

PRESIDENT'S MESSAGE:

A SUMMARY OF THE AWA DISCUSSIONS AT THE TAMPA CONVENTION, AUGUST 2002

Greetings!

Well, the 2002 Annual Convention of the American Federation of Aviculture, Inc.® (AFA) has come and gone. In my view it was a good Convention featuring an outstanding slate of speakers. Congratulations to all who made it happen, especially the Speaker Chairs (Natasha Schischakin and Sandy Molenda); the Convention Coordinator (Esther Aboumaali); CFO Jim Hawley; the Registrar (Natalie Frumin-Weiss); the AFA Store Chair (Mark Moore) and many others who will go unnamed at this time. Thank you all!

One highlight of the Convention was the series of presentations made by Dr. Chester Gipson and Dr. Jerry DePoyster of the U.S. Department of Agriculture, APHIS, Animal Care addressing the Animal Welfare Act (AWA). In this (the first of several post-convention articles I plan to prepare), I want to summarize what they told us. First, the full text of their formal presentation can be found on their website at www.aphis.usda.gov/ac. All 58 slides presented are shown at that address. In summary, they first described the organization of their group and then described the AWA in terms of who was covered (dealers, researchers, exhibitors, transporters). Many of us may fall under the "Dealer" category as either wholesale breeders of "animals" for the Pet Trade or breeders of "exotic animals" for retail or wholesale. In the later case, the present definition of animal could include many birds. Of interest, the Retail Pet Trade is presently exempt, but this exemption could change as it has been challenged in the Courts.

They then gave the tortuous history of how birds came to be covered. In essence it "boiled down" to a change in wording (punctuation really) of the definition of "animal" and which groups of animals were excluded from the definition. In the beginning, the key phrase was "this term [animal] excludes: birds, rats of the genus *Rattus*, and mice of the genus *Mus* bred for use in research...." In this definition all birds are exempt as are all rats of the genus *Rattus*. However, for mice, only those mice in the genus *Mus* bred for use in research would be exempt. Next came lawsuits, settlements, amendments, and so forth. The bottom line was a definition that now exempted "(1) birds, rats of the genus *Rattus*, and mice of the genus *Mus*, [!!!] bred for use in research (exclamation points and underline added). The insertion of the comma following the word *Mus* in the final definition adopted in the 2002 Farm Bill (Senator Helm's "Rider" to the Farm Bill was to amend the AWA and it passed) made it very clear that birds, rats and mice were exempt only if they were bred for research.

Okay, we're covered; now what? Well, first let us look at what the AWA ensures. This list includes adequate veterinary care, proper housing, safe transportation, shelter from the elements, adequate feeding and watering,

humane handling practices, qualified personnel, proper sanitation and recordkeeping. Minimum standards will be defined and published in Regulations and Standards which will be enforced using unannounced inspections. At present, there are no Regulations and Standards written specifically for rats, mice and birds; these will be developed through a "Rulemaking" process which will be conducted by Dr. Gipson and his staff at APHIS/Animal Care.

This process, because of the significance of the AWA, is going to take several years (3 to 5 years is my estimate) to complete. The most exciting thing I heard is that not only will AFA and other affected parties be involved in the process, we are being viewed as being critical to it. Dr. Gipson put it this way "The destination is the development and enforcement of minimum standards; how we get to that destination is up to you—I am the passenger, you are the driver." He also admonished "Be careful what you ask for, because you're likely to get it."

The avicultural community has talked about the need for minimum standards for years. Indeed, various standards have been developed at the international, national, and local levels. An overview of some of these were presented in a Round Table talk at the Convention. Many of us already adhere to these standards without any legal requirement. Now the time has come where everyone covered under the Act is going to have to meet minimum standards. This is a good thing, not a negative. The only problem is that the standards need to be flexible, reasonable and appropriate. However, we are being asked to help develop workable standards appropriate for aviculture. I am excited about the opportunity. If we have to have minimum standards as is presently required by law, we could have no better group to work with than Dr. Gipson and his staff. Furthermore, we (and others) are being afforded every opportunity to guide the process. As AFA President, I have made the commitment to seek to develop and participate in a broad coalition of avian interest groups to help develop reasonable and appropriate standards for all of U.S. aviculture. This is going to be a long, involved process that will require your support and involvement. For now, what we need to be doing is building membership in AFA—we are going to need to be stronger in numbers, and more healthy from a financial standpoint than we are at present. It is once more time for AFA to step-up to the plate. I solicit your support and trust it will be forthcoming.

Sincerely

Benny J. Gallaway

PRESIDENT
AMERICAN FEDERATION OF AVICULTURE, INC.®