



Master Dog Breeders & Associates

Policies 01/07/2024

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Policies

The MDBA has developed the following policies to provide consistency, equality and guidance for our members.

1. Membership policy

Introduction

Membership into the MDBA has several stages:

1. An application is submitted
2. The membership team checks the application to ensure the applicant has provided enough information to process it and that the information given meets the MDBA membership criteria.
3. Once the application has enough information and meets the criteria it is sent to the MDBA Board for consideration.
4. The MDBA Board will make a determination about the application and inform the membership team of their decision.
5. If an application has been approved, an invoice will be sent to the applicant for payment of their membership fees. The fees must be paid within 28 days of receiving the invoice otherwise the application approval will be withdrawn

2. Compliance

Definitions

Complainant - The person making the complaint

Respondent - The member being accused in the complaint

Compliance - Ensures that members comply with outside regulatory and legal requirements as well as internal policies, codes and rules.

Introduction

Our success at MDBA is grounded in the integrity of our registry and the diligent work of thousands of hardworking, dedicated breeder members and responsible dog owners who have agreed to our Rules, Codes and Policies.

The MDBA has processes in place that can help give puppy buyers confidence that they are buying a puppy from breeders who care about their dog's welfare. We have a Compliance Department that conducts investigations and inspections to monitor breeders, providing accountability, training and resources that encourage success for our breeder members. Our key objective is voluntary compliance, wherever possible, from our members. The vast majority of engagement with members is for the purpose of assistance and education.

The MDBA has a range of options to address non-compliance. The broad range of tools we use ensures that we have the flexibility to respond in a way that is both targeted and proportionate to the seriousness of the problem.

We also take a proactive approach to compliance where we identify and address potential issues during our interactions with members, the general public or local authorities.

Our aim is for our members to approach us for assistance before any compliance issues become serious.

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When required, the MDBA will take appropriate enforcement action.

In taking an enforcement action, our aims are to:

- Stop the undesired conduct.
- Ensure future compliance.
- Raise awareness of the MDBA Codes, Rules, and Policies
- Deter and penalise wrongdoers.

Whilst determining matters appropriate for enforcement action, we exercise discretion and consider the merits and circumstances of the case.

Where the MDBA receives a formal complaint alleging misconduct or a breach of the Rules, Codes or Policies of the MDBA, the Compliance team will follow the MDBA complaints process.

Under no circumstances will the MDBA become involved in any contractual or commercial matters, as these must be decided by a court of law.

The Role of The MDBA Compliance Department

The role of the MDBA Compliance Department is

1. To protect the integrity of the MDBA registry by checking submitted registration applications and managing disciplinary matters.
2. To inspect breeder members' properties to ensure they properly maintain their dogs, living conditions and records.
3. Pre-empt, where possible, any problems for those who use our members' services. We achieve this through a compliance approach that strongly emphasises prevention and careful targeting of enforcement action. We proactively engage with members to inform them of their responsibilities and assist them in understanding what they must be doing to comply with our Rules, Policies, and Codes.
4. Investigate, on behalf of the MDBA Board, any allegations of breaches of MDBA Rules, Codes and Policies and investigate breaches of Legislation where the MDBA is required to do this.

The MDBA Compliance Department provides a platform for all parties to be heard but has no decision-making power. All decisions associated with compliance are the responsibility of the MDBA Board.

The MDBA Board determines whether there have been breaches of our Codes, Policies and Rules and if a complaint is proven, can impose penalties.

The MDBA Board understand how difficult it is to investigate complaint allegations and has a zero-tolerance approach to any person subjecting our Compliance or administrative staff members to any form of harassment or abuse.

The MDBA Board may forcefully advise a member to financially compensate a Complainant but does not have the authority to make a breeder member do so. Complainants who wish to pursue a financial remedy must seek the advice of legal professionals.

The MDBA cannot provide legal advice under any circumstances.

