

NEW FEDERAL REGULATIONS

On December 31, 1980, two important new Federal regulations took effect. The first requires licenses by the U.S. Fish and Wildlife Service for those engaged in importing or exporting. The second involves the elimination of indemnities paid by USDA for birds taken from premises infected with Exotic Newcastle Disease.

Licenses for Import/Export

Henceforth, all persons engaged in the importation or exportation of wildlife for gain or profit must be licensed by the U.S. Fish and Wildlife Service. The Proposed Rule was first published on March 27, 1978 with a comment period of 60 days. The comment period was reopened on August 23, 1978 until October 31, 1978. On August 25, 1980 it was published as a Final Rule with the provision that anyone who applied for a license before December 31, 1980 would be allowed to continue importing/exporting until their application was processed, even if processing was not completed before September 24, 1980, the date the ruling was to go into effect.

The purpose of the licensing system is to improve the government's ability to monitor wildlife traffic, protect wildlife resources, and communicate with persons most affected by subsequent USFWS rulemakings.

At the time the Proposal was published, the International Bird Institute and PIJAC, through their General Counsel, Mr. Marshall Meyers, provided substantial input for FWS. This resulted in some important changes which the Pet Industry accepted and which consequently allowed them to support the licensing system. AFA took the position that if those most affected by the ruling were supporting it, there was good reason for it. Additionally, it would have the effect of helping to cut back on certain unethical practices in the bird import business. The one problem we had with it was the burden it would place on the individual aviculturist who only occasionally imported a few birds or occa-

sionally exported a few birds. They would have to be licensed as well.

This objection was suddenly taken care of on December 31, 1980 when USFWS published an amendment which exempts individuals from the licensing requirement if the value of the birds being imported or exported is less than \$25,000 annually. Why the sudden concern for our interests? I would like to believe that our recent letter-writing campaign on the endangered species issue had something to do with it, in that they are now aware that we exist, and in reasonable numbers, and are sincere in our interest to further conservation efforts through captive breeding programs.

No More Federal Indemnities For Livestock Infected by Illegal Birds

USDA will no longer pay indemnities for destruction of diseased birds when the infection results from an illegal bird being placed on the premises when the owner knows that said bird is illegal. Once again, we say, there is no bargain in smuggled birds!

The ruling, which took effect on December 31, 1980, is primarily directed at the use of vaccines, semen, embryo transplants, etc. which, apparently, are often imported illegally. It does, however, apply to illegal birds as well. The person who buys suspicious birds and takes them home or to their Pet Shop now not only runs the risk of losing their entire flock, but also runs the risk of losing the money paid them by USDA for depopulation of that flock.

AFA supports this ruling. We feel it should act as a further deterrent in the purchase of smuggled birds. Think about it. The next time you see a wonderful Amazon for sale at your local flea market or swap meet and the owner tells you it was raised in his backyard and only costs \$100, you'll think twice before you'll risk your birds *and* the money they're worth. If you know that bird is smuggled, you could lose everything.

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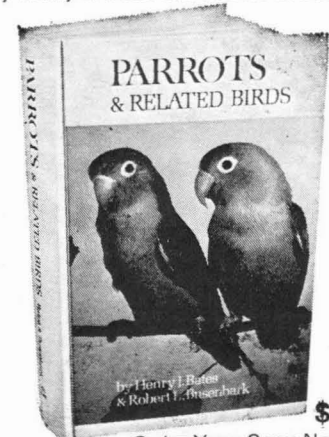
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