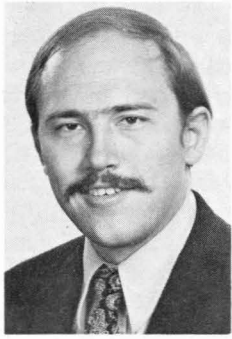


## A.F.A. TO SEEK WASHINGTON REPRESENTATION

by Jerry Jennings



Jerry Jennings

The American Federation of Aviculture will soon retain the services of a Washington law firm to represent avicultural interests in the nation's capitol.

The ever-growing threat of new legislation and governmental regulations restricting the freedom of aviculturists to pursue their hobby has demonstrated the need for a professional approach. It is the opinion of A.F.A.'s board of directors that only an attorney can effectively communicate to law-makers the negative ramifications to us of well-intended but ill-conceived actions on the part of federal government, which has been unduly influenced by extremists within some so-called conservation groups.

A.F.A. members will be kept abreast of future developments in this column ■

## STORM BREWS IN WASHINGTON

by Jerry Jennings

Dark clouds loom over the horizon of American aviculture as the bi-centennial year approaches. In January 1976 Representative John Dingell's (D-Mich.) Federal Zoological Control Board Bill will receive its first hearing before the House Merchant Marine and Fisheries Committee.

Citing a general lack of competence and need on the part of most Americans to maintain and care for animals, Dingell has outlined a program in his legislation that will effectively put an end to aviculture, while bringing the nation's zoos to their knees.

H.R. 6631 establishes a Federal Zoological Control Board empowered to license all zoos, pet shops, and private individuals who possess one or more non-agricultural animals, excluding dogs and cats. Definitions of persons, animals, and activities covered are so thorough as to include the home tropical fish aquarium and two canaries in a cage. The following partial list of definitions are taken from SEC. 3.

As used in this Act—

(1) The term "animal" means any living mammal, bird, reptile, amphibian, fish, or invertebrate.

(2) The term "Board" means the Federal Zoological Control Board established pursuant to section 101(a).

(3) The term "captive", when used with respect to any animal, means that the animal—

(A) is confined within any cage, pen, pasture, enclosure, or container; or

(B) has its movements restricted as a result of any humanly designed device or any humanly inflicted injury or amputation.

(9) The term "zoo" means any captive collection of one or more specimens of any zoological animal for any purpose whatsoever.

(10) The term "zoological animal" means any animal other than a non-zoological animal (to be determined by the board, but include farm animals).

(12) The term "zoological dealer" means any person who captures or imports any zoological animal for sale, or who purchases any zoological animal from any other zoological dealer or from any zoo for resale, or who transports any zoological animal in interstate or foreign commerce for a fee;

(13) The term "zoological hobby" means any zoo maintained for the personal enjoyment and satisfaction of any individual or group of individuals and which is not open to the general public.

(14) The term "zoological hobbyist" means any person who maintains a zoological hobby.

H.R. 6631 goes on to specify that each animal be provided "...the minimum space and accommodations necessary to effect acceptable natural and pseudonatural behavioral adaption for each species...".

Each "zoological hobbyist" (aviculturist/breeder) will be required to apply for a federal license to legally continue to keep birds. License numbers may be required by dealers before they can legally sell seed and other supplies to breeders, as well as purchase young birds from them.

Licensing standards for aviculturists "...shall include such requirements with respect to formal education, experience, and demonstration of competence by examination as the Board deems appropriate, including examinations of sufficient difficulty to demonstrate—

(A) knowledge of the captive care of specified categories of zoological animals, such as terrestrial mammals, marine mammals, birds, reptiles, amphibians, terrestrial invertebrates, fresh water fishes and invertebrates, and marine fishes and invertebrates;

(B) in the case of zoological technicians and zoological hobbyists, competence in providing proper care and maintenance for zoological animals;

(C) in the case of zoological curators, professional competence in the overall administration of zoological parks; and

(D) in the case of zoological dealers, professional competence in providing proper care and maintenance of zoological animals and in the transportation of such animals.

A novel approach to the enforcement of H.R. 6631 is detailed in Part 5, which allows for class action suits. These suits may be initiated by "any person" who feels that a "zoological hobbyist" is not in possession of a license or is otherwise in violation of the law.

Should the Dingell bill become law, breeders will be given one year to comply. Failure to do so will result in confiscation of all birds, which will then be destroyed by euthanasia. Non-compliance may also result in a fine and imprisonment.

H.R. 6631 appears to be a consolidation of a number of recent federal proposals, each of which would have severely crippled aviculture. Breeders must stand up and be heard. Little imagination is necessary to realize they cannot hide their hobby very long, if they can no longer purchase bird seed and other supplies ■

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