

The Moluccan (Salmon-crested) Cockatoo *will* be added to the U.S. Endangered Species Act

*By Rick Jordan,
AFA CITES Committee Chairman*

On May 6, 1991, the United States Fish and Wildlife Service received a petition (1991 petition) from the International Council for Bird Preservation to add 53 foreign birds, including the Salmon-crested Cockatoo (*Cacatua moluccensis*), to the List of Endangered and Threatened Wildlife. Despite numerous attempts by the American Federation of Aviculture, Inc. and many other avicultural groups to thwart the listing of the Moluccan Cockatoo under the United States Endangered Species Act, as of June 27, 2011, it will be listed as “threatened.”

The Nov. 3, 2009, Federal Register contained a “proposed rule” to list the Moluccan Cockatoo under the Endangered Species Act. The USFWS proposed the listing and included a “special rule” designed by them to relieve some of the concerns from the public, and subsequently, organized aviculture. Special rules have notoriously been controversial in the past and targeted by certain animal rights and anti-trade groups.

The special rule proposed by the USFWS with regard to the Moluccan Cockatoo is probably one the biggest steps ever taken by the USFWS to appease the concerns of aviculture and to accommodate the captive breeding of species listed under any restrictive law here in the United States. Much credit is due to the Service for including this special rule in their proposal, demonstrating that they truly do understand the problems associated with listing commonly kept and bred foreign species under this law, originally designed to provide protection to U.S. native birds and animals.

Traditionally the listing of foreign birds under the Endangered Species Act, especially commonly kept caged birds, meant that breeders, pet owners, or virtually anyone engaging in commerce with a listed species across a state line, would require a federal permit. Because of the requirements set forth in the regulations to acquire such a permit, many people opted to sell their listed “endangered” species within the state where they live. This led to inbreeding issues in states where the species was not well established, and frustration for everyone trying to propagate the listed species.

It should be noted that many of the Endangered Species Act’s listed species that require permits for interstate commerce are slowly disappearing from aviculture. This is contrary to the intent of the Act and certainly has negative implications for any avicultural species listed.

Under the proposed special rule, no permits will be required for citizens of the United States to possess, barter, sell or move in interstate commerce, any Moluccan Cockatoo that has been



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legally bred, imported, or acquired within the United States. Also under this special rule, citizens of the U.S. who travel abroad with their pet Moluccan Cockatoo will be allowed to bring it home when they return. Any international movement of the species will still require CITES permits and may require other federal permits under the Wild Bird Conservation Act of 1992.

Thankfully, our USFWS has taken a closer look at the scientific and commercial data provided to them with regard to listing the Moluccan Cockatoo, and have provided the citizens of the United States a way to both protect the species through listing under the ESA, and still breed and trade with it internally without the involvement of government bureaucracy.

This is a huge stride toward a better relationship with this governing agency. The Endangered Species Act has been a source of frustration for many aviculturists over the years. Constraints on the sale or movement of foreign species already legally imported or captive produced in the United States, is counterproductive. I thank the USFWS for its recognition of such, and I hope they will take the time to review the actual conservation value of maintaining such constraints on the other foreign species listed under this act.