

BIRDS! USDA Updates for WRNC Annual Symposium 2024

Mary Ann McBride, DVM, MS
Veterinary Medical Officer
USDA APHIS Animal Care
Raleigh, NC

January 21, 2024



Overview for today:

- USDA APHIS Animal Care
 - Who are we?
 - Who/what do we inspect - related to NC WRC's rehab and captivity permit holders?
 - What's new? BIRDS! Handling.
 - Ongoing NC-WRC collaborations





Federal Animal Welfare Act - 1965

- Ensure animals intended for use in research facilities, exhibitions or as pets are provided humane care and treatment.
- Protect the owners of animals from the theft of their animals by preventing the sale or use of animals which have been stolen.
- Assure the humane treatment of animals during transportation in commerce.



AWA Inspections Overview

