

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

-----X	:	
	:	
In the Matter of the Application of	:	
	:	
PEOPLE FOR THE ETHICAL TREATMENT OF	:	ORAL ARGUMENT REQUESTED
ANIMALS, INC.	:	
	:	
Petitioner,	:	Index No. _____
	:	
For Judgment Pursuant to CPLR 78	:	
	:	
against	:	
	:	VERIFIED PETITION
THE AMERICAN KENNEL CLUB, INC.	:	
	:	
Respondent.	:	
-----	:	

Petitioner People for the Ethical Treatment of Animals, Inc. (“PETA”), for its verified petition for judgment pursuant to Article 78 of the New York Civil Practice Law and Rules, by its undersigned attorneys, alleges as follows:

PRELIMINARY STATEMENT

1. PETA brings this action to compel the American Kennel Club, Inc. (“AKC”) to comply with its own Charter and Bylaws, a true and correct copy of which is attached as Exhibit 1.¹

2. The AKC’s Charter and Bylaws require the AKC to “advance canine health and well-being” as the primary object of the corporation.² Nevertheless, the AKC’s official breed standards for the Bulldog, Dachshund, Pug, Chinese Shar-Pei, and French Bulldog explicitly require deformities that damage and destroy canine health and well-being—including flat faces and

¹ All exhibits referenced in this Petition are attached to the Galloway Affirmation (“Aff.”) contemporaneously filed.

² Ex. 1, *Charter & Bylaws of the Am. Kennel Club, Inc.*, AM. KENNEL CLUB, Art. III, Objects of the Club (June 11, 2024) (hereinafter “AKC Charter & Bylaws”). The AKC amended its bylaws on June 10, 2025, but those amendments did not change the provisions relevant to this Petition.

misshapen heads that interfere with breathing and digestion; abnormally shallow eye sockets that can result in eye pain, loss and blindness; defective cartilage and malformed vertebrae that can cause excruciating back pain and paralysis; and excess, folded skin that promotes and provides an ideal medium for infections and a lifetime of discomfort.

3. None of these extreme deformities serve any functional purpose or benefit the impacted animals in any way. Rather, the AKC's official, Board-approved standards prescribe these disabling and painful malformations solely for the sake of achieving a particular appearance, without reference to the cost to canine health and well-being.

4. The Charter and Bylaws require the AKC to consider and act upon complaints made by any person interested in purebred dogs for conduct alleged to have been prejudicial to the best interests of purebred dogs.³

5. Since its founding in 1980, PETA has been interested in purebred dogs and has advocated for their right to be free from abuse in any way. In furtherance of this interest, pursuant to the AKC's Charter and Bylaws, PETA duly filed a complaint with the AKC (the "bylaws complaint") concerning each of the foregoing AKC standards, on the grounds that they are prejudicial to the best interest of purebred dogs, including their fundamental interest in breathing, moving, seeing, sleeping and intrinsic good health.

6. The validity of these grounds is not a matter for serious debate; since 2017, the American Veterinary Medical Association's official policy has been to discourage the breeding of animals with "deleterious characteristics" because such features can "negatively impact the long-term health and welfare of the animal."⁴

³ *Id.* at Art. XII.

⁴ *Inherited Disorders In Responsible Breeding of Companion Animals*, AM. VETERINARY MED. ASS'N, <https://www.avma.org/resources-tools/avma-policies/inherited-disorders-responsible-breeding-companion-animals> (last visited June 17, 2025).

7. The AKC confirmed that it received PETA's bylaws complaint and deposited each of the six \$625.00 checks for filing fees, but then arbitrarily and capriciously failed and refused to consider or take appropriate action regarding PETA's bylaws complaint in good faith. This Article 78 Petition seeks to compel the AKC to comply with its own Charter and Bylaws and to fulfill its commitment to advance, rather than impede, canine health and well-being.

PARTIES

8. PETA is a Virginia non-stock corporation and a federally-registered 501(c)(3) tax-exempt animal protection charity. Since its founding in 1980, PETA has worked, among other purposes, to protect animals, including purebred dogs, from exploitation and abuse.

9. The AKC is a state-chartered, not-for-profit membership corporation organized and existing under the laws of the State of New York and is a "body" within the meaning of CPLR § 7802.

JURISDICTION AND VENUE

10. The Court has jurisdiction over this special proceeding under CPLR § 7801. Venue in this Court is proper because New York County is the county where the AKC's arbitrary and capricious actions and failures to act occurred and where AKC's principal office is located.

STATEMENT OF FACTS

A. The AKC

11. The AKC is state-chartered to effectively "regulate the conduct of persons interested in breeding, registering, selling, purchasing, exhibiting, and running purebred dogs," among other purposes.⁵ Under its bylaws, the "objects" of the AKC include "advanc[ing] canine health and

⁵ Ex. 1, AKC Charter & Bylaws, Art. III, at p. 5.

well-being.”⁶ To this end, the AKC’s official breed standards define the physical traits that exemplify the “ideal” of each AKC-sanctioned breed.

12. All dogs—“purebred” and otherwise—are members of the same species: *Canis lupus familiaris*. The dramatic differences in the size, shape, and general appearance of different breeds of purebred dogs result from breed standards imposed by the AKC and its international counterparts.

13. Within the United States, the AKC’s breed standards effectively dictate the size, shape, and physical traits of each breed of purebred dogs. The AKC describes its breed standards as “blueprint[s]” for breeders.⁷ Show judges rely on breed standards to reward the owners of the dogs whose appearance most closely conforms to the applicable AKC breed standard, and assign “faults” to the dogs that fail to conform to the AKC-prescribed “ideal.”⁸

14. The official standard for each AKC-approved breed originates with an AKC member parent specialty club, the national organization devoted to a particular breed. Members of the parent specialty club develop and vote on the standard (or revision to the standard), and once approved, submit the proposed standard to the AKC Board of Directors for approval.

15. Only after the AKC Board of Directors has reviewed and approved the proposed standard does it become the “Official AKC Standard” for the breed—or, as the AKC puts it, “the sole standard of excellence for which such breed of purebred dogs ***shall be bred*** and by which specimens of such breed must be judged in the awarding of prizes of merit.”⁹

⁶ *Id.*

⁷ Elaine Waldorf Gewirtz, *What Is a Breed Standard for Purebred Dogs?*, AM. KENNEL CLUB (Mar. 5, 2025), <https://www.akc.org/expert-advice/dog-breeds/purebred-dog-breed-standard/>

⁸ *Id.*

⁹ Ex. 1, AKC Charter & Bylaws, Art. IV, Sec. 4 at p. 6 (emphasis added).

16. No breed standard or revision of any breed standard becomes the AKC official standard unless and until it is approved by the AKC Board of Directors. The AKC Board of Directors likewise possesses the inherent authority to stop using any breed standard at any time.

17. The size, shape, and physical traits of a purebred dog's body can have a dramatic impact on their health and well-being. Like all other sentient beings, dogs will suffer if their body size, shape, and physical features interfere with basic health functions, such as breathing, maintaining normal body temperature, moving without pain, eating, drinking, hearing, seeing, smelling, sleeping, reproducing, and communicating with others of their kind.

18. The AKC's Official Standards for the Bulldog, Dachshund, Pug, Chinese Shar-Pei, and French Bulldog explicitly require deformities that interfere with these basic innate health functions and result in sick, suffering, and often short-lived dogs.

19. In 2024, the French Bulldog was the "most popular" of the AKC-recognized breeds, accounting for the highest registration revenues.¹⁰ The Dachshund was the sixth most popular, the Bulldog the ninth, the Pug the thirty-eighth, and the Chinese Shar-Pei was the eighty-third most popular breed.¹¹ While the popularity of French Bulldogs, Bulldogs, and Pugs has been lucrative for the AKC, the World Small Animal Veterinary Association has referred to the persistent popularity of these flat-faced breeds as an "emerging canine welfare crisis."¹²

B. The AKC's Business Model

20. The AKC depends on registrations of litters and dogs as its primary source of revenue. Of the \$104.8 million in operating revenues that the AKC generated in 2023, sixty-eight percent came

¹⁰ Melanie Haid, *The Most Popular Dog Breeds of 2024*, AM. KENNEL CLUB (Mar. 20, 2025), <https://www.akc.org/expert-advice/news/most-popular-dog-breeds-2024/>

¹¹ *Id.*

¹² WSAVA Alerts to Emerging 'Canine Welfare Crisis' Caused by the Popularity of Short-Nosed Breeds, WORLD SMALL ANIMAL VETERINARY ASS'N, <https://wsava.org/wp-content/uploads/2023/01/WSAVA-Alerts-to-Emerging-Canine-Welfare-Crisis-Caused-by-the-Popularity-of-Short-Nosed-Breeds.pdf>.

from registration and event service fees—including registration fees for 294,932 litters of puppies and 608,990 dogs.¹³

21. Although many animal shelters and dog adoption organizations in the United States are chronically at or over capacity—and the AKC vigorously opposes spay-and-neuter legislation that could reduce overpopulation—the AKC does not provide registration services (or generate registration fees) for dogs acquired from protective leagues, humane societies, or similar organizations. To maintain and maximize its revenues, the AKC encourages and depends on breeders to produce (and register) and on consumers to purchase (and register) *purebred* dogs of any of the more than 200 AKC-sanctioned breeds. Purebred dogs are big business in the United States, as reflected in the AKC’s more than \$260 million in total assets, as of December 31, 2022.¹⁴

22. Eligibility for AKC registration is based solely on the purebred parentage of an animal: both of the dogs’ parents must be registered with the AKC as the same AKC-recognized breed, and the litter in which the dog is born must be registered with the AKC. If these requirements are met, a dog is eligible for AKC registration, regardless of the health of the animal.

