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SECTION 39G

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Section 39G: Official health certificate requirement for dog or cat brought or shipped into commonwealth; purchase of animal for resale; vaccination record; devocalization prohibited

Section 39G. (a) A dog or cat brought or shipped into the commonwealth shall be accompanied by an official health certificate issued by an accredited veterinarian, a copy of which shall be sent to the commissioner of agricultural resources.

- (b) For purposes of this section, an "official health certificate" shall mean a legible certificate or form issued by an accredited veterinarian and approved by the chief livestock official of the state or county of origin and shall contain the name and address of the consignor and consignee. The official health certificate shall also show the age, sex, breed and description of each dog or cat and certify that the dog or cat is free from visual evidence of infectious or contagious disease. An official health certificate shall show proof of rabies vaccination within the previous 12 months. If a dog or cat is imported into the commonwealth with an official health certificate that reflects that the dog or cat is not currently vaccinated for rabies, the dog or cat shall be vaccinated as required under section 145B of chapter 140.
- (c) A dog or cat purchased within the commonwealth for resale by a commercial establishment or pet shop shall be accompanied by an official health certificate.
- (d) A commercial establishment, pet shop, firm or corporation shall not import into the commonwealth, for sale or resale in the commonwealth, a cat or dog less than 8 weeks of age.
- (e) A dog or cat sold in the commonwealth by a commercial establishment, pet shop, firm or corporation shall be accompanied by a health record indicating the date and type of each vaccine administered to each such dog or cat.
- (f) No commercial establishment, pet shop, firm, corporation or person shall sell a dog or cat that has been surgically devocalized, as defined in section 801/2 of chapter 272, unless written notice that such devocalization has been conducted on the animal is provided to a prospective purchaser before the purchaser enters into an agreement to purchase that animal. In addition to the penalties set forth in this section, failure to provide such notice shall render a purchase agreement void. A violation of this subsection shall constitute an unfair or deceptive act or practice in the conduct of a trade or commerce under chapter 93A.
- (g) The commissioner may, after notice and hearing, revoke or suspend a license issued under section 137A of chapter 140 or section 39A of this chapter for a violation of this section.
- (h) Whoever is aggrieved by an order issued under this section may appeal within 30 days to the superior court in the county wherein the aggrieved party resides or where the aggrieved party's kennel or pet shop, which is the subject of the

license, is located. The appellant shall state the findings by the commissioner and the grounds of appeal therefrom. The court shall consider the proceedings de novo and the parties shall have right of exception and appeal.

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