



MEMORANDUM

DATE	April 3, 2026
TO	Multidisciplinary Advisory Committee (MDC)
FROM	Maria Preciosa S. Solacito, DVM Cheryl Waterhouse, DVM
SUBJECT	Agenda Item 5.B. Recommendation to Initiate Rulemaking to Amend California Code of Regulations (CCR), Title 16, 2030.1 Regarding Small Animal Fixed Veterinary Premises and Handling Animal Remains

Background

Over the last several years, the Legislature has contemplated having the California Veterinary Medical Board (Board) regulate animal cremation services. In a 2025 letter to the DCA Director, the Board’s Executive Officer, and the Chief of the California Cemetery and Funeral Bureau (CFB), state legislators urged the regulatory agencies to collaborate on solutions to oversee the emerging pet cremation industry (Attachment 1).

The issue was subsequently identified as Issue #22 in the Assembly Committee on Business and Professions and the Senate Committee on Business, Professions and Economic Development (Committee) [Sunset Background Paper](#).

In response, the Board explained that the Board has regulatory oversight over veterinarians and the care and treatment they provide to animals in California. The Board has jurisdiction over complaints related to pet cremation that are connected to the actions of a veterinarian, e.g., if a veterinarian gives approval to cremate a pet without the owners’ consent, or if a veterinarian approves an improper type of pet cremation.

The Board further explained it does not have jurisdiction once the deceased animal leaves the veterinary premises. With that said, the Board agreed to evaluate existing regulations to determine if additional consumer protection mechanisms regarding handling remains up until the remains leave the premises are necessary. The Board directed the MDC to evaluate existing regulations and bring recommendations to the Board at a future meeting.

Update and Discussion

As noted in its Sunset Background Paper response, the Board does not have a means to specifically track complaints regarding animal cremations or wrongful handling of cremated animal remains (cremains). To try to identify complaints responsive to this issue, Board staff conducted a search for any instance of the word “cremation” in the

complaint summary (a free-form text box). Out of the nearly 183,000 complaint summaries, 120 of them included the word “cremation.” Most of those complaints had nothing to do with the cremation services themselves and simply mentioned “cremation” when the consumer “went to pick up the cremations” or the consumer “requested a cremation,” or “they offered to pay for the cremation,” but the complaints were alleging negligent treatment.

Many complaints that related to cremation services were regarding the cost of cremation services, which is not always charged by the veterinarian, and the fact the consumers were being charged for cremation services when they believed the veterinarian caused the animal patient’s death. The Subcommittee does not believe these scenarios would be in the Board’s purview.

Other complaint allegations included the following:

- The client paying for cremation services that were not provided.
- Not releasing cremains until the bill was paid in full.
- Cremating the deceased animal before allowing consumers to decide what to do.
- Cremating the deceased animal without client permission.
- Using the deceased animal for training registered veterinary technicians to perform dental extractions and other procedures without client permission.
- Improperly coding the remains for group cremations or otherwise losing the remains.

The Subcommittee believes the first three complaints are sufficiently covered under existing laws as follows:

Paying for cremation services that were not provided

If a client paid for a service that was not provided, the Board may take action based on a violation of Business and Professions Code (BPC) section 4883 (i) for fraud or deception and order restitution to make the client whole.

Not releasing cremains until the bill is paid

Similar to the information provided [here](#), if the amount due for veterinary services has not been paid within ten days after payment has become due, a veterinarian may keep the deceased animal and the deceased animal is then considered part of a lien. (Civil Code section [3051](#)). While the Subcommittee does not believe this is a common occurrence, a veterinarian is legally permitted to hold the remains until payment is made.

Cremating the deceased animal before the client decides what to do

California Code of Regulations (CCR) section [2030.1](#) states, in pertinent part, the following:

“(a) When the client has not given the veterinarian authorization to dispose of their deceased animal, the veterinarian shall be required to retain the body in a freezer for at least 14 days prior to disposal.”

If a client has not given permission to cremate the deceased animal and it is within the 14-day period, the Board may take action based on a violation of CCR section 2030.1.

As such, the Subcommittee does not believe any amendments should be made to existing regulations to address these scenarios.

The Subcommittee believes the remaining complaint scenarios can be addressed with the following amendments to CCR section 2030.1:

- **Adding Subsection (b) as follows:**

(b) Within the holding period, the deceased animal is not to be cremated or used for any unauthorized purposes, including research or training, without the client's consent.