C. PETA’s Bylaws Complaint Concerning AKC Required Deformities

23. The AKC’s Charter empowers the AKC to enforce its “constitution, bylaws, rules and regulations” using various mechanisms, including “suspension or expulsion from membership, or by a suspension or denial of any or all of the privileges of said corporation.” Exh. 1 to Aff., AKC Charter, Sec. 2 at p. 3. As relevant here, the AKC’s Charter and Bylaws invite “any . . . person or persons interested in purebred dogs” to “make a complaint against any other club or association or person or persons for conduct alleged to have been prejudicial to the best interests of purebred

¹³ 2023 Ann. Rep., AM. KENNEL CLUB, <https://s3.amazonaws.com/cdn-origin-etr.akc.org/wp-content/uploads/2024/12/13044344/Annual-report-2023.pdf>.

¹⁴ *Id.*

dogs . . . which complaint shall be made in writing setting forth the circumstances.” *See* Exh. 1 to Aff., AKC Bylaws, Art. XII, Sec. 1 at p. 16.

24. Upon receipt of such a complaint, the AKC President “shall cause the matter to be investigated.” *See* Exh. 1 to Aff., AKC Bylaws, Art. XII, Sec. 2 at p. 16.

25. The AKC’s Charter and Bylaws separately authorize the President or the Board of Directors to investigate and take appropriate action regarding “any matters which may be brought to their attention in connection with the objects for which the AKC was founded[.]” *See* Exh. 1 to Aff., AKC Bylaws, Art. XII, Sec. 3 at p. 17.

26. On April 15, 2025, pursuant to Article XII, Section 1 of the AKC’s Charter and Bylaws, PETA filed a complaint with the AKC concerning the AKC’s official breed standards for the Bulldog, French Bulldog, Pug, Dachshund, and Chinese Shar-Pei, explaining that the AKC’s official breed standards were contrary to the best interest of these purebred dogs, and contrary to the objects for which the AKC was founded. A copy of PETA’s complaint to the AKC is attached as Exhibit 7.

27. The grounds for PETA’s bylaws complaint are consistent with the policy of the American Veterinary Medical Association (“AVMA”) described above and the AVMA’s international counterparts, including the Canadian Veterinary Medical Association (“CVMA”) and British Small Animal Veterinary Association (“BSAVA”). For example, the CVMA’s February 1, 2024 Position Statement on Responsible Breeding states that “kennel clubs should describe breed standards that promote good health and welfare and disallow as breed standards physical characteristics that lead to poor health and welfare or that require cosmetic surgery to achieve or

to mask.”¹⁵ The BSAVA’s position statement regarding Inherited Diseases and Exaggerated Characteristics similarly states in relevant part that the “selective breeding of companion animals . . . has also resulted in a number of health and welfare issues related to inherited diseases and exaggerated characteristics. This in particular may be apparent when an animal may have been bred purely for aesthetics or financial gain Inherited diseases and exaggerated characteristics not only cause health and welfare issues for the animal concerned, but also create a financial burden and emotional distress for the owner.”¹⁶

28. As explained in PETA’s bylaws complaint, and as is consistent with the positions of the AVMA, CVMA, and BSAVA, there is no scientific or veterinary research that shows that extreme traits promoted and required by the AKC’s Official Standards of the Bulldog, Dachshund, Pug, Chinese Shar-Pei, and French Bulldog (such as flat faces and misshapen heads, abnormally shallow eye sockets, defective cartilage and malformed vertebrae, or excess, folded skin, among the other deformities alleged above) advance canine health and well-being or otherwise serve the “best interest” of purebred dogs in any way. Decades of research overwhelmingly support the opposite conclusion.

29. On April 17, 2025, the AKC acknowledged receipt of each of PETA’s bylaws complaint and filing fee checks. A copy of the AKC’s April 17, 2025 letter is attached as Exhibit 8.

30. The AKC deposited each of the six \$625.00 filing fee checks that accompanied PETA’s bylaws complaint but has not provided any further response or taken any action in response to the bylaws complaint.

¹⁵ *Responsible Breeding of Companion Animals*, CANADIAN VETERINARY MED. ASS’N (Feb. 1, 2024), <https://www.canadianveterinarians.net/policy-and-outreach/position-statements/statements/responsible-breeding-of-companion-animals/>.

¹⁶ *Inherited Diseases & Exaggerated Characteristics*, BRITISH SMALL ANIMAL VETERINARY ASS’N, <https://bsava.com/position-statement/inherited-diseases-and-exaggerated-characteristics> (last visited June 17, 2025).

31. The AKC's failure to consider PETA's complaint in good faith, or to take any action consistent with the petition with respect to breed standards known to impede canine health and well-being by requiring horrific deformities and causing great and unmitigated suffering, is arbitrary, capricious, an abuse of discretion, and a violation of the AKC's Charter and Bylaws.

D. The AKC Official Standard of the Bulldog

32. The AKC's Official Standard of the Bulldog requires, among other things, a "massive short-faced head" and "very large" skull; an "extremely short" face and "very short" muzzle; "heavy wrinkles" covering the head and face; "massive" and "undershot" jaws, with the "lower jaw projecting considerably in front of the upper jaw and turning up"; a "roach back" and a "short" tail that "may be either straight or screwed." A copy of the AKC's Official Standard of the Bulldog is attached as Exhibit 2.

33. The "extremely short" face and "very short" muzzle that the AKC's Bulldog standard requires refers to brachycephaly, a recognized deformity. Although the skulls are shortened, the soft tissues of the mouth, such as the tongue and soft palate have remained the same size, meaning that they are compressed into an unnaturally small space. These tissues may cause airway obstruction, but brachycephaly also selects for other malformations that further occlude the passage of air. These malformed, abnormal structures include: (1) nostrils that are too narrow to accommodate normal breathing (stenotic nares); (2) a soft palate that is too large for the abnormally-compressed facial structure, and thus extends into the back of the mouth and throat, blocking the airway; (3) tissue near the vocal cords that is sucked into the larynx (and blocks airflow) when the dog inhales (known as everted laryngeal sacculles); and (4) a too-narrow windpipe (hypoplastic trachea).

34. These distortions of the normal structures of the face, mouth, and airway all contribute to the obstruction of airflow and severely impede breathing. One or any combination of these problems may give rise to a chronic, debilitating respiratory syndrome known as Brachycephalic Obstructive Airway Syndrome (“BOAS”).

35. BOAS risk increases as the face and muzzle become shorter and flatter. Thus, by explicitly requiring an “extremely short” face, the AKC’s official Bulldog standard provides a blueprint for a significantly high BOAS risk.

36. The degree of BOAS varies but the Bulldogs that are worst affected constantly struggle to breathe, as evidenced by their panting, snorting, and wheezing, even while at rest. They cannot run, play, or engage in other normal activities to the same extent as other dogs because simply breathing, even at rest, requires a great amount of effort. As a result of their conforming to the AKC-defined, deformed ideal, many Bulldogs cannot breathe while lying down and struggle to eat and breathe at the same time.

37. Owners of BOAS-affected Bulldogs often fail to recognize that their companions’ loud breathing, snorting, reluctance to exercise, and snoring are abnormal and the result of constant, oftentimes extreme difficulty breathing.¹⁷

38. BOAS is progressive. The chronic struggle to breathe causes inflammation and swelling to the tissues in the throat, which further obstructs airflow, making it even harder to breathe, and causing a self-perpetuating, vicious cycle of ever-worsening breathing difficulties. The chronic oxygen deprivation that results from BOAS causes stress, inflammation, high blood pressure, blood clotting disorders, and other systemic health problems.

¹⁷ Stefanie Mitze et al., *Brachycephalic Obstructive Airway Syndrome: Much More Than a Surgical Problem*, 42 VETERINARY Q. 213 (Nov. 15, 2022), <https://doi.org/10.1080/01652176.2022.2145621>.

39. The shortened skull of all Bulldogs has a much smaller than normal nasal apparatus. This houses the bony turbinates that are essential for blood cooling during panting, as dogs do not sweat like humans. The significant reduction in the space for these turbinates in all Bulldogs reduces their ability to effectively maintain a normal body temperature through panting, which puts them at risk of heat stroke in warm weather. The Bulldog Club of America acknowledges that “[b]ecause of the Bulldog’s breathing apparatus, he/she is susceptible to heat stroke and possible death” in warm weather.¹⁸

40. The AKC-requirement that Bulldogs have “extremely short” faces leads to an extremely high prevalence of deformities in the mouth and throat, which cause sleep apnea. Sleep apnea means that the airway becomes blocked or narrowed during sleep, preventing air from reaching the lungs and causing the dog to momentarily stop breathing—sometimes many times throughout the night.

41. Bulldogs with sleep apnea may sleep with an open mouth (such as keeping a hollow toy in the mouth to breathe more easily while asleep), or present with fragmented sleep or a complete inability to sleep. As in humans, sleep apnea causes oxidative stress and inflammation and has been linked with cardiovascular disease.

42. Meeting the AKC’s official Bulldog standard requires compressing all of the structures of the Bulldog’s head into a cramped, deformed space, which causes fluid to accumulate within many dogs’ ears. This fluid buildup can cause head and neck pain, abnormal posture and movement, itching, vestibular signs (such as head tilting, walking in circles, lack of coordination, rapid eye movement, and other signs of inner ear problems), lethargy, and hearing loss.

¹⁸ *Bulldogs and Summer*, BULLDOG CLUB OF AMERICA, <https://bulldogclubofamerica.org/wp-content/uploads/2021/08/BCA-Bulldogs-and-Summer2021.pdf> (last visited June 17, 2025).

43. The AKC-required “extremely short,” deformed skull and face does not allow sufficient space for Bulldogs’ forty-two teeth, which means the teeth (if they are not congenitally absent) must rotate and twist to fit in the mouth, as shown in Figure 1 below, which can cause gum disease, inflammation, and pain.

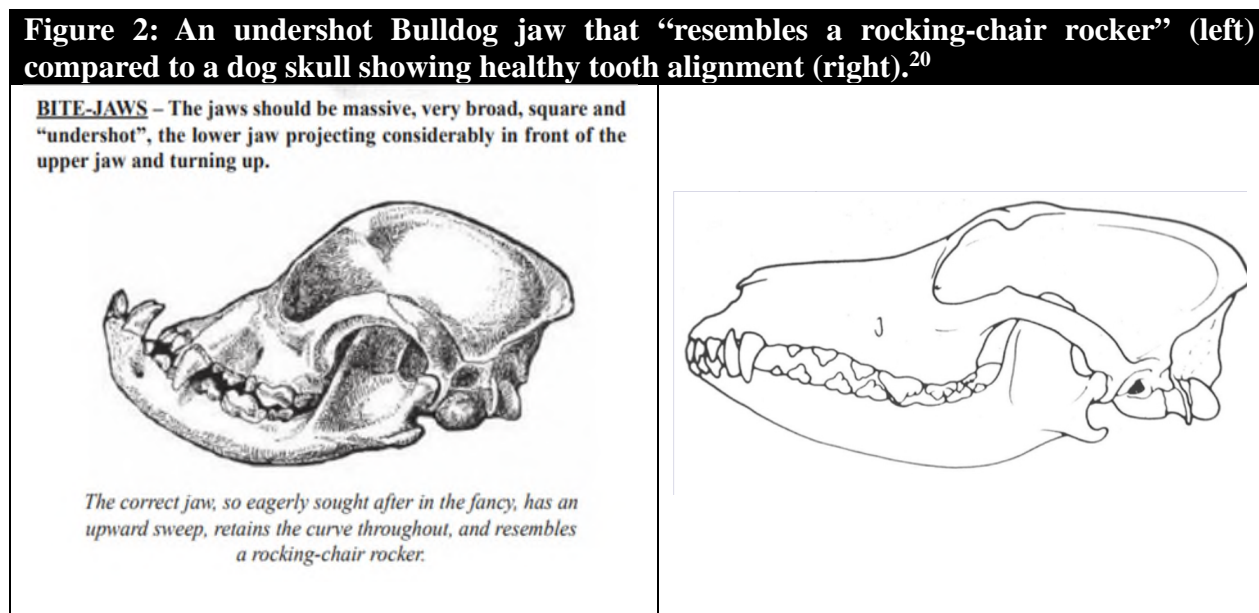
Figure 1: Overcrowded, rotated teeth in a Brachycephalic dog on the right, compared to normal teeth in a non-brachycephalic dog on the left.¹⁹



44. In addition to breathing problems, Bulldogs’ AKC-required facial deformities, concomitant respiratory compromise, and abnormal pressures in the chest and abdomen also cause digestive problems. These include gastroesophageal reflux disease (GERD), sliding hiatal hernias, intestinal ulceration, and aspiration pneumonia. Signs of GERD include lip smacking, drooling, retching, vomiting, regurgitation, eating grass, difficulty swallowing, nocturnal restlessness, and loss of appetite. Affected dogs will frequently regurgitate frothy fluid when exercising or excited. Herniation of the stomach causes chronic regurgitation and can lead to inflammation of the esophagus and gastric dilation-volvulus (bloat), the latter of which is a life-threatening emergency.

¹⁹ Dr. Frasier Hale.

45. The “undershot” jaw deformity required by the AKC’s Bulldog standard means that the Bulldog’s bottom teeth protrude beyond their top teeth, as illustrated in Figure 2 below.



46. An “undershot” jaw means abnormal, unhealthy, tooth misalignment, and can cause Bulldogs pain and difficulty eating. Misaligned teeth may constantly dig into the soft tissues of a dog’s mouth, causing irritation and oral lesions. Dogs use their mouths to pick up food, and a lower jaw that protrudes far beyond the top jaw, as the AKC’s Bulldog standard requires, complicates this basic, life-sustaining task. An undershot jaw also causes dental crowding, unerupted teeth, and periodontal (gum) disease.

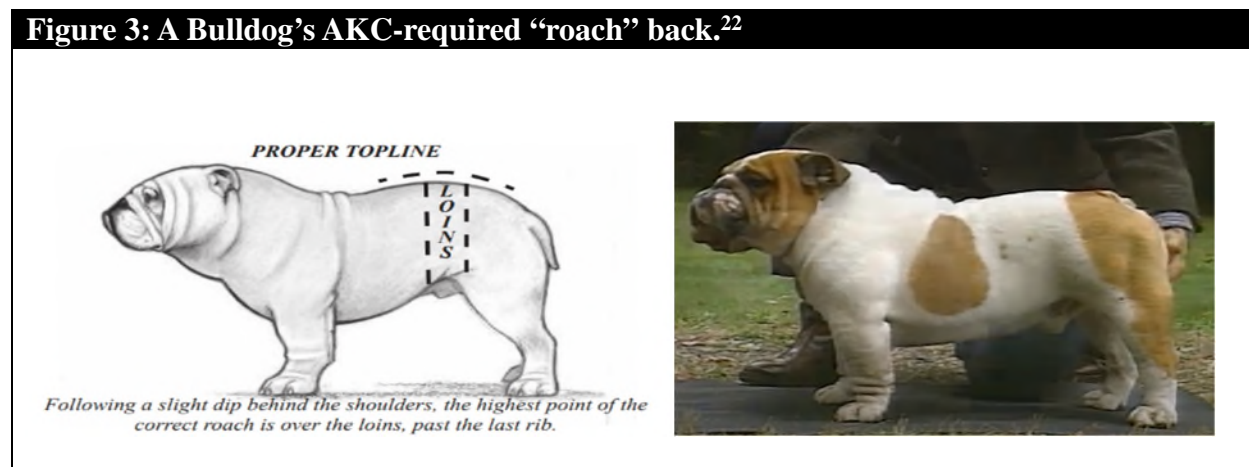
47. The AKC-required “massive” head and “very large” skull deformities often preclude Bulldogs from giving birth naturally, because dogs’ birth canals cannot safely accommodate puppies with “massive” heads. Bulldogs almost always need surgery (caesarean section) to deliver

²⁰ *The Bulldog An Illustrated Guide to the Standard*, THE BULLDOG CLUB OF AM. EDUC. COMM. 9 (rev. 2018), <https://bulldogclubofamerica.org/wp-content/uploads/2019/04/illustratedstandard.pdf>; Loïc F. Legendre, DVM, DAVDC, DEVDC, *Normal Occlusion & Common Malocclusions*, WORLD SMALL ANIMAL VETERINARY ASS’N WORLD CONG. PROC. (2010), <https://www.vin.com/apputil/content/defaultadv1.aspx?pId=11310&id=4516408>.

puppies. The AKC acknowledges that “[b]ecause Bulldogs have such large heads, the safest way for a Bulldog to give birth is actually via C-section. About 80% of Bulldog litters are delivered this way, to avoid the risk of a puppy getting stuck in the birth canal.”²¹

48. A caesarean section is a major surgery which involves placing the mother under general anesthesia, opening the abdomen, and exposing and opening the uterus. Because of the facial deformities and associated breathing problems caused by the AKC’s Bulldog standard, Bulldogs are at a much higher risk of anesthesia complications, including death, than dogs with normal, healthy heads and facial structure.

49. Bulldogs’ AKC-required “roach back” deformity refers to an abnormal spine that is hunched upwards, creating a hump, as shown in Figure 3 below. A “roach back” is considered a disorder of the backbone and typically results from genetic disease or injury—but because the AKC deems this feature aesthetically pleasing, it defines this deformity as an “ideal” for the breed.



²¹ Katherine Ripley, *Bulldog Facts You May Not Know*, AM. KENNEL CLUB (Apr. 2, 2025), <https://www.akc.org/expert-advice/lifestyle/fun-facts-bulldog/>.

²² *The Bulldog An Illustrated Guide to the Standard*, THE BULLDOG CLUB OF AM. EDUC. COMM. 11 (rev. 2018), <https://bulldogclubofamerica.org/wp-content/uploads/2019/04/illustratedstandard.pdf>; AM. KENNEL CLUB; *Bulldog – AKC Dog Breed Series*, at 0:15, YOUTUBE (June 18, 2015), <https://www.youtube.com/watch?v=2xChLEKVbBw&list=TLGGa-0o1RLZ0-YxMzA1MjAyNQ&t=15s>.

50. A dog's spine is divided into the cervical (neck), thoracic (upper back), lumbar (lower back), sacral (connecting the spine to the pelvis) and coccygeal (tail) sections. Because the tail is part of the spine, the "screwed" tail deformity given as an acceptable "option" under the AKC's Bulldog standard encourages breeders to select for abnormal vertebrae, called "hemivertebrae".

51. Normal, healthy vertebrae do not produce a "screwed" tail. Unlike normal vertebrae, which are cylindrical in shape, hemivertebrae are wedge shaped and can decrease the stability of the spine, leading to spinal cord compression. Bulldogs with spinal cord compression may exhibit a wide range of neurological symptoms, including weakness or paralysis of their back legs, difficulty standing or walking, an abnormal gait or posture, neck or back pain or sensitivity, urinary or fecal incontinence, an inability to jump or climb stairs, or muscle atrophy or weakness.

52. Selecting for spinal deformities to meet the requirements of the AKC's official breed standard also makes Bulldogs prone to spina bifida, a spinal disease that causes weakness of the rear limbs, urinary and/or fecal incontinence, poor muscle tone, poor use of the tail, abnormal reflexes, numbness or loss of sensation, knuckling of the toes, bunny hopping or abnormal gait, and pain and discomfort.

53. The AKC-required deformity of "heavy wrinkles" covering the Bulldogs' skin and face interferes with a dog's sight and leads to painful skin infections and eye irritation, as illustrated in Figure 4.



54. “Heavy wrinkles” covering a dog’s face, caused by the AKC’s Bulldog standard, may also impede their ability to communicate with humans and other dogs, because wrinkles interfere with a dog’s ability to change their facial expression.

E. The AKC Official Standard of the Dachshund

55. The AKC Official Standard of the Dachshund requires a deformed dog that is “low to ground, long in body and short of leg.” A copy of the AKC’s Official Standard of the Dachshund is attached as Exhibit 3.

56. A Dachshund showing the AKC-required “low to ground” and “short of leg” “ideal” is depicted in Figure 5 below.

²³ Carmen Lorente, DVM, PhD, DipECVD, *Clinical Presentations of Pyoderma in Dogs*, LABOKLIN, <https://laboklin.com/en/clinical-presentations-of-pyoderma-in-dogs/> (last visited June 17, 2025).

²⁴ Dr. David Gould, DipECVO.

Figure 5: Dachshund exemplifying the AKC “ideal” of almost no ground clearance (left).²⁵ Many Dachshunds require mobility aids after disc degeneration and spinal damage (right).²⁶



57. Achieving the AKC-prescribed short-legged “look”—akin to dwarfism in humans—means that the dog has defective cartilage and abnormal bone formation throughout their entire body, including their back and spine.

58. As a chondrodystrophic breed, Dachshunds “are far more likely to develop significant intervertebral disk disease in their lifetimes . . . [S]tandard and miniature dachshunds are at the highest risk of all dog breeds followed by Pekingese.”²⁷

59. These issues, resulting from the AKC Official Standard of the Dachshund, cause Dachshunds significant needless pain and suffering. “One of the cardinal signs of cervical disk disease is neck pain. Dogs display this pain by tightened neck muscles, reluctance to move the neck, inability to lower the head to eat or drink, and painful cries when the neck is manipulated or touched. . . . They may also walk with the back in an arched position to try to straighten and lower

²⁵ Ian Lindsay, Dachshund, Dog, Pet image, <https://pixabay.com/photos/dachshund-dog-pet-character-ears-2794944/> (last visited July 6, 2025)

²⁶ Gerry DePalma, *Dog Wheelchair Comparisons for Dachshunds*, EDDIE’S WHEELS CUSTOM DOG WHEELCHAIRS (June 14, 2011), <https://eddieswheels.com/n/37/Dog-Wheelchair-Comparisons-For-Dachshunds>.

²⁷ Patricia J. Luttgen, DVM, MS, *Canine Intervertebral Disk Disease*, DACHSHUND CLUB OF AM. INC., <https://www.dachshundclubofamerica.org/ivdd-booklet/> (last visited June 17, 2025).

the neck to avoid pain,”²⁸ as seen in Figure 6.

Figure 6: Dachshund showing spinal pain and a hunched stance from Intervertebral Disc Disease.²⁹



60. Coupled with the long back, the AKC “blueprint” of Dachshund abnormalities encourages breeders to essentially create the animal equivalent of a poorly designed bridge—not only an overly long, unsupported structure, but one built with defective materials. As the AKC’s website puts it, “[i]f these dogs were trucks, they would be 18-wheelers because they need extra wheels to carry them, but they only have four legs.”³⁰

61. When Dachshunds’ spinal disks degenerate, which can be gradual or explosive, the result varies from excruciating pain to weakness to partial or full paralysis.

62. The AKC admits that Dachshunds are at a heightened risk of back injury, and cautions that “[t]o avoid injury, never allow your Dachshund to run up and down stairs or jump on or off furniture,”³¹ which are both activities that any non-chondrodystrophic dog would be perfectly

²⁸ *Id.*

²⁹ Marianne Dorn, *IVDD Diagnosis in Dogs*, THE REHAB VET (Oct. 15, 2017), <https://therehabvet.com/2017/10/ivdd-diagnosis-in-dogs/>.

³⁰ Nandini Maharaj, *Intervertebral Disk Disease In Dogs: Causes, Symptoms, and Treatment*, AM. KENNEL CLUB (Oct. 24, 2023), <https://www.akc.org/expert-advice/health/intervertebral-disk-disease-dogs/>.

³¹ *Dachshund*, AM. KENNEL CLUB, <https://www.akc.org/dog-breeds/dachshund/> (last visited June 17, 2024).

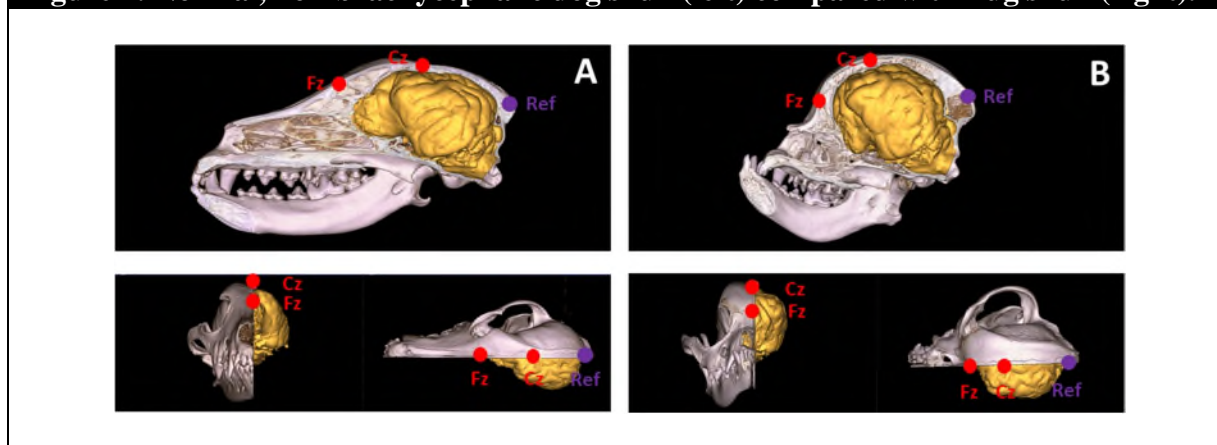
capable of doing. However, even restricting a Dachshund's normal activities in this manner will not necessarily protect Dachshunds from the problems known to result from intentionally breeding a dog to have a body that lacks normal structural support—including pain, anxiety, reluctance to walk, limping, lameness, difficulty putting their body in a position that allows them to defecate, avoiding stairs, avoiding jumping on furniture (if they usually do so), appearing “drunk” while walking, dragging their hind legs, arching their back like a cat, and refusing to eat because of pain.

F. The AKC Official Standard of the Pug

63. The AKC Official Standard of the Pug requires several deformities, including a “square and cobby” appearance—with a “lean, leggy” Pug deemed “objectionable”; a “large, massive, round” head with “large and deep” wrinkles; a “short, blunt, square” muzzle; “bold and prominent” eyes that are “globular in shape”; a “very slightly undershot” bite; and a tail that is “curled as tightly as possible over the hip”, and perversely declaring a “double curl” to be “perfection.” A copy of the AKC's Official Standard of the Pug is attached as Exhibit 4.

64. A photo showing the difference between a Pug's skull with the “short, blunt, square” muzzle deformity, compared to a normal dog skull, is provided in Figure 7 below.

Figure 7: Normal, non-brachycephalic dog skull (left) compared with Pug skull (right).³²



³² Ivaylo Borislavov Iotchev et al., *Sleep-Physiological Correlates of Brachycephaly In Dogs*, BRAIN STRUCTURE & FUNCTION (Sept. 24, 2023), <https://link.springer.com/article/10.1007/s00429-023-02706-y>.

65. The AKC's required "short, blunt, square" muzzle refers to brachycephaly, a recognized deformity. Although the skulls are shortened, the soft tissues of the mouth, such as the tongue and soft palate have remained the same size, meaning that they are compressed into an unnaturally small space. These tissues may cause airway obstruction, but brachycephaly also selects for other malformations which further occlude the passage of air.

66. As the Pug Dog Club of America acknowledges, "[t]his desire for a flat face and foreshortened skull has resulted in the brachycephalic breeds having a plethora of primary anatomical abnormalities that compromise their ability to breathe."³³

67. Pathological abnormalities to Pugs' mouth and airways include deformities such as: (1) nostrils that are too narrow to accommodate normal breathing (stenotic nares); (2) a soft palate that is too large for the dogs' abnormally compressed facial structure and thus extends into the back of the mouth and throat; (3) tissue near the vocal cords that is sucked into the larynx (and blocks airflow) when the dog inhales (known as everted laryngeal sacculles); and (4) a too-narrow windpipe (hypoplastic trachea).

68. One or any combination of these AKC-prescribed deformities may give rise to a chronic, debilitating respiratory syndrome known as Brachycephalic Obstructive Airway Syndrome ("BOAS"). BOAS risk increases as the face and muzzle become "shorter" and "flatter." The AKC's "ideal" Pug has a completely flat face, ensuring that the Pug has a significantly high BOAS risk.

69. Owners of BOAS-affected Pugs often fail to recognize that loud breathing, snorting, reluctance to exercise, and snoring exhibited by their companions are abnormal and the result of breathing difficulty.³⁴

³³ *The Pug Dog Club of Am. Supports the CHIC Registry (Canine Health Info. Ctr.)*, PUG DOG CLUB OF AM., <https://www.pugdogclubofamerica.com/health-1> (last visited June 17, 2025).

³⁴ Stefanie Mitze et al., *Brachycephalic Obstructive Airway Syndrome: Much More Than a Surgical Problem*, 42 VETERINARY Q. 213 (Nov. 15, 2022), <https://doi.org/10.1080/01652176.2022.2145621>.

70. The degree of BOAS varies but the Pugs that are worst affected constantly struggle to breathe, as evidenced by their panting, snorting, and wheezing (even while at rest) and cannot run, play, or engage in other normal activities to the same extent as other dogs. Simply breathing, even at rest, requires a great amount of effort. As a result of their conforming to the AKC-defined, deformed ideal, many Pugs cannot breathe while lying down and struggle to eat and breathe at the same time.

71. As with Bulldogs, BOAS's impact on Pugs is progressive. The constant struggle to breathe causes inflammation and swelling in the tissues of the throat, which further obstruct airflow, making it even harder to breathe, and causing a self-perpetuating, vicious cycle of breathing difficulties. Chronic oxygen deprivation also causes stress, inflammation, high blood pressure, blood clotting disorders, and other systemic health problems.

72. The AKC-prescribed shortened skull for Pugs has a much smaller than normal nasal apparatus. This houses the bony turbinates that are essential for blood cooling during panting, as dogs do not sweat like humans. The significant reduction in the space for these turbinates in all Pugs reduces their ability to maintain a normal body temperature through panting, which puts them at risk of heat stroke in warm weather. The AKC admits the suffering caused by this deformity, stating that "Pugs sometimes experience breathing problems and do poorly in sunny, hot, or humid weather" and that "as a short-faced breed Pugs aren't tolerant of warm weather, and they shouldn't do strenuous exercise when it's warm or humid out—better to be in air-conditioning."³⁵ Yet the AKC's breed standards nonetheless identify this deformity as the supposed "ideal" for the breed.

73. The AKC-requirement that Pugs have "short, blunt" faces leads to an extremely high prevalence of deformities in the mouth and throat, which cause sleep apnea. Sleep apnea means

³⁵ *What to Expect When Caring for a Pug*, Pug, AM. KENNEL CLUB, <https://www.akc.org/dog-breeds/pug/> (last visited June 17, 2025).

that the airway becomes blocked or narrowed during sleep, preventing air from reaching the lungs and causing the dog to momentarily stop breathing, sometimes many times throughout the night. Pugs with sleep apnea may sleep with an open mouth, or present with fragmented sleep or a complete inability to sleep. As in humans, sleep apnea causes oxidative stress and inflammation and has been linked with cardiovascular disease.

74. The AKC's Pug standard encourages breeders to compress all of the structures of the Pug's head into a cramped, deformed space, which causes fluid to accumulate within many dogs' ears. This fluid buildup can cause head and neck pain, abnormal posture and movement, itching, vestibular signs (such as head tilting, walking in circles, lack of coordination, rapid eye movement, and other signs of inner ear problems), lethargy, and hearing loss.

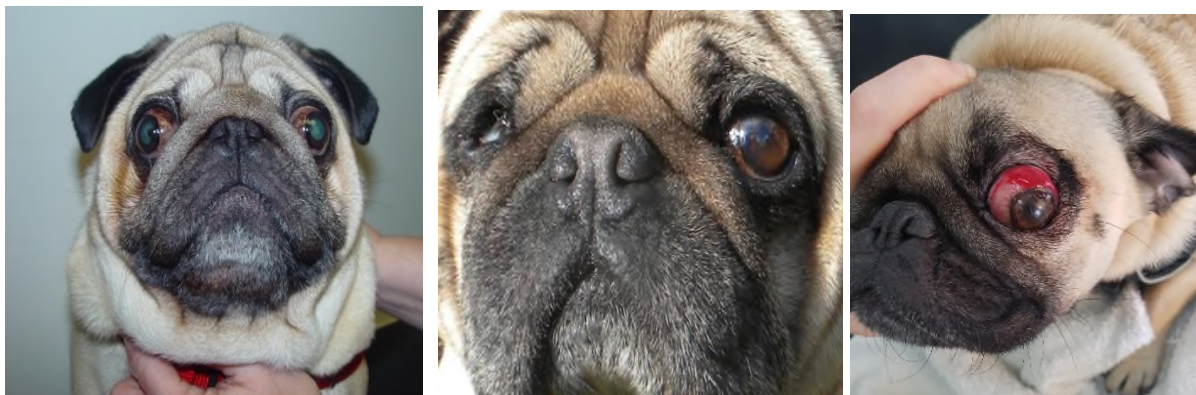
75. The deformed "short, blunt, square" skull and face that the AKC's Pug standard requires does not allow sufficient space for dogs' forty-two teeth. As a result, the Pug's teeth (if not congenitally absent) must rotate and twist to fit in the mouth, which can cause gum disease, inflammation, and pain.

76. In addition to breathing problems, Pugs' AKC-required "short, blunt, square" face, and concomitant respiratory compromise, and abnormal pressures in the chest and abdomen also cause digestive problems. These include gastroesophageal reflux disease (GERD), sliding hiatal hernias, intestinal ulceration, and aspiration pneumonia. Signs of GERD include lip smacking, drooling, retching, vomiting, regurgitation, eating grass, difficulty swallowing, nocturnal restlessness, and loss of appetite. Affected dogs will frequently regurgitate frothy fluid when exercising or excited. Herniation of the stomach causes chronic regurgitation and can lead to inflammation of the esophagus and gastric dilation-volvulus (bloat), the latter of which is a life-threatening emergency.

77. Pugs' eyeballs are not any larger than the eyes of other dogs of the same size. Rather, the "large, bold, and prominent" eyes that are "globular in shape" that the AKC's Pug standard demands must be achieved via deformed, unnaturally shallow eye sockets, which place Pugs' eyes at high risk of injury and can prevent them from closing their eyelids completely. Pugs' deformed eye sockets sometimes interfere with their ability to blink and spread tears across their eyes, which can lead to extremely painful conditions such as chronically dry eyes and corneal ulcers.

78. Due to their deformed, abnormally shallow eye sockets, Pugs' eyes can literally pop out of their sockets from normal activities, an example of which is shown in Figure 8 below. This in turn causes severe pain, loss of the eye, and sometimes blindness. Even something as normal as straining to pull against the leash while walking or a minor blow to the back of the head while playing with another dog can result in the loss of an eye for a Pug.

Figure 8: (Left) A Pug with traumatized, exposed eyes due to exophthalmos; (center) a Pug who lost their eye from chronic trauma; (right) severe proptosis of the eye.³⁶



³⁶ David Gould DipECVO, *Pug Breed Standard Deformity Related Disease* (left and right photographs); Katie Price (center photograph).

79. The AKC admits that the Pug's eyes are "one of his vulnerable spots. Eye problems including corneal ulcers and dry eye have been known to occur."³⁷ Despite this, the AKC Pug standard continues to promote this deformity as the ideal for the breed.

80. The "undershot" jaw deformity required by the AKC Pug standard means that the Pug's bottom teeth protrude beyond their top teeth. An "undershot" jaw is an abnormal and unhealthy tooth misalignment and can cause Pugs pain and difficulty eating. The misaligned teeth may constantly dig into the soft tissues of dogs' mouth, causing irritation and oral lesions. An undershot jaw can also cause dental crowding, unerupted teeth, and periodontal disease.

81. The AKC-required "large, massive, round" head interferes with Pugs' ability to give birth naturally, because dogs' birth canals cannot safely accommodate puppies with disproportionately "massive" heads. Pugs often need surgery (caesarean section) to deliver puppies. A caesarean section is a major surgery which involves placing the mother under general anesthesia, opening the abdomen, and exposing and opening the uterus. Because of their facial deformities and associated breathing problems, Pugs bred to have massive heads in accordance with the AKC's standard are at a much higher risk of anesthesia complications, including death, than dogs with normal, healthy head and facial structures.

82. By identifying a "lean and leggy pug" as "objectionable," the AKC Pug standard encourages obesity—a recognized disease state. Obesity is especially dangerous for brachycephalic animals such as Pugs because it further increases their risks of BOAS. This is because there is adipose (fat) tissue laid down in the neck as well as in the body, and this further compresses an already-compromised airway. In general, obesity is recognized as a disease state with well-evidenced consequences including increased risk of disease, reduced quality of life, and

³⁷ *What to Expect When Caring for a Pug*, Pug, AM. KENNEL CLUB, <https://www.akc.org/dog-breeds/pug/> (last visited June 17, 2025).

reduced life expectancy.

83. A dog's spine is divided into the cervical (neck), thoracic (upper back), lumbar (lower back), sacral (connecting the spine to the pelvis) and coccygeal (tail) sections. Because the tail is part of the spine, the AKC Pug standard requirement of a short, deformed, "screwed" tail calls for spinal deformities and associated neurological disease, as seen in Figure 9 below. The "double curl" tail that many Pugs have been bred to have—and which the AKC describes as "perfection"—is the product of malformed, abnormal vertebrae, known as hemivertebrae, which (due to their deformed shape) may fuse together and cause spinal cord compression. Pugs with spinal cord compression may exhibit a wide range of neurological symptoms, including weakness or paralysis of their back legs, difficulty standing or walking, an abnormal gait or posture, neck or back pain or sensitivity, urinary or fecal incontinence, an inability to jump or climb stairs, or muscle atrophy or weakness.

Figure 9: (Left) A Pug, Bacchus, with severe, genetic vertebral malformations: a spine at a nearly 90-degree angle, hemivertebrae throughout the spine, and spinal compression. (Right) Bacchus does not have mobility in his back legs and needs assistance to walk.³⁸



³⁸ Muza Regne, *The Pug*, L'EDUCATION CANINE ET LES METHODES POSITVES ET AMICALES (Jan. 5, 2014), <https://educationcanine.forumactif.com/t7325-le-carlin>.

84. The AKC requirement that abnormally “large and deep wrinkles” cover Pugs’ skin and face leads to painful skin infections and eye irritation. These skin folds are highly prone to chronic inflammation and infection, causing pain, which may often be overlooked by owners because the deep-seated infections are hidden in the folds. “Large and deep wrinkles” covering a dog’s face may also impede their ability to communicate with humans and other dogs because wrinkles interfere with a dog’s ability to change their facial expression.

G. The AKC Official Standard of the Chinese Shar-Pei

85. The AKC Official Standard of the Chinese Shar-Pei requires a head “covered with profuse wrinkles on the forehead continuing into side wrinkles framing the face”; a “short, harsh coat”; “moderate to heavy folds of loose skin and abundant dewlap about the neck and throat” and a “thick and round” tail that curls “over or to either side of the back”; eyes that are “small, almond-shaped and sunken”; and “extremely small, rather thick” ears that “lie flat against the head” (with a “pricked ear” being a “disqualification”); and a “broad and full” muzzle, that is “well-padded” to the point of causing “a slight bulge above the nose.” A copy of the AKC official standard for the Chinese Shar-Pei is attached as Exhibit 5.

86. Some of the required deformities of the AKC official standard for the Chinese Shar-Pei are reflected in Figure 10 below.

Figure 10: The left photo shows a Chinese Shar-Pei dog with severe entropion.³⁹ The right photo shows a dog bred to have an exaggerated “meat mouth”, which is required by the “well-padded” muzzle that the AKC standard requires.



87. The AKC admits that “[t]here are some unusual and specific health concerns in the Chinese Shar-Pei breed” and “[o]ne of the major problem areas is the eyes.”⁴⁰ In particular, the AKC-required combination of excessive, wrinkly skin and sunken eyes causes Chinese Shar-Peis’ eyelids to roll inwards (a deformity known as entropion), causing their eyelashes to constantly rub on the surface of their eyes. This causes extreme pain and eye trauma that can lead to blindness or the loss of the eye, as illustrated in Figure 11 (center and right photos). Eye entropion resulting from the AKC’s Shar-Pei standard can occur in dogs as young as ten to fourteen days old.⁴¹

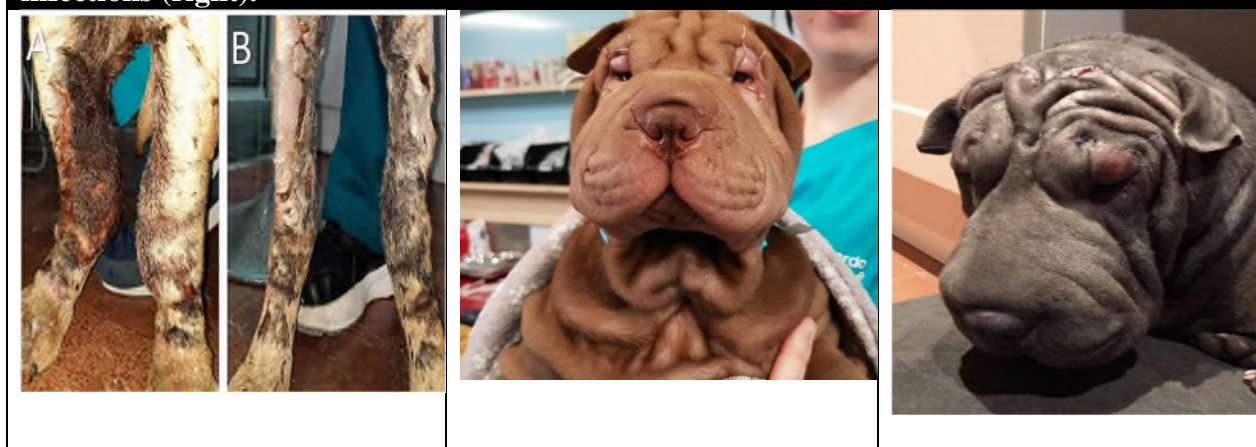
³⁹ Dr. David Gould DipECVO.

⁴⁰ *What To Expect When Caring For a Chinese Shar-Pei*, Chinese Shar-Pei, AM. KENNEL CLUB, <https://www.akc.org/dog-breeds/chinese-shar-pei/> (last visited June 17, 2024).

⁴¹ Jeff Vidt, DVM & Linda Tintle, DVM, *An Owner’s Guide to the Chinese Shar-Pei-2*, HEALTH COMM. OF THE CHINESE SHAR-PEI CLUB OF AM., INC. 2 (rev. Sept. 2006), <https://cspca.com/wp-content/uploads/2020/02/ownersguidebooklet.pdf>.

88. The abnormally large volume of skin (required by the “heavy wrinkles” the AKC’s Shar-Pei standard mandates) and “short, harsh coat” give rise to wrinkles and folds that are highly prone to infection and inflammation. The accumulation of skin secretions, lack of air, moisture, and abnormal bacterial flora, due to conditions in these wrinkles, are what can lead to this lifelong discomfort, irritation, infection, and pain.

Figure 11: The necrotic skin of a four-month-old Chinese Shar-Pei suffering from Shar-Pei Fever Syndrome. (left).⁴² Excessive wrinkles also cause eye entropion, requiring surgery of the eyes (center) ⁴³and removal of excess skin to reduce further harm to eyes and skin infections (right).⁴⁴



89. The AKC-required “extremely small” folded ears that lie “flat against the head” cause Chinese Shar-Pei to experience frequent ear infections. Many Chinese Shar-Pei will not allow their ears to be touched without sedation because their ears are chronically inflamed and painful.

90. The Chinese Shar-Pei Club of America acknowledges that the breed standard’s required ear deformities “predispose[] the Shar-Pei to chronic ear problems due to inadequate air circulation

⁴² Lucía Alamán Trigo et al., *Shar-Pei Autoinflammatory Disease With Skin Necrosis Due to Neutrophilic Vasculitis: A Case Rep.*, 48 VETERINARY RSCH. COMM’NS 3301 (July 2024), https://www.researchgate.net/publication/381920859_Shar-Pei_autoinflammatory_disease_with_skin_necrosis_due_to_neutrophilic_vasculitis_a_case_report.

⁴³ *Shar Pei Sees Straight After ‘Facelift’ Operation at Calder Vets*, CALDER VETS (Feb. 28, 2019), <https://www.caldervets.co.uk/news/shar-pei-sees-straight-after-facelift-operation-at-calder-vets/>.

⁴⁴ Ella Shields, *You Must Be Barking Mad to Get a Shar-Pei!*, MEDIUM (Nov. 27, 2018), <https://medium.com/clippings-autumn-2018/you-must-be-barking-mad-to-get-a-shar-pei-d4878c27d64a>.

to the ear canals and due to the difficulty in treating and cleaning the ears. . . . You will not cure ear disease in the Shar-Pei, but you can control it.”⁴⁵ Nevertheless, the AKC Shar-Pei standard identifies “pricked” ears—that is, normal, healthy ears—as a disqualification.

91. The “well-padded muzzle” that the AKC standard requires is caused by an increase in hyaluronic acid accumulation; this is caused by a genetic mutation on chromosome thirteen. This defect is demonstrated to be inherited in the Shar-Pei breed, particularly those with padded “meat mouth” conformation depicted in Figure 10 (right). The presence of high serum levels of hyaluronic acid has been shown to be associated with periodic fever and inflammation. Another mutation on chromosome thirteen has been demonstrated to be associated with Shar-Pei Auto Inflammatory Disease (“SPAID”), a clinical spectrum of autoinflammatory diseases characterized by periodic fever, vasculitis, arthritis, systemic amyloidosis, and systemic inflammation. The Chinese Shar-Pei Club of America understood SPAID to be genetic and listed it as “one of its top 5 health concerns every year for the last 10-12 years.”⁴⁶

92. It is well-documented that Shar-Pei dogs are predisposed to inflammatory disease states, and accumulation of hyaluronic acid. This is a consequence of the AKC’s Shar-Pei standard. In some dogs, this then progresses to cutaneous mucinosis. Cutaneous mucinosis causes blister-like lumps to appear on the dogs’ neck, upper legs, chest, and flanks. These lumps can burst and leak a sticky, viscous fluid (mucin). Cutaneous mucinosis can also cause affected Shar-Peis to experience swollen back feet, ankles, and thighs, due to a combination of local mucin production, impaired lymphatic drainage and periods of vasculitis associated with SPAID, as illustrated in Figure 12.

⁴⁵ Jeff Vidt, DVM & Linda Tintle, DVM, *An Owner’s Guide to the Chinese Shar-Pei-2*, HEALTH COMM. OF THE CHINESE SHAR-PEI CLUB OF AM., INC. 3 (rev. Sept. 2006), <https://cspca.com/wp-content/uploads/2020/02/ownersguidebooklet.pdf>.

⁴⁶ *Researchers Discover the Genetic Cause of Shar-Pei Fever*, AM. KENNEL CLUB CANINE HEALTH FOUND. (Mar. 22, 2011), <https://www.akcchf.org/breakthrough/discovery-of-genetic-cause-of/>.



H. The AKC Official Standard of the French Bulldog

93. The AKC Official Standard of the French Bulldog requires several deformities, including a “large and square” head, with “heavy wrinkles forming a soft roll over the extremely short nose”; an “undershot” jaw; a “roach back”; and a “short” tail that is “straight or screwed.” A copy of the AKC’s Official Standard of the French Bulldog is attached as Exhibit 6.

94. The “extremely short” nose required by the AKC’s French Bulldog standard requires brachycephaly, a recognized deformity. A photograph of the AKC “ideal” profile for the French Bulldog is provided in Figure 13. As the French Bull Dog Club of America has acknowledged, French Bulldogs’ “extremely short” nose and resulting brachycephaly means that “the facial bones and tissues . . . are so compressed that its airway is often impaired by several related defects.”⁴⁸

⁴⁷ Mia Olsson et al., *A Novel Unstable Duplication Upstream of HAS2 Predisposes to a Breed-Defining Skin Phenotype & a Periodic Fever Syndrome in Chinese Shar-Pei Dogs*, PLOS GENETICS (Mar. 17, 2011), <https://doi.org/10.1371/journal.pgen.1001332>; *Shar-Pei Recurrent Fever Syndrome*, MAR VISTA MED. CTR. (Feb. 2025), <https://www.marvistavet.com/shar-pei-recurrent-fever-syndrome.pml>.

⁴⁸ *French Bulldog Health and Conformation*, FRENCH BULL DOG CLUB OF AM., <https://fbdca.org/healthandconformation/> (last visited May 28, 2025).

Figure 13: “Ideal” profile of the French Bulldog under the AKC standard (left), compared to the profile of a Jack Russell Terrier, a small, non-brachycephalic breed (right).⁴⁹



95. Pathological abnormalities caused by these AKC-required face and skull deformities include: (1) nostrils that are too narrow to accommodate normal breathing (stenotic nares); (2) a soft palate that is too large for the dogs’ abnormally compressed facial structure and thus extends into the back of the mouth and throat; (3) tissue near the vocal cords that is sucked into the larynx (and blocks airflow) when the dog inhales (known as everted laryngeal sacculles) and (4) a too-narrow windpipe (hypoplastic trachea).

96. These distortions of the normal structures of the face, mouth, and airway all contribute to the obstruction of airflow and impede breathing. One or any combination of these deformities give rise to a chronic, debilitating respiratory syndrome known as Brachycephalic Obstructive Airway Syndrome (“BOAS”).

⁴⁹ *Judging the French Bulldog*, FRENCH BULL DOG CLUB OF AM. JUDGE’S EDUC. COMM. 33 (2018), <https://frenchbulldogclub.org/wp-content/uploads/2018/07/FBDCA-Judges-Ed-2018-Update.pdf>; Steve-65, *Jack Russell Terrier-Portrait*, WIKIMEDIA COMMONS (Sept. 20, 2012), https://commons.wikimedia.org/wiki/File:Jack_Russell_Terrier_-_Portrait.JPG.

97. BOAS risk increases as the face and nose become “shorter” and “flatter.” Thus, by explicitly requiring an “extremely short” nose, the AKC’s Official French Bulldog standard provides a “blueprint” for a significantly high BOAS risk.

98. Owners of BOAS-affected French Bulldogs often fail to recognize that loud breathing, snorting, reluctance to exercise, and snoring exhibited by their companions are abnormal and the result of relentless breathing difficulty.⁵⁰

99. The degree of BOAS varies but the French Bulldogs that are worst affected constantly struggle to breathe, as evidenced by their panting, snorting, and wheezing, even while at rest. BOAS-affected French Bulldogs cannot run, play, or engage in other normal activities to the same extent as other dogs because simply breathing (even at rest) requires such effort. As a result of their conforming to the AKC-defined, deformed ideal, many French Bulldogs cannot breathe while lying down and struggle to eat and breathe at the same time.

100. As with Bulldogs and Pugs, BOAS’s impact on French Bulldogs is progressive. The constant struggle to breathe causes inflammation and swelling in the tissues of the throat, which further obstructs airflow, makes it even harder to breathe, and causes a self-perpetuating, vicious cycle of worsening breathing difficulties. Chronic oxygen deprivation also causes stress, inflammation, high blood pressure, blood clotting disorders, and other systemic health problems.

101. The shortened skull of French Bulldogs has a much smaller than normal nasal apparatus. This houses the bony turbinates that are essential for blood cooling during panting, as dogs do not sweat like humans. The significant reduction in the space for these turbinates in French Bulldogs reduces their ability to effectively maintain a normal body temperature through panting, which puts them at risk of heat stroke in warm weather. The AKC admits just some of the

⁵⁰ Stefanie Mitze et al., *Brachycephalic Obstructive Airway Syndrome: Much More Than a Surgical Problem*, 42 VETERINARY Q. 213 (Nov. 15, 2022), <https://doi.org/10.1080/01652176.2022.2145621>.

consequences caused by this deformity, stating “[l]ike all flat-faced breeds, [French Bulldogs] are prone to breathing problems and do poorly in hot or humid weather” and that “[a]s a flat-faced breed. . . [French Bulldogs] are prone to breathing difficulties and should never be allowed to exert themselves in hot or humid weather.”⁵¹

102. The AKC-requirement that French Bulldogs have “extremely short” noses leads to an extremely high prevalence of deformities in the mouth and throat, which cause sleep apnea. Sleep apnea means that the airway becomes blocked or narrowed during sleep, preventing air from reaching the lungs and causing the dog to momentarily stop breathing, sometimes many times throughout the night. French Bulldogs with sleep apnea may sleep with an open mouth (such as keeping a hollow toy in the mouth to breathe more easily while asleep) or present with fragmented sleep or a complete inability to sleep. As in humans, sleep apnea causes oxidative stress and inflammation and has been linked with cardiovascular disease.

103. The AKC-required compression of the structures of the French Bulldog’s head into a cramped, deformed space causes fluid to accumulate within dogs’ ears. This fluid buildup can cause head and neck pain, abnormal posture and movement, itching, vestibular signs (such as head tilting, walking in circles, lack of coordination, rapid eye movement, and other signs of inner ear problems), lethargy, and hearing loss.

104. The AKC-required “extremely short” deformed skull and face does not allow sufficient space for French Bulldogs’ forty-two teeth. As a result, French Bulldogs’ teeth (if not congenitally absent) must rotate and twist to fit in the mouth, which can cause gum disease, inflammation, and pain.

105. In addition to breathing problems, French Bulldogs’ AKC-required “extremely

⁵¹ *French Bulldog*, AM. KENNEL CLUB, <https://www.akc.org/dog-breeds/french-bulldog/> (last visited June 17, 2025).

short” nose and concomitant facial deformities, respiratory compromise, and abnormal pressures in the chest and abdomen also cause digestive problems. These include gastroesophageal reflux disease (GERD), sliding hiatal hernias, intestinal ulceration, and aspiration pneumonia. Signs of GERD include lip smacking, drooling, retching, vomiting, regurgitation, eating grass, difficulty swallowing, nocturnal restlessness, and loss of appetite. Affected dogs will frequently regurgitate frothy fluid when exercising or excited. Herniation of the stomach causes chronic regurgitation and can lead to inflammation of the esophagus and gastric dilation-volvulus (bloat), the latter of which is a life-threatening emergency.

106. The “undershot” jaw deformity required by the AKC French Bulldog Standard means that French Bulldogs’ bottom teeth protrude beyond their top teeth. An “undershot” jaw is an abnormal and unhealthy tooth misalignment and can cause Bulldogs pain and difficulty eating. The misaligned teeth may constantly dig into the soft tissues of dogs’ mouth, causing irritation and oral lesions. Dogs use their mouths to pick up food, and a lower jaw that protrudes far beyond the top jaw, as the AKC official standard requires, complicates this basic, life-sustaining task. Other abnormalities of the oral cavity include dental crowding, unerupted teeth, and periodontal disease.

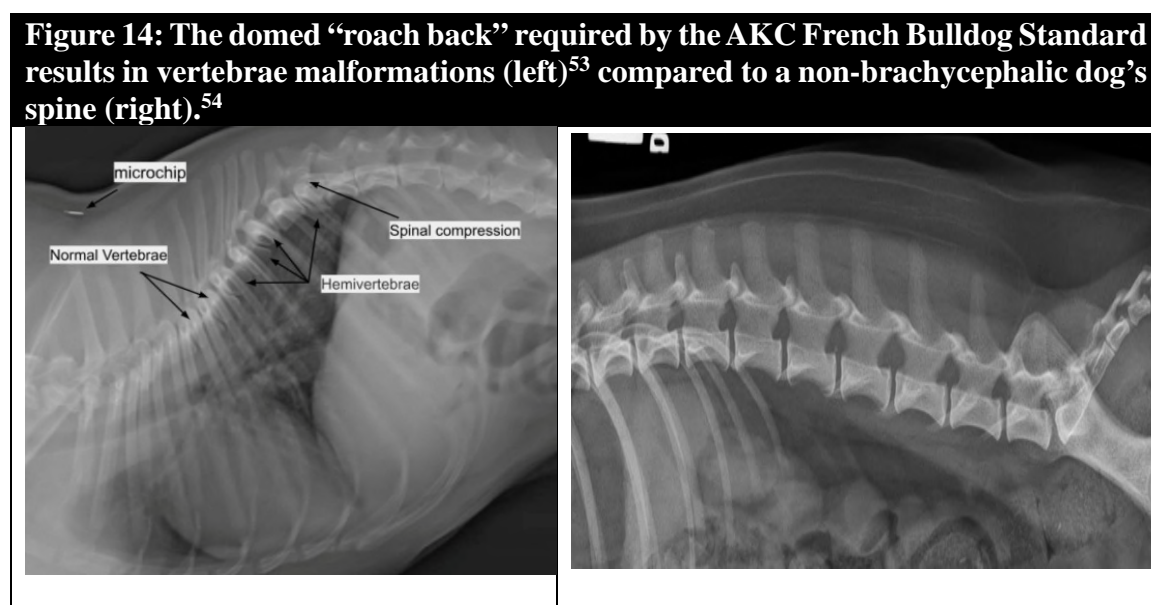
107. The AKC-required “large and square head” head interferes with French Bulldogs’ ability to give birth naturally, because dogs’ birth canals cannot safely accommodate puppies with disproportionately “large and square” heads. This in turn frequently necessitates surgery (caesarean section) to deliver puppies: the AKC acknowledges that French Bulldogs “often have difficulty whelping naturally” and “[i]t may be preferable to schedule a planned C-section.”⁵²

108. A caesarean section is a major surgery which involves placing the mother under general anesthesia, opening the abdomen, and exposing and opening the uterus. Because of the

⁵² Caroline Coile, PhD, *Emergency C-Sections for Dogs: When to Go to the Vet*, AM. KENNEL CLUB (Oct. 18, 2022), <https://www.akc.org/expert-advice/dog-breeding/emergency-c-sections-for-dogs/>.

AKC-mandated facial deformities that result in associated breathing problems, French Bulldogs are at a much higher risk of anesthesia complications, including death, than dogs with normal, healthy head and facial structures.

109. French Bulldogs' AKC-required "roach back" deformity refers to an abnormal spine that is hunched upwards, creating a hump, as shown in Figure 14 below. A "roach back" is considered a disorder of the backbone and typically results from genetic disease or injury—but because the AKC finds this feature aesthetically pleasing, it defines this deformity as an "ideal" for the breed.



110. A dog's spine is divided into the cervical (neck), thoracic (upper back), lumbar (lower back), sacral (connecting the spine to the pelvis) and coccygeal (tail) sections. Because the tail is part of the spine, the "screwed" tail deformity given as an acceptable "option" under the

⁵³ Dr. Joshua DeLord, *Can't Keep a French Bulldog Down*, BELTON VETERINARY CLINIC, <https://www.beltonvetclinic.com/services/dogs/blog/cant-keep-french-bulldog-down> (last visited June 17, 2025)

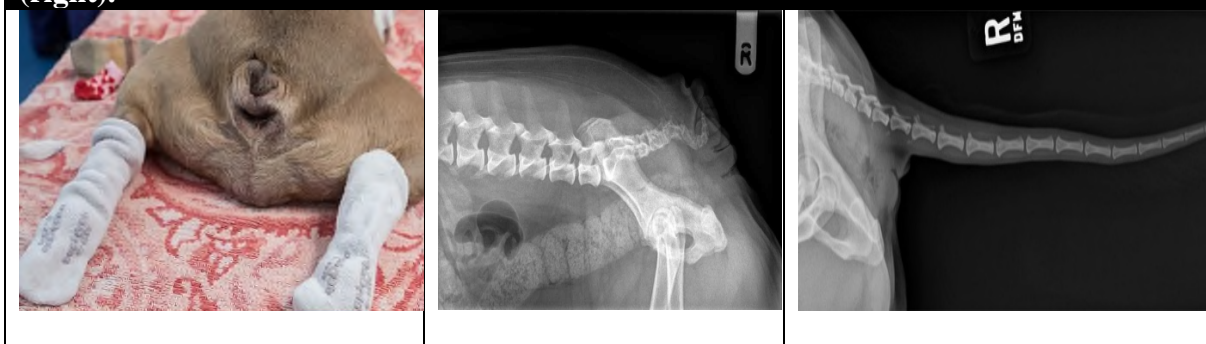
⁵⁴ Danielle Mauragis, CVT & Clifford R. Berry, DVM, *Small Animal Spinal Radiography Series: Lumbar Spine Radiography*, 3 TODAY'S VETERINARY PRAC. 48, 49 (July/Aug. 2013), <https://todaysveterinarypractice.com/wp-content/uploads/sites/4/2016/05/T1307C05.pdf>.

AKC French Bulldog standard requires breeders to select for abnormal vertebrae, called “hemivertebrae.”

111. Normal, healthy vertebrae do not produce a “screwed” tail. Unlike normal vertebrae, which are cylindrical in shape, hemivertebrae are wedge shaped and can decrease the stability of the spine, leading to spinal cord compression. French Bulldogs with spinal cord compression, and/or intervertebral disk disease (another common, compressive, spinal issue in French Bulldogs) may exhibit a wide range of neurological symptoms, including weakness or paralysis of their back legs, difficulty standing or walking, an abnormal gait or posture, neck or back pain or sensitivity, urinary or fecal incontinence, an inability to jump or climb on stairs, or muscle atrophy or weakness.

112. The “screwed” tail that the AKC French Bulldog standard invites, compared to a normal dog tail, is illustrated in Figure 15 below.

Figure 15: A French bulldog tail (left), which is stunted and associated with spinal deformities and infections.⁵⁵ An x-ray of a French Bulldog screw tail highlighting the vertebrae malformations (center)⁵⁶ compared to a non-brachycephalic dog's tail (right).⁵⁷



⁵⁵ *French Bulldog Found Suffering with Multiple Problems Including an Inverted Tail*, MAYHEW, <https://themayhew.org/french-bulldog-found-suffering-with-multiple-problems-including-an-inverted-tail/> (last visited June 17, 2025).

⁵⁶ Daniela Murgia et al., *Screw Tail & Tail Fold Pyoderma – Medical & Surgical Updates*, VET TIMES (Dec. 2, 2019), <https://www.vettimes.com/news/vets/small-animal-vets/screw-tail-and-tail-fold-pyoderma-medical-and-surgical-updates>.

⁵⁷ Danielle Mauragis, CVT & Clifford R. Berry, DVM, *Small Animal Spinal Radiography Series: Lumbar Spine Radiography*, 3 TODAY'S VETERINARY PRAC. 48, 49 (July/Aug. 2013), <https://todaysveterinarypractice.com/wp-content/uploads/sites/4/2016/05/T1307C05.pdf>.

113. The AKC-required “heavy wrinkles forming a soft roll over the extremely short nose” is referred to as an “over nose wrinkle” or “nose rope” in the dog-showing community. A “nose rope” occurs because the skin overlying the French Bulldog’s “extremely short” nose is not reduced in proportion to the facial skeleton, forcing the excess skin into wrinkles. The fold, or hair growing from the nasal fold, can rub against the cornea of the prominent eye causing painful trauma, inflammation, and ulceration to the dogs’ corneas—a condition known as “nasal fold trichiasis.” The AKC admits that “[French Bulldogs] occasionally have eye conditions such as cherry eye, juvenile cataracts, or entropion, and skin allergies and autoimmune skin disorders also are known to occur.”⁵⁸

114. Abnormal, folded skin on the face and tail area permits no air circulation and traps moisture, which leads to proliferation of certain bacteria and so creates an ideal environment for bacterial and fungal infections in these areas, as shown in Figure 16 below. “Heavy wrinkles” covering a dog’s face may also impede their ability to communicate with humans and other dogs, because wrinkles interfere with dogs’ ability to change their facial expression.

Figure 16. Moderately (left)⁵⁹ to severely red, moist, hairless facial and leg folds (center, right)⁶⁰ in French Bulldogs.



⁵⁸ *French Bulldog*, AM. KENNEL CLUB, <https://www.akc.org/dog-breeds/french-bulldog/> (last visited June 17, 2025).

⁵⁹ *Beauty Isn't Even Skin Deep: New Study From the RVC Finds That Flat-Faced Dogs Are at the Highest Risk of Skin Fold Dermatitis*, VET COMPASS, ROYAL VETERINARY COLL. (July 6, 2022), <https://www.rvc.ac.uk/vetcompass/news/beauty-isn-t-even-skin-deep-new-study-from-the-rvc-finds-that-flat-faced-dogs-are-at-the-highest-risk-of-skin-fold-dermatitis>.

⁶⁰ Stefan Hobi et al., *Dermatological Problems of Brachycephalic Dogs*, 13 ANIMALS 12 (June 16, 2023), <https://doi.org/10.3390/ani13122016>.

For French Bulldogs specifically, veterinarians warn guardians to expect a lifetime of expensive medical bills as a result of issues stemming from how these dogs are bred: the dogs' tendency to suffer from ear infections (because of their unnaturally narrow ear canals), diarrhea (in particular, French Bulldog puppies have ultra-sensitive digestive systems), pinkeye (because of their irregularly protruding eyeballs), skin fold dermatitis (because of the wrinkles the standard requires), and BOAS, often requiring surgery just to be able to breathe without extreme effort and distress.

**CAUSE OF ACTION:
CPLR Article 78**

115. PETA repeats and realleges the allegations in the paragraphs above as if fully set forth herein.

116. Under Article III of the AKC's Bylaws, the primary object of the AKC is to "advance canine health and well-being."

117. The AKC's Official Breed Standards for the Bulldog, French Bulldog, Pug, Dachshund, and Chinese Shar-Pei provide blueprints for the breeding of deformed, unhealthy dogs and thus severely impede canine health and well-being.

118. The AKC could at any time stop using the above breed standards to prevent further harm to dogs and to ensure that its official breed standards comply with its own Charter and Bylaws and so do not harm canine health and wellbeing. However, the AKC has failed and refused to take any action to ensure its official breed standards comply with its own Charter and Bylaws.

119. The AKC's refusal to consider PETA's bylaws complaint in good faith and to take any action consistent with the petition with respect to its official breed standards for the Bulldog, French Bulldog, Pug, Dachshund, and Chinese-Shar-Pei is inconsistent with the requirements of the Not-For-Profit Corporations Law mandating that AKC abide by its Charter and Bylaws to

advance the objectives of the organization in good faith, which constitutes a failure to perform a duty enjoined upon it by law, in violation of CPLR § 7803(1).

120. The AKC's refusal to consider PETA's bylaws complaint in good faith and to take any action consistent with the petition with respect to its official breed standards for the Bulldog, French Bulldog, Pug, Dachshund, and Chinese-Shar-Pei is arbitrary and capricious and an abuse of discretion, in violation of CPLR § 7803(3).

121. By filing its bylaws complaint pursuant to Article XII of the AKC's Bylaws and affording the AKC an opportunity to respond, which it has demonstrably declined to do, PETA has exhausted its administrative remedies, and this matter is now ripe for judicial review in accordance with Article 78. Alternatively, PETA need not exhaust further administrative remedies due to exceptions to the rule of exhaustion, including those based on futility.

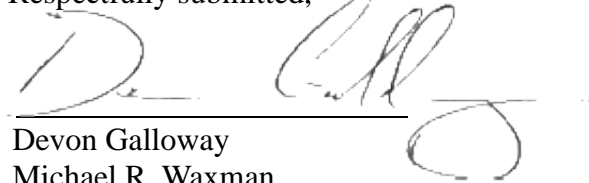
PRAYER FOR RELIEF

WHEREFORE, PETA respectfully requests that, pursuant to CPLR § 7806, this Court enter judgment on its behalf:

- A. Declaring that the AKC's refusal to consider or take any appropriate action in response to PETA's bylaws complaint concerning the AKC's Official Standards of the Bulldog, French Bulldog, Pug, Dachshund, and Chinese Shar-Pei violates the AKC's Charter and Bylaws and is arbitrary, capricious, and an abuse of discretion in violation of CPLR § 7803(1) and (3);
- B. Ordering the AKC to, consistent with PETA's bylaws complaint, immediately stop using the AKC Official Standards of the Bulldog, Dachshund, Pug, Chinese Shar-Pei, and French Bulldog because they cause deformities, great suffering, and premature death and do not advance canine health and well-being; and
- C. Granting such other and further relief as the Court may deem just and proper.

Date: July 8, 2025
New York, New York

Respectfully submitted,



Devon Galloway
Michael R. Waxman
ZUCKERMAN SPAEDER LLP
485 Madison Avenue, 19th Floor
New York, NY 10022-5871
Tel: 212.897.3438
dgalloway@zuckerman.com
mwaxman@zuckerman.com

Asher Smith
Aaron Frazier
PETA FOUNDATION
501 Front Street
Norfolk, VA 23510
Tel : (757) 622-7382
AsherS@PetaF.org
AaronF@PetaF.org

Attorneys for Petitioner

VERIFICATIONState of VirginiaCounty of Rockbridge

I, Daphna Nachminovitch, am the Senior Vice President of Cruelty Investigations and an agent for Plaintiff, People for the Ethical Treatment of Animals, Inc. ("PETA"). I have reviewed the Verified Petition and the exhibits attached hereto, and their factual contents are true to my personal knowledge, except as to the matters alleged on information and belief. As to matters alleged on information and belief, I believe them to be true, and the grounds for those matters are based on conversations, interviews, and other communications with officers and employees of PETA and with a veterinary expert.

Pursuant to Civil Practice Law and Rules 2106, I affirm this 7th day of July, 2025, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.



DAPHNA NACHMINOVITCH