A complainant cannot dictate to the MDBA Board what a penalty may or may not be if a complaint is upheld. How the MDBA Board determines the outcome of a complaint and the issues that impact upon the decision will not be shared outside of the Board due to privacy, security and legal considerations.

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Interpretation of the Rules, Policies and Codes can only be made by the MDBA Board and all decisions made by the Board relating to the outcome or management of a complaint are final.

MDBA Compliance Strategies.

Inspections

When notified of an inspection, the member will receive an email indicating which member of the MDBA compliance team will be working with them. The email will detail what the inspection will cover and suggest times that may be convenient for the inspection to take place.

During the inspection, the staff member will observe:

- The dogs on the property,
- The dogs' housing, feed and sanitary conditions
- The member's records
- After the inspection, the Compliance team member will complete a report and present it to the MDBA Board, who will make a decision regarding any compliance issues or, if no compliance issues are found, will close the case.

Within 14 days, the inspected member will receive a copy of the report and the MDBA decision by post or email.

The Compliance Team will monitor any member where compliance issues have been found as a result of an inspection or complaint to ascertain whether the compliance issues have been remediated.

Complaints Policy

The MDBA is dedicated to being accessible and responsive to all complainants as long as the complaint meets our complaints criteria. If something has gone wrong, we want to know about it so we can improve our services.

We will handle every complaint that meets our complaints criteria impartially and with integrity. We cannot provide a complaints service if litigation proceedings have begun.

We may decide your complaint should be referred elsewhere.

We will not ordinarily consider complaints about matters that occurred more than 12 months ago unless the complaint is regarding the provision of registry papers.

MDBA will not become involved in disputes between members in relation to the sale of dogs or stud services.

Information gathered during our interactions with both non-members and members is considered a valuable source of information about potential non-compliance of the MDBA codes, rules, and policies.

The MDBA uses the complaint process as a valuable source of feedback on our organisation's systems, services, staff, and members.

The MDBA will refer all complaints that concern animal welfare to the RSPCA or the equivalent welfare organisation within seven days.

We regularly review the effectiveness of the complaint management system to ensure its suitability for responding to and resolving complaints. We also regularly assess the system to identify and correct any deficiencies in the system's operation.

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The MDBA will not discuss the progress of complaints via telephone. All enquiries or discussions of complaints must be in writing unless the MDBA instigates a phone call as part of their compliance process.

Complaints Criteria.

The MDBA will accept complaints about a member only if they are submitted in writing using the approved form on the MDBA website.

The MDBA will undertake an initial assessment of the complaint to confirm that its substance meets the complaint criteria and is related to a breach of the MDBA Codes, Rules, or Policies. For the MDBA to assess the complaint accurately, the complainant must provide as much detail as possible about the allegations they are making.

A Complainant must provide their:

1. Name
2. Contact and address details. (Address details will not be passed on to the member).
3. Proof of the complainant's identity,
4. Full details of the allegations
5. Evidence that substantiates the complaint allegations. All evidence must be submitted when the complaint form is submitted.
6. If the complaint allegation concerns issues during or soon after the purchase of a dog or puppy, then the Complainant must be the MDBA registered owner of the dog and have directly purchased the dog or puppy from an MDBA breeder member or from a person who is under direct instruction from the MDBA breeder member.
7. Details of the dog including date of birth and microchip number.

The MDBA will not accept complaints where:

1. The issue of the complaint occurred (or when you first became aware of that issue) more than 12 months prior to the complaint being made unless the complaint is regarding pedigree/registration papers.
2. The Complainant wants to remain anonymous
3. The Complainant does not want the details of the complaint disclosed to the Respondent.
4. The complaint is contractual or commercial in nature
5. The Complainant has no substantiating evidence.
6. The Complainant is a third party.
7. The Complaint is not made using the approved methods.
8. The complaint is not made in good faith.

Complaints Process

The Complainant must lodge a complaint using the MDBA prescribed form.