Rationale: "The holding period" refers to the holding period referenced in subsection (a). This amendment addresses the scenarios where veterinary premises cremate the deceased animal or use the deceased animal for training veterinary staff to perform dental extractions and other procedures without the client's permission.

- **Adding Subsections (c), (e), and (f) as follows:**

(c) Every deceased animal shall be labeled with the following minimum information:

- (1) Name or identification number of the deceased animal.
- (2) Client full name, if known.
- (3) Freezer intake date.
- (4) Disposition service requested by the client, if applicable.

(e) When the deceased animal is transferred from the veterinary premises to a cremation service or other entity for disposition, the veterinary premises shall maintain a transfer custody log that contains the following minimum information:

- (1) Name or identification number of the deceased animal.
- (2) Client full name, if known.
- (3) Disposition service requested by the client.
- (4) Date of transfer.
- (5) Full name and signature of the veterinary premises staff releasing the deceased animal.
- (6) Name of the entity receiving the deceased animal.
- (7) Full name and signature of the entity staff receiving the deceased animal.
- (8) The date of return of the animal cremains to the veterinary premises, if applicable.
- (9) The full name and signature of the veterinary premises staff receiving the animal cremains, if applicable.

(f) The veterinary premises shall maintain the transfer custody log for three years from the date of transfer.

Rationale: These amendments are to address the scenarios where the veterinary premises improperly codes the remains for group cremations or otherwise loses the remains.

The Subcommittee believes these scenarios typically happen when a veterinary premises does not have or fails to follow a standard protocol, including properly labeling the deceased animal prior to freezing and maintaining a transfer of custody log. These are crucial for verifying that the remains returned to the client belong to their specific pet.

While most veterinary premises maintain transfer of custody logs for pet cremations, there is no standard requirement in the Veterinary Medicine Practice Act. There is also no standard for how long to retain the log. While the log is considered not part of the animal patient record, the Subcommittee believes the log should be required to be retained for the same timeframe as the patient record (three years).

Because the Subcommittee believes most veterinary premises are already maintaining some sort of log, it would not be overly burdensome for this process to be standardized.

- **Adding Subsection (d) as follows:**

(d) The veterinary premises shall notify the client that there may be alternative disposition services available and, if requested, the veterinary premises shall release the deceased animal to a disposition service that the client chooses.

Rationale: The Subcommittee believes the client has a right to decide what cremation service they would like to use. The veterinary premises may have an existing contract with a specific company, but the client should have the right to choose an alternative if they would like. The proposed language was mirrored from BPC section [4826.6](#) (i)(7) which requires a veterinarian to submit a prescription to a pharmacy the client chooses.

- **Adding Subsection (g) as follows:**

(g) If the client has not taken custody of the cremains, the veterinary premises shall retain cremains for a minimum of [six months] from the date the veterinary premises attempted to contact the client prior to disposal.

Rationale: The Subcommittee believes a veterinary premises should be required to retain cremains for a specified timeframe that gives the client adequate time to

collect, but that timeframe should not be overly burdensome to the veterinary premises. Six months is added as an example, but the MDC and the Board should discuss if this is adequate or it should be replaced with a different timeframe.

- **Minor Amendments for Clarity, as follows:**

- (a) When the client has not given the veterinarian any premises authorization to dispose of their deceased animal, the veterinarian premises shall be required to retain the ~~body~~ deceased animal in a freezer for at least 14 days from the date the veterinary premises made a documented attempt to contact the client prior to disposal.

Rationale: The Subcommittee believes the responsibility should be shifted from the veterinarian to the veterinary premises. Many veterinarians may be practicing within a premises and not have any authority over the protocols or procedures the veterinary premises owner has regarding handling animal remains. By shifting responsibility to the veterinary premises, the veterinary premises registration owner would be held accountable to ensure these requirements are met.

The Subcommittee also believes changing “body” to “deceased animal” is a more humane description.

In addition, it is unclear what starts the 14-day holding period. If the patient passes away at the veterinary premises and the client is not present, the veterinary premises should make a documented attempt to contact the animal patient, which may not occur on the same day the animal passes. That holding period should not start until the veterinary premises attempts that contact.

Requested Action

If the MDC agrees with the Subcommittee and Staff recommendations, please entertain a motion to recommend the Board take the following actions:

Approve the regulatory text in Attachment 2 to amend CCR, title 16, section 2030.1.

Direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, and if the Board does not receive any comments providing objections or adverse recommendations specifically directed at the proposed action or to the procedures followed by the Board in proposing or adopting the action, then the Board authorizes the Executive Officer to take all steps necessary to initiate the rulemaking process, make any technical or non-substantive changes to the package, and set the matter for hearing, if requested.

If after the 45-day public comment period, no adverse comments are received, and no public hearing is requested, authorize the Executive Officer to take all steps

necessary to complete the rulemaking, and adopt the proposed regulations as described in the text notice for CCR, title 16, section 2030.1.

Attachment:

1. Letter to the DCA Director, the Board's Executive Officer, and the Chief of the California Cemetery and Funeral Bureau, dated February 14, 2025
2. DCA Response Letter, dated March 28, 2025
3. Proposed Regulatory Language to Amend CCR, Title 16, Section 2030.1 Regarding Small Animal Fixed Veterinary Premises and Handling Animal Remains



Avelino Valencia

ASSEMBLYMEMBER, SIXTY-EIGHTH DISTRICT

COMMITTEES:

CHAIR: BANKING AND FINANCE
ARTS, ENTERTAINMENT, SPORTS, AND TOURISM
GOVERNMENTAL ORGANIZATION

INSURANCE
MILITARY AND VETERANS AFFAIRS

California Legislature

February 14, 2025

Director Kimberly Kirchmeyer
California Department of Consumer Affairs
1625 N. Market Boulevard, Suite S-308
Sacramento, CA 95834

Bureau Chief Gina Sanchez
California Cemetery and Funeral Bureau
1625 N. Market Boulevard. Suite S-208
Sacramento, CA 95834

Executive Officer Jessica Sieferman
California Veterinary Medical Board
1747 N. Market Boulevard, Suite 230
Sacramento, CA 95834

RE: Request for Oversight of the Pet Cremation Industry

Dear Director Kirchmeyer, Bureau Chief Sanchez, and Executive Officer Sieferman:

I am writing regarding the operations of pet crematories within our state. Recent court cases, such as *Hillarie Levy v. Only Cremations For Pets, Inc.*, have highlighted instances of unethical behavior and a troubling lack of accountability in the management of pet ash residues—particularly, the failure to ensure that the ashes returned to pet owners correspond to their deceased pets.

This issue raises concerns about the integrity and transparency of these businesses. The lack of oversight has led to cases where consumers receive ashes that do not belong to their pet—sometimes even a mix of remains from diseased animals—causing immense distress to grieving pet owners who place their trust in these services during emotionally challenging times. This is completely unacceptable, as it undermines public confidence in the industry. Pets are an extension of our families, and this is no way to treat the remains of lost loved ones.

Therefore, I request that the Department of Consumer Affairs, the Veterinary Medical Board, and the Cemetery and Funeral Bureau collaborate to look into this issue and establish clear guidelines for the proper handling of pet remains. Additionally, I encourage you to implement regular inspections to ensure pet cremation processes are conducted with the utmost respect and accuracy.

Consumers deserve transparency and honesty from these businesses, and it is the responsibility of regulatory bodies to protect their interests. Trust in pet crematories must be restored to uphold the dignity and respect that pet owners rightfully expect.

I respectfully request that you share what actions you plan to implement to resolve this issue moving forward. Thank you for your attention to this matter.

In Service,



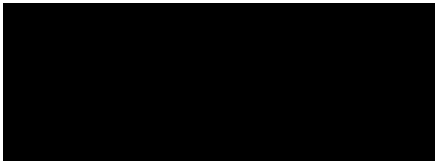
AVELINO VALENCIA
Assemblymember, 68th District



STEVE BENNETT
Assemblymember, 38th District



HENRY STERN
Senator, 27th District



THOMAS UMBERG
Senator, 34th District



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March 28, 2025

The Honorable Avelino Valencia
California State Assembly
1021 O Street, Room 5510
Sacramento, CA 95814

The Honorable Henry Stern
California State Senate
1021 O Street, Room 7710
Sacramento, CA 95814

The Honorable Steve Bennett
California State Assembly
1020 N Street, Room 4710
Sacramento, CA 95814

The Honorable Thomas Umberg
California State Senate
1021 O Street, Room 7510
Sacramento, CA 95814

