



Legal analysis of current English legislation on breeding from dogs with evidence of impaired respiratory function

Law applying to ALL dog breeders

The **Animal Welfare Act 2006 (AWA)** makes it an **offence, whether knowingly or negligently, to cause unnecessary suffering** to an animal.

It also requires **dog owners** to **ensure the welfare needs** of their pets are met according to good practice.

These needs include the capacity to be able to: exhibit normal behavioural patterns, to breathe normally, to exercise freely, and to be free from pain, suffering, injury and disease

Respiratory Function Grading explained

The Kennel Club and University of Cambridge 'Respiratory Function Grading Scheme' (RFGS) enables veterinary surgeons to assess the adequacy of respiratory function in French Bulldogs, Pugs and English Bulldogs, and to detect BOAS (brachycephalic obstructive airway syndrome).

Dogs that show clinical signs of severe breathing problems after completing the minimum RFGS requirement of 3 minutes exercise at a fast walk are diagnosed with BOAS and scored as RFGS Grade 2 or Grade 3.



Dogs that show clinical signs of mild impaired respiratory function are not definite cases of BOAS and are scored Grade 1.

Breeding challenges and regulations

- **Pregnancy and whelping** present **additional respiratory challenges** for bitches already affected with **impaired respiratory function**
- It is therefore to be regarded as good practice **not to breed** from a bitch with severe BOAS evidenced by a RFGS score of **Grade 2 or Grade 3** in order to protect her from additional pain and suffering



Anyone allowing a female dog with a RFGS score of Grade 2 or 3 to be used for breeding is likely to be committing an offence of causing that **animal unnecessary suffering** on the basis that:

they **knew** (or ought reasonably to have known) that **pregnancy** would **result in such suffering** or be likely to do so; the **suffering could** reasonably have **been avoided** by **not using the bitch for breeding**;

and, in consequence, a **reasonably competent and humane person** would **NOT** have used that **animal for breeding**.

Law applying to commercial breeders

Anyone required to hold a licence to breed dogs is under an additional legal duty to safeguard the welfare of **both** the breeding animals and their future progeny.

Holders of a dog breeding licence are expressly required to take **all reasonable steps** to ensure that any dogs - male and female - kept for breeding have good physical and genetic health, good temperament, can see, breathe normally, are physically fit, and can exercise freely, such that the health and welfare of the parent animals and also the offspring are protected.



Anyone considering breeding from an English Bulldog, French Bulldog or Pug is encouraged to carry out a Respiratory Function Grading Scheme assessment in advance to ensure legal compliance and to avoid additional suffering for animals already experiencing severe respiratory impairment.

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