The MDBA will notify the Complainant in writing that their complaint has been received, provide the contact details for the Compliance Team member who will investigate the complaint, and estimate the timeframe for the complaint.

We will try to resolve your complaint quickly, Within 30 days.

We may:

- a) Review your documents
- b) Look at rules, policies and Codes

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- c) Ask the member you have complained about for more information.

Where possible, we will contact the Complainant with the outcome of the complaint within 90 days.

The Compliance Team member will provide the Respondent with the full complaint and supporting documentation provided by the Complainant. The Respondent has seven days to respond to the allegations from the date they received it from the MDBA.

Should the Respondent fail to respond within seven days, the matter will be referred to the MDBA Board for further action.

The Compliance Team will make any inquiries it deems necessary to thoroughly investigate a complaint.

The Respondent will be provided with all relevant evidence gathered during the course of an investigation to enable them to answer the allegation.

The MDBA Board has directed the Compliance Team to only respond to Complainants or Respondents in writing. Anyone under investigation or responding to allegations will not be able to speak to members of the Compliance Team or other members of MDBA Staff about either the allegations or the progress of the investigation via telephone enquiry.

Members of the MDBA Board may speak with both parties or give approval for phone contact where it is considered to be required.

Complaint Outcomes

Should the Respondent have a case to answer, the MDBA Board will assess the complaint for any potential disciplinary action.

Should the MDBA Board find the Respondent has no case to answer, the case will be closed and both parties notified

At the completion of the investigation, the Respondent and the Complainant will receive a notice of the outcome.

Proactive Compliance Approach

During our interactions with members, the general public or local authorities we may discover areas of concern. Should this happen MDBA staff may raise an informal compliance request to the Compliance Team.

The Compliance Team will undertake a risk assessment of the compliance request and determine any areas of risk. Should the risk level be of concern, the informal compliance request will be upgraded to a compliance investigation.

3. Disciplinary Policy.

Introduction

The MDBA aims to ensure that all members know their membership obligations, are aware of the standards of conduct and behaviour expected of them as members of the MDBA, and that they meet such standards. A number of systems have been put in place to support this process, including the following:

- Each MDBA member signs a membership agreement that describes their responsibilities

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- The MDBA Rules, Policies and Codes outline the standards of quality towards which MDBA members can be held to account
- The MDBA Compliance and Complaints Policy provides clear policy and guidance for responding to and resolving complaints.
- The purpose of the disciplinary policy is to uphold MDBA standards and to ensure a procedure is in place for addressing issues related to membership non-compliance and complaints.
- The policy ensures that any breach of MDBA Rules, Policies and Codes is managed in a structured and consistent way and that members are treated fairly, promptly, and impartially.
- Details explaining why any decision has been made in a determination will not be provided.
- Details of any disciplinary action taken against the member will not be provided to the complainant unless the member's membership has been terminated.

Disciplinary procedures

The MDBA Board will:

- Follow the steps outlined in the Compliance and Complaints policies.
- Determine whether any disciplinary action is required after the Compliance Department has submitted a report on the complaint.
- If disciplinary action is required the Board will inform the member as soon as practicable and no more than seven days after the decision has been made

Disciplinary measures in relation to complaints

Based on the outcome of a complaint investigation the following disciplinary measures may be taken:

- Should the MDBA Board find there have been breaches related to animal welfare, animal cruelty, violent or fraudulent nature, they will direct the Compliance Department to report the breaches to the relevant authorities.
- In the event that minor compliance issues are found as a result of the investigation, the MDBA Board will direct the Compliance Team member to assist the member with advice and support on how best to implement the required changes to become compliant.
- Should the compliance issues be of a major concern the MDBA Board will direct the Compliance Team to develop a plan that addresses the issues, with a timeline for the member to rectify the issues and the frequency of follow-up by the Compliance Team.

Without Prejudice Discussions

The Compliance Team may contact the member on an informal basis about alleged non-compliance to resolve a matter promptly without resorting to further action.