Re: Request for Oversight of the Pet Cremation Industry

Dear Assembly Member Valencia, Assembly Member Bennett, Senator Stern, and Senator Umberg:

Thank you for your letter outlining concerns with the pet cremation industry and state oversight. I understand that you have concerns with the integrity and transparency of these businesses and that consumers may be receiving ashes that do not belong to their pet. In addition, you have requested that the Department of Consumer Affairs (Department or DCA), the California Veterinary Medical Board (Board) and the Cemetery and Funeral Bureau (Bureau) collaborate and establish clear guidelines for the proper handling of pet remains. You have also encouraged the Department, the Board, and the Bureau to implement regular inspections to ensure pet cremation processes are conducted with respect and accuracy.

The Department, the Board, and the Bureau understand your concerns and strongly believe that consumers, including pet owners, in California should be protected from unscrupulous businesses and potential fraud. However, in the case of pet cremation, these entities have limited statutory authority. The Board has regulatory oversight over veterinarians and the care and treatment they provide to animals in California. The Board has jurisdiction over complaints related to pet cremation that are connected to the actions of a veterinarian, e.g., if a veterinarian gives approval to cremate a pet without the owners' consent, or if a veterinarian approves an improper type of pet cremation. The Board is currently evaluating existing regulations to determine if additional consumer protection mechanisms regarding handling remains up until the remains leave the premises are necessary. The Board will share updates with you once their evaluation is completed this year.

In addition, the Bureau only has statutory authority over cremations of human remains. As such, they have no regulatory authority in statute over pet cremations.

In order for the Department, the Board, or the Bureau to establish guidelines or conduct inspections, statutory changes would be needed. Absent statutory authority, the

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Department, the Board, and the Bureau are not authorized to regulate this industry, other than the Board's role related to veterinarians. Should you have any further questions regarding this issue, please contact me at Kimberly.Kirchmeyer@dc.ca.gov, or Jennifer Simoes, DCA's Deputy Director of Legislative Affairs at (916) 531-1096 or Jennifer.Simoes@dca.ca.gov.

Sincerely,



Kimberly Kirchmeyer
Director
Department of Consumer Affairs

cc: Gina Sanchez, Chief, Cemetery and Funeral Bureau
Jessica Siefertman, Executive Officer, California Veterinary Medical Board

16 CCR § 2030.1

§ 2030.1. Minimum Standards -- Small Animal Fixed Veterinary Premises.

For purposes of these regulations, a “small animal fixed veterinary premises” shall mean a building where veterinary services are being provided to common domestic household animals.

In addition to the requirements in section 2030, a small animal fixed veterinary premises shall meet the following minimum standards:

- (a) When the client has not given the veterinary premises authorization to dispose of their deceased animal, the veterinary premises shall be required to retain the body of the deceased animal in a freezer for at least 14 days from the date the veterinary premises made a documented attempt to contact the client prior to disposal.
- (b) Within the holding period, the deceased animal is not to be cremated or used for any unauthorized purposes, including research or training, without the client's consent.
- (c) Every deceased animal shall be labeled with the following minimum information:
 - 1. Name or identification number of the deceased animal.
 - 2. Client full name, if known.
 - 3. Freezer intake date.
 - 4. Disposition service requested by the client, if applicable.
- (d) The veterinary premises shall notify the client that there may be alternative disposition services available and, if requested, the veterinary premises shall release the deceased animal to a disposition service that the client chooses.
- (e) When the deceased animal is transferred from the veterinary premises to a cremation service or other entity for disposition, the veterinary premises shall maintain a transfer custody log that contains the following minimum information:
 - 1. Name or identification number of the deceased animal.
 - 2. Client full name, if known.
 - 3. Disposition service requested by the client.
 - 4. Date of transfer.
 - 5. Full name and signature of the veterinary premises staff releasing the deceased animal.
 - 6. Name of the entity receiving the deceased animal.
 - 7. Full name and signature of the entity staff receiving the deceased animal.
 - 8. The date of return of the animal cremains, if applicable.
 - 9. The full name and signature of the veterinary premises staff receiving the animal cremains, if applicable.
- (f) The veterinary premises shall maintain the transfer custody log for three years from the date of transfer.

- (g) If the client has not taken custody of the cremains, the veterinary premises shall retain cremains for a minimum of [six months] from the date the veterinary premises attempted to contact the client prior to disposal.

DRAFT