there can be no doubt that there is a market for these pets. Despite the fact that animal shelters nationwide are forced to euthanize millions of animals each year due to lack of homes,<sup>iv</sup> pet stores continue to sell animals in malls and shopping centers all across our country. Just like there are consumers who will purchase foods which are chocked-full of hormones, antibiotics and chemical preservatives, there are consumers who will purchase pets who have been inhumanely bred and treated prior to sale. But animals rights proponents, just like healthy food proponents, can use market forces to effectuate change and improve the conditions under which animals bred for profit are forced to endure.

Generally speaking, consumers who purchase pets are not motivated by cruel intentions. They aren't buying pets in order to hurt them. Consumers buy pets to become part of their family, and they generally have the intention of providing a safe, nurturing and loving home to these animals. Most animal purchasers are animal lovers, albeit perhaps naïve ones, because with every purchase of a pet from a pet store, a demand in the market is created which unscrupulous animal breeders are more than willing to supply. This is no secret, and it is the reason why virtually all animal rights organizations urge consumers not to buy any animals from pet stores, period. Through such purchases, pet consumers turn a blind eye to animal abuses in much the same way that many food consumers turn a blind eye to the abuses which occur in the meat industry toward the chickens, pigs and cattle they eventually consume. However, the very marketplace which contributes to this problem can also be used to lead to its solution, just as the principles of economics have driven the organic foods industry from relative obscurity to the forefront of the marketplace today.

The journey of the organic food movement has been a long but successful one. Concerns about pesticides and chemicals in modern farming were first raised in American in the 1960's and 1970's. As consumers became more aware of the hazards of chemicals and insecticides in the food and water they consumed, demand steadily grew for organic alternatives.<sup>v</sup> In 1989, in response to a *Sixty Minutes* broadcast, the consumer base which had been steadily growing over the past two decades suddenly increased dramatically.<sup>vi</sup> Faced with "limited supply, overwhelming demand, a patchwork of inconsistent or nonexistent state laws (and) inadequate enforcement programs... a coalition of organic farming, consumer, animal welfare, and environmental organizations persuaded Congress to pass the Organic Foods Production Act" of 1990.<sup>vii</sup> Although it still constitutes only a small percentage of the overall food industry, since 1996, the organic food industry has been growing at a rate of at least 15% per year.<sup>viii</sup> In 2002, the USDA instituted more aggressive standards for organic food, requiring that before a product could be labeled as "organic," the farm where the food was grown had to have passed an inspection by a Government-approved certifier who verifies that the farmer has followed all USDA organic standards.<sup>ix</sup> Along with the standards, a USDA Organic seal was developed which can be voluntarily used by approved food producers on the labels of their products to advertise their products as "organic" under the standards promulgated by the USDA,<sup>x</sup> which, in turn, allows consumers to experience greater confidence that the products they purchase which are marketed as "organic" are, in fact, organic.

Currently, organic foods are more expensive than their traditional counterparts. Most economists explain this phenomenon through basic economic principles. "In the short-term, as demand grows, prices climb along with it... But in the long-term, if the

market continues to expand, consumption of organics should reach a higher plane where the cost per unit...is much lower.”<sup>xi</sup> This economic principle is called “economies of scale,” and it should cause the market to expand and eventually drive prices down for the consumer. In the meantime, the organic market has been created and is supported by an increasingly large number of concerned and knowledgeable consumers who understand that, even in the face of higher prices, by demanding excellence in agricultural production, they are creating a market which will eventually benefit all consumers. In the long-run, the market for products derived from chemical-dependent traditional farming methods of the 1900’s may eventually dry up or disappear altogether.

Like the organic food industry, the animal advocate community can use the marketplace to reduce or even drive out breeding facilities who engage in mistreatment of animals. Indeed, much like the passage of the Organic Foods Production Act of 1990, the mechanism is already in place to begin this effort. Through the Animal Welfare Act, the USDA already has licensing and inspection requirements for animal breeders that, at least on paper, establish standards for animal care in breeder facilities. However, just like in 2002, when the organic foods industry recognized the need to increase their enforcement and labeling standards from the original 1990 standards, the minimal requirements of the Animal Welfare Act should be enhanced and all license and inspection standards should be more aggressively enforced. More importantly, though, the USDA should establish new labeling standards for animals who are raised by commercial breeders who voluntarily provide outdoor exercise, veterinary care, food and facilities which far exceed the minimal standards established by law by some other measurable increment.

Just like organic food, initially the “free-range puppies” born to these breeders will be more expensive than their “puppy mill” cousins. But by establishing a standard which recognizes and identifies humane breeders, who will, in turn, provide healthier and more well-adjusted animals, i.e., a higher quality product, consumers may make an informed choice at the pet store. Those consumers who really care about the well-being of the pets they purchase will choose the more expensive pet in order to support breeders who are dedicated to the ethical and humane treatment of animals. Some may purchase the more expensive pet simply because they are convinced that these pets are of a superior quality. Unfortunately, there will be others who choose the less expensive pet, just as many consumers still fill their shopping carts full of chemically-enhanced consumables every day. Through education and advertising, however, just as the organic food industry has grown, so will the industry of humanely-raised animals. And as the market for humanely-raised animals expands, the price of these pets will come down, and in the long-run, just as with the organic food industry, the market for mistreated animals may eventually be reduced or eliminated altogether. In the end, the market itself will force breeders to do the right thing.

In an ideal world, every pen in every animal shelter would be empty and every pet would live a long and healthy life in a stable and loving home. Until that time comes, however, animal supporters should work toward solving this problem by modeling their efforts after the organic food advocates and using the market economy to create a demand for pets who are raised in safe, sanitary and nurturing environments.

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<sup>i</sup> Warner, Melody, *Wal-Mart Eyes Organic Foods*, *New York Times* (May 12, 2006).

<sup>ii</sup> *Puppies for Sale*, *Dateline NBC* (April 26, 2000).

<sup>iii</sup> *Id.*

<sup>iv</sup> *Animal Shelter Euthanasia*, [www.americanhumane.org](http://www.americanhumane.org).

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<sup>v</sup> Baker, Brian, *Brief History of Organic Farming and the National Organic Program*, *Organic Farming Compliance Handbook: A Resource Guide for Western Region Agricultural Professionals* (U.S. Department of Agriculture publication, 2004).

<sup>vi</sup> *Id.*

<sup>vii</sup> *Id.*

<sup>viii</sup> Warner, Melody, *Wal-Mart Eyes Organic Foods*, *New York Times* (May 12, 2006).

<sup>ix</sup> *Organic Food Standards and Labels: The Facts* (U.S. Department of Agriculture publication, printed April 2002, updated January 2007).

<sup>x</sup> *Id.*

<sup>xi</sup> *Roadmap of U.S. Organic Food Markets – An Industry Overlook*, Frost & Sullivan Research Service (September 27, 2007).