

## Your Bird and the Law

As a parrot owner, in addition to knowing the proper care required of your bird, you are also required to be informed about laws pertaining to them both federal and state. In some states, certain species of parrots are illegal to possess, breed, release, import or export. While there seems to be quite a bit of confusion as to current laws by officials, there also seems to be a great amount of ignorance concerning parrots in general by the very same officials who would create these laws.

We recently saw an example of this, with the proposed ban on Nanday Conures, sometimes referred to as the Black Hooded Parakeet, in Pennsylvania by the PGC. The officials proposing this law, were confused in that they believed that Nanday Conures were already illegal to own in PA and quoted a 1992 law in many of their interviews. It is believed by some, that they must have been referring to the Wild Bird Conservation Act, which makes it illegal to import/export wild birds from their native country (as well as many other species of parrot), not illegal to own, breed, sell captive bred birds already here legally the USA for decades. To read about the [Wild Bird Conservation Act](#) click here.

Due to this recent proposed ban in Pennsylvania, a group dedicated to watch out for such legislation and fight it has been formed. While this group is very new, they already formed a coalition large enough to win the fight to save the Nanday Conure from being banned in PA. As Parrot owners, it is our responsibility to be aware of current laws and new laws being proposed. Below is a description of this new group and how it formed from one of it's founders.

*"A new group has been formed to keep abreast of current laws affecting our companion birds. The Coalition of Pennsylvania Aviculturists (TCOPA) was formed to oppose a proposed amendment to 58 Pa. Code, §137.1 by the PA Game Commission (PGC) to prohibit the importation, possession, sale and release of all non-human primates and the Conure-Nanday, Nandayus nenday, sometimes referred to as the Black-hooded Parakeet.*

*As word got out about our efforts, people from all over the country joined TCOPA to help in the opposition. Emails, letters, and faxes were sent to the Game Commissioners, Governor Rendell, and all of the PA senators and representatives voicing our opposition to the proposed amendment. The news media was contacted and TV and newspaper interviews began appearing all over the state.*

*PGC began hearing public testimony on Sunday, January 27th. Dr. Paul Miller (Avian vet for the PA Department of Agriculture), Dr. John Hall (Avian vet), and about 20 other people presented testimony to the PGC opposing the amendment. On Tuesday, January 29th, the Commissioners voted unanimously to remove all reference to the Nanday Conure in their proposal! Many of the Commissioners then made comments praising TCOPA for giving very well organized, professional, and fact based presentations.*

*One Commissioner jokingly remarked that he had heard so many interesting facts about that "little green bird" that he might be interested in owning one! The Coalition of Pennsylvania Aviculturists (TCOPA) has evolved into a group of dedicated bird owners from all over the country that have banded together as one to monitor proposed legislation and to bring opposition where appropriate. If you would like to join our group, please go to <http://groups.yahoo.com/group/TCOPA/>."*

*Rick Rowland, co-moderator TCOPA*

Another group that played a vital role in helping to defeat the ban of Nanday's in PA is the AFA (American Federation of Aviculture). The American Federation of Aviculture (AFA) is a nonprofit national organization established in 1974, whose purpose is to represent all aspects of aviculture and to educate the public about keeping and breeding birds in captivity.

AFA has a membership consisting of bird breeders, pet bird owners, avian veterinarians, pet bird store owners,

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bird product manufacturers, and other people interested in the future of aviculture. As a parrot owner, it is wise to become an AFA member as well. To learn more about the AFA, please visit their website at [www.afabirds.org](http://www.afabirds.org).

Some other groups we must be very diligent in keeping an eye on are the Animal Rights Activist groups. Very often these are the groups who go to our state officials and suggest these ridiculous laws. These may be the very same groups that we have given money to in the past to “protect” our animals. When some of these groups were founded, they may have had the “best interest” of our animals in mind. Sadly, it appears they have taken an activist/extremist turn, which in most cases do not have the best interest of animals in mind. Below is a very good site to read about these groups and what they *really* stand for. There are tons of links with very good information on this site as to what PETA, HSUS and similar groups have been up to over the last several years.

<http://www.freewebs.com/animalrightsandyou/>

### Federal Laws

There are federal laws which regulate wild exotic birds: the Wild Bird Conservation Act, the Endangered Species Act, and the Lacey Act. These three laws primarily regulate the importation of wild birds into the United States.

Under the [Wild Bird Conservation Act](#) it is illegal to import into the United States wild exotic birds as pets. However persons returning to the United States after being out of the country for more than one year who bring personally owned birds with them may import no more than two exotic birds as pets per year.

Under the [Endangered Species Act \(ESA\)](#) it is illegal to possess, sell, or buy an endangered species unless a person obtains a captive-bred wildlife permit. The ESA does not regulate private possession of birds, but it does allow the Fish and Wildlife Service to prosecute individuals who are in possession of endangered species illegally.

The [Lacey Act](#) allows the U.S. government to prosecute persons who are in possession of an animal illegally obtained in a foreign country or another state. This law allows the Fish and Wildlife Service to prosecute individuals who have illegally obtained birds.

For state laws concerning parrots, click your state in the right hand margin of this page to see what legislation currently exists.

### **Groups helping to watch pending legislation concerning parrots and other exotic animals.**

[American Federation of Aviculture](#)

[Avicultural Society of America](#)

[National Animal Interest Alliance](#)

[Organization of Professional Aviculturists](#)

[Responsible Pet Owners Alliance](#)

[Responsible Exotic Animal Ownership](#)

[TCOPA](#)

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**Activist groups who wish to take away your rights. These group on the surface look like they care about animals. Unfortunately, the all have other agendas, which does not involve actually helping any animals. Most animals, if not all that end up in the hands of these organizations, are euthanized.**

[People for the Ethical Treatment of Animals](#) (PETA)

[Physicians Committee for Responsible Medicine](#)

[Humane Society of the United States](#) (HSUS)

[Born Free and Animal Protection Institute](#)