Endangered Species Held In Captivity
In The U.S. To Be De-regulated

At the A.F.A. regional conference in Washington, D.C. in April, 1979, Ms. Joan Caton of the Federal Wildlife Permit Office presented the following status report on captive wildlife regulations under the Endangered Species Act. The below outlined steps to be taken by the U.S. Fish & Wildlife Service, with the accompanying timetable, are a direct result of the continuous efforts made by A.F.A. to de-control the sale and shipment of captive born endangered species within the United States.

Status report on captive wildlife regulations under the Endangered Species Act

The Service published final rules determining that eleven species of Endangered wildlife had Captive Self-Sustaining Populations (CSSP’s) in the United States on June 1, 1977. Subsequent experience of the Service and the affected public showed that although the CSSP system was intended to reduce red tape, there were still difficulties in complying with it in the course of normal propagation activities. Also, it was apparent that the prohibitions applied against activities involving non-CSSP’s were inhibiting their captive propagation.

Re-examination of this situation led to a policy decision by the Service that primary emphasis of the controls applied under the Act should be on conserving species in the wild along with their ecosystems, while interfering as little as possible with the captive propagation of these species. The Service published an advance notice of proposed rulemaking on April 14, 1978, announcing this policy and requesting public comment on several possible courses of action. Over 1,000 comments were received, overwhelmingly in favor of reduced Federal controls for captive wildlife.

In a parallel effort, the Service and ESSA developed a definition of exclusion in the Endangered Species Convention for specimens “bred in captivity.” The Party nations recently adopted this definition. In the interest of reducing conflicts between Act and Convention, we are considering use of this definition in our regulations for captive Endangered and Threatened species.

The aim of the Service is to reclassify the captive (or captive bred) populations of exotic Endangered and Threatened Species in the United States as Threatened, and to provide special rules for them. These rules would provide that interstate commerce and normal practices of animal husbandry previously interpreted as “taking” could occur without need for permits. However, the regulations will likely require that transfers of specimens be reported to the Service and that certain activities contrary to the purposes of the Act will still be prohibited. International trade would still require permits.

We hope to extend this treatment to all exotic species, but not to native U.S. species because of the risk that it could pose to accessible wild populations. Such treatment will only be considered for those native species for which protection of wild populations is assured and where the origin of captive specimens can be proved.

Our timetable for revision of the regulations if 50 CFR, Part 17 as they relate to populations of Endangered and Threatened species in the United States is as follows:

April 30, 1979 — Completion of draft proposed rulemaking
May 18, 1979 — Publication of proposed rulemaking in the FEDERAL REGISTER, inviting public comment for 60 days
July 17, 1979 — Close of comment period
August 17, 1979 — Completion of draft final rulemaking
September 7, 1979 — Publication of final rulemaking in the FEDERAL REGISTER.

The Office of the Solicitor in the Department of the Interior has advised us that it might be necessary to make such a rulemaking for exotic wildlife species-by-species. If so, this will be a much longer process that might be more effectively addressed by a technical amendment to the Act. Should our efforts to improve the regulations be blocked by such a requirement, we will work with Congress to draft an appropriate amendment to the Act.

If the timetable provided by the FWS is closely followed, it will mean the successful conclusion of a long campaign by A.F.A., to eliminate the restrictions that have forced many breeders to give up their breeding programs involving endangered species. We can now look forward to being able to move such birds as Scarlet-chested Parrakeets, Swinhoe Pheasants, and Venezuelan Siskins from one state to another without bureaucratic hassles by the end of the year.

Olloon’s Rare Bird & Animal Farm
PROPAGATION OF EXOTIC BIRDS AND ANIMALS FOR ZOOLOGICAL COLLECTIONS
L. MICKEY OLLSON
DIRECTOR/OWNER
Rt. 1, Box 152
Glendale, Arizona 85301
(602) 939-1003

ENTER THE SHUTTERBUG CONTEST
SUBJECT: Exotic Aviary Birds
DEADLINE: August 1, 1979
ENTRIES: On Display at AFA Convention, Hollywood, FL
LIMIT: 5 per person
WINNERS TO BE ANNOUNCED SATURDAY EVENING, AUGUST 25th at the Banquet
For details and Entry Form see Convention Tear Out Forms in this issue
For additional information write or call:
Ron de Volder
4724 Collier, Lake Worth, FL 33463
(305) 968-4214

Glendale, Arizona 85301

The aim of the Service is to reclassify the captive (or captive bred) populations of exotic Endangered and Threatened Species in the United States as Threatened, and to provide special rules for them. These rules would provide that interstate commerce and normal practices of animal husbandry previously interpreted as “taking” could occur without need for permits. However, the regulations will likely require that transfers of specimens be reported to the Service and that certain activities contrary to the purposes of the Act will still be prohibited. International trade would still require permits.

We hope to extend this treatment to all exotic species, but not to native U.S. species because of the risk that it could pose to accessible wild populations. Such treatment will only be considered for those native species for which protection of wild populations is assured and where the origin of captive specimens can be proved.

Our timetable for revision of the regulations if 50 CFR, Part 17 as they relate to populations of Endangered and Threatened species in the United States is as follows:

April 30, 1979 — Completion of draft proposed rulemaking
May 18, 1979 — Publication of proposed rulemaking in the FEDERAL REGISTER, inviting public comment for 60 days
July 17, 1979 — Close of comment period
August 17, 1979 — Completion of draft final rulemaking
September 7, 1979 — Publication of final rulemaking in the FEDERAL REGISTER.

The Office of the Solicitor in the Department of the Interior has advised us that it might be necessary to make such a rulemaking for exotic wildlife species-by-species. If so, this will be a much longer process that might be more effectively addressed by a technical amendment to the Act. Should our efforts to improve the regulations be blocked by such a requirement, we will work with Congress to draft an appropriate amendment to the Act.

If the timetable provided by the FWS is closely followed, it will mean the successful conclusion of a long campaign by A.F.A., to eliminate the restrictions that have forced many breeders to give up their breeding programs involving endangered species. We can now look forward to being able to move such birds as Scarlet-chested Parrakeets, Swinhoe Pheasants, and Venezuelan Siskins from one state to another without bureaucratic hassles by the end of the year.

Olloon’s Rare Bird & Animal Farm
PROPAGATION OF EXOTIC BIRDS AND ANIMALS FOR ZOOLOGICAL COLLECTIONS
L. MICKEY OLLSON
DIRECTOR/OWNER
Rt. 1, Box 152
Glendale, Arizona 85301
(602) 939-1003

There will be a special ABS (American Budgerigar Society) district five meeting called by the district director Mrs. Sherrill Capi. She will be receiving input from this district to be presented at the annual meeting of the ABS in conjunction with the “All American Budgerigar Society Show,” to be held in Bridgeport, Connecticut on September 8, 1979.