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# bird shipping vs. inclement weather

By Ron Brown, Chairman,  
Avian Transportation Committee

It has come to my attention that people are having difficulty shipping birds to some of the southern states during the hot time of the year. No doubt some have experienced the same problem in southern California during the week of July 4, when temperatures soared above 100 degrees Fahrenheit. A couple of shippers in the Chicago area have related similar problems in the winter due to extreme cold weather. In both cases, the well-being of the animals being shipped (birds) are being taken into consideration and the judgment of the airlines to refuse shipments is the direct result of the 1976 Amendment to the Animal Welfare Act wherein requirements governing shipping of animals during inclement weather. In the Animal Welfare Act, it states that animals should not be exposed to temperatures falling below 45 degrees Fahrenheit or above 85 degrees Fahrenheit. This regulation is well intended. It is to the benefit of the shippers and consignee of our birds. However, the problem has arisen in that the airlines have *incorrectly interpreted* the Animal Welfare Act as it relates to temperatures in shipping. In the publication "News" USDA 3809-77, Dr. Pierre A. Chaloux, Deputy Administrator of Services, USDA, (APHIS) said that "the 1976 amendment to the Animal Welfare Act require such standards so that dogs, cat and some other warm-blooded animals are not subject to extremes of climates while *awaiting* shipment on airlines or deliveries to consignees."

"Though the limit set for tempera-

tures may be debated, the Animal Welfare Act and the intent of Congress are clear; we must set temperature limits *within the terminal* for the protection of these animals when they are shipped on airlines or other common carriers."

The principle concern and the reason for this article is that the position of some airlines is that animal shipment *could not* be accepted *when the outside temperatures* at airports fell below 45 degrees Fahrenheit or rose above 85 degrees Fahrenheit. In actuality, APHIS officials maintained that the regulations *do not refer to exterior atmospheric temperatures*, but do prescribe temperature limits for animal holding areas *in the terminals*. Therefore, airlines *are remis* on denying shipments on outside temperature rationale. Further, the Animal Welfare Act *requires* that airlines *maintain animal holding areas* within their terminal areas with these temperature controls for more than four hours at a time, a point they use for justifying their air freight rates (i.e., extra expense for these areas). So, for those of you who are having difficulty shipping this summer with hot weather and possibly this winter with cold weather, make this regulation and requirement known to your airline and demand the service you have coming to you.

A friend of mine has had considerable trouble with Eastern Airlines because of hot weather. You may want to keep this in mind if you consider shipping via Eastern. I hope that this information can be of use to you. ●