Warning letter

A warning letter may be issued when there is evidence that compliance issues have been found and the member can be reasonably expected to know of and understand their obligations.

An enforceable contract

The MDBA Board may request a member sign a written undertaking (contract) that details specific measures or the implementation of certain procedures to ensure the compliance issues will not occur again.

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The MDBA may take legal action against a member if an enforceable contract is breached or when our legal advisors advise us to do so.

Termination of Membership.

The MDBA Board may terminate a member's membership for breaches of our Rules, Codes or Policies. When a membership is terminated, the termination of membership starts on the day the decision is made. The member will be notified by registered mail and email. All use of MDBA numbers, trademarks, and references to their MDBA membership must be immediately removed and no longer used. Failure to do so will result in the MDBA seeking financial compensation through the courts.

If a Victorian Breeder member's membership is terminated, the MDBA must notify the terminated member's local council and the relevant State agency within seven days of the member's termination date.

Enforcement Actions

Factors that make enforcement action likely include:

- The seriousness of the conduct – where there is evidence of, or potential for, significant harm, and particularly where this conduct is ongoing.
- A blatant disregard for the MDBA Codes, Policies and Rules or a pattern of deliberate non-compliance by the member that indicates a risk of future misconduct.
- Special circumstances, such as conduct affecting vulnerable or disadvantaged groups.
- If the conduct involves a new or emerging issue, significantly impacts MDBA brand integrity, or affects the integrity of the MDBA Stud Registry.
- If enforcement action is considered to have a worthwhile educative or deterrent effect.
- Where the issue is high-risk or requires action to stop the conduct, we may move straight to more punitive measures. For systemic issues identified by information gathering, a multi-faceted compliance strategy using several tools in combination may be used.

4. Policies for Health and Wellness

Introduction

The MDBA's focus is always on what's best for dogs and the MDBA has a strong emphasis on prioritising the health and well-being of dogs and their breeds over any other priority. We achieve this by appraising ourselves with any issues within the general dog population as well as focusing on specific risks and diseases within the purebred dog population.

Our Programs

We have two programs to monitor the health and well-being of dogs.

The first is the MDBA Inside Out program, which identifies non-visible health conditions by using the following strategies; hands-on veterinary examinations, x-ray scanning, and DNA testing.

The second is the MDBA Outside In program, which identifies visible factors such as conformation, temperament, and external risks that affect a dog's health.

Both program initiatives are based on scientific evidence which gives us the basis to develop policies and strategies that will improve the health and well-being of individual dogs and specific dog breeds. We are committed to addressing the health needs of our closest companions through; expanding our

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scientific research programs, maintaining health databases, utilising genetic action plans, awarding research funding, and providing educational resources dedicated to improving outcomes for all dogs.

Our Strategies

To enable the MDBA to produce science-based best-for-breed plans, we conduct specific breed health surveys and employ a range of methods for communicating and informing members about any current health issues. We base all Genetic Action Plans (GAP) on evidence and knowledge of what is happening within the MDBA purebred gene pool. We do not rely on anecdotal evidence of problems, perceptions, and prejudices within any breed.

We create individual breed strategies with appropriate health and genetic action plans to improve the health of specific breeds. The strategies we use involve identifying breed priorities, developing targeted solutions, and monitoring progress towards achieving tangible improvements.

We set high standards for ourselves and our Breeder members and pay close attention to any changing circumstances in each breed. We actively work to expand our knowledge in all canine-related matters.

We support our members if they have canine health management challenges with open and honest communication. We assist them in making long-term plans to identify and prioritise the key health issues that they face to benefit their breeds. We understand that breeding healthy dogs is the responsibility of all who love a breed and want to ensure its future.

We work with our Breeders, health providers, professionals in canine-related fields, and experts in the field and encourage veterinary professionals to participate in our canine health education and advocacy.

We identify and prioritise key health issues that members may face, such as health problems within a specific breed, health or welfare issues caused by a breed's conformation and aspects of genetic diversity that may be causing problems (e.g. popular sires, high inbreeding coefficients, small gene pool).

We encourage public participation when identifying issues that may require further investigation. We also gather, document, and track information from owners and breeders regarding illnesses, diseases, and causes of death. This allows us to identify the current status of a breed's health and promptly detect any emerging significant issues.

We investigate and, if necessary, initiate research into current and potential breed health and welfare issues. We develop recommendations and mandatory requirements for members to follow to ensure their dogs can lead fit and healthy lifestyles. We may introduce mandatory testing for a specific breed to determine the status of a particular disease or common illness within the MDBA gene pool or to ensure our Breeder members are implementing the correct strategies and can make informed decisions for their breeding programs.

5. Smart Dog Owners Club Policy.

The MDBA offers an exclusive opportunity to join the Smart Dog Owners Club. Access to this Club is free of charge to all those who purchase puppies or dogs from MDBA breeder members.

Participation in this club enables a shared experience of life with four-legged family members purchased from MDBA breeder members and is part of a wide support network.

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The only qualifying criteria to Club is that a dog or puppy has been bred and purchased from an MDBA breeder member. The MDBA has no requirement for any agreements or acceptance of MDBA Rules Codes or Policies and as such the MDBA has no jurisdiction over members of this club and has no obligation to provide services to Club members.

If Smart Dog Owners want to attend events and activities, they would need to join the MDBA as Associate members.

6. Privacy Policy

The MDBA places a high value in our members' privacy. How we collect, use, exchange and protect personal information is important to the MDBA and our members. We respect your privacy and we will never sell or give our members details to a third party unless we are legally required to do so.

We will not voluntarily hand your information over to third parties without your explicit consent.

If we receive a query from the general public about who is an MDBA breeder member, we will only give out whether the person is or is not a financial MDBA member. We will also give out the last 4 digits of the member's phone number to ensure the puppy buyer has the same last 4 digits of the number that we have in our membership system. We do this to protect both our breeders from people who steal a member's MDBA number and use their numbers and details to scam people and the potential puppy buyer to ensure they really are talking to one of our members.

The MDBA will only collect information necessary for us to provide services to our members and which may assist in increasing the welfare of purebred dogs and responsible breeding.

The MDBA may aggregate information to assist with developing services for members, gather health information about specific dog breeds, or develop the MDBA website. This aggregation will not identify individual members or dogs.

When you visit our website, MDBA's web servers gather your IP address to assist with diagnosing problems or supporting issues with our services and monitoring the use of our site, including the location of our users. We use anonymised and aggregated information for purposes that include testing our IT systems, research, data analysis, improving the MDBA services, and developing new features and functionality within the MDBA website.

Unless you become a registered site user or an MDBA member, the MDBA does not collect information that identifies you personally.

We collect your personal data in the following ways:

When you sign up to the MDBA website - When you sign up to the MDBA website we collect certain personal data in order for you to take full advantage of the MDBA's services. We collect data such as your email address and name.

When you apply to be a MDBA member– To become a MDBA Member we collect data to enable us to assess your application for membership such as, your name, address, country, areas of interest, phone number, agreement to abide by our Codes, Policies and Rules relevant to your membership type.

When you advertise on the MDBA website – When you advertise on the MDBA website we collect the data that a member enters. The member can edit or delete this data at any time.

Use of Personal Information

We may use the Personal Information we collect for a range of reasons, including:

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- **When we enter your dogs into the Stud Registry** – We will enter your personal details into our stud registry to show that you are the owner of the dog or the breeder of any puppies.
- **When we bill and collect money owed to us by you** - This includes sending you emails and invoices. We will only use payment gateways or direct bank deposits for the collection of monies. Those third parties may collect information to process your orders and payments.
- **To send you system alert messages** - For example, we may inform you about temporary or permanent changes to our services, such as planned outages, or send you account, security or compliance notifications, such as new features, abuse warnings, and changes to this privacy policy.
- **To communicate with you about your account and provide customer support** - For example, if you have any issues our staff will contact you using your email address.
- **To provide you with specific information** – For instance information on the breed of dog you own.
- **To meet legal requirements**- including complying with our legislative obligations, court orders, valid discovery requests, valid subpoenas, and other appropriate legal mechanisms.
- **To collect outstanding debt** – if a member owes the MDBA money we may pass on their details to a third party for the collection of monies due.

Access to Your Information

If you become a registered site user or MDBA member, you are able to change or update your Profile details at any time by logging in to your Profile area of the website. All users are able to unsubscribe from newsletters.

In addition, any user can request the MDBA to delete their Profile at any time. However, this will cancel your account, and the MDBA will no longer be able to provide services to you.

Storage & Security of Personal Information

The MDBA takes all reasonable steps to ensure the security of our system and to protect your information from misuse, interference and loss as well as unauthorised access, modification or disclosure. The MDBA allows you to access your personal information at any time to keep it accurate and up to date. Any information that we hold for you is stored on secure servers, either in Australia or overseas that are protected in controlled facilities.

In addition, our employees and the contractors who provide services related to our information systems are obliged to respect the confidentiality and privacy of any personal information held by the MDBA. Except in the case of breaches of our obligations under the Privacy Act to protect your personal information, the MDBA will not be held responsible for events arising from unauthorised access of your personal information.

In the event of a data breach, the MDBA is committed to complying in all respects with the requirements of all Australian privacy laws and where required, the provisions of the GDPR.

You also play an important role in keeping your personal information secure, by maintaining the confidentiality and ensuring the complexity of any password and accounts used on the website. Please notify us immediately if there is any unauthorised use of your account by any other user, or any other breach of security relating to your account.

Data retention

We retain information you provide to us and which we collect about you, including personal information and personal data, for so long as we continue to provide services to you and specifically

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until such time as you request us to delete your profile. However, any data provided for inclusion into any of the MDBA Registries cannot be deleted.

The MDBA is a data controller and processor for the purposes of the GDPR and by you consenting to this privacy policy the MDBA is able to process your personal data in accordance with this privacy policy.

Our contact details are set out in the "Contact Us" section of our website. In providing its services to you, the MDBA may make use of a number of automated processes using your personal data and your activity on our website as tracked by us, in order to provide more tailored and relevant services to you such as providing information to you through email communication.

In addition to your rights set out above, you may:

- Update or rectify any of the personal data that we hold about you;
- Withdraw your consent to the MDBA use of your personal information as described in this privacy policy by requesting the MDBA remove your account;
- Request that the MDBA provides you with a copy of the personal data the MDBA holds about you in a portable and machine-readable form. You may make those requests by contacting us using any of the methods set out in the "Contact Us" page on our website.

Changes to the Privacy Policy

Occasionally we may, in our discretion, make changes to this Privacy Policy. When we make material changes to this Policy, we'll send you an email detailing the policy and a link to the page on our website that displays the policy. In some cases, we will notify you in advance, and your continued use of the MDBA services after the changes have been made will constitute your acceptance of the changes. Please, therefore, make sure you read any such notice carefully. If you do not wish to continue using MDBA services under the new version of the Privacy Policy, you may terminate your membership by contacting us by email.

Disclaimer

The Master Dog Breeders and Associates (MDBA) aims to identify, unite and promote people who have a primary focus on what is best for dogs. All current MDBA members have agreed to abide by the MDBA Rules, Codes and Policies pertinent to their membership type.

Due to the sheer number of members and dogs, whilst we engage compliance processes to monitor member adherence to our rules codes and policies, the MDBA makes no representations as to the quality or ethics of any member or to the soundness or suitability of any puppy or dog a person may decide to acquire from our members. All puppy buyers are responsible for satisfying themselves that whatever dog or puppy they decide to buy from one of our members is healthy, sound, and meets their requirements. They should ensure that the services a breeder is offering are equal to their expectations and provided in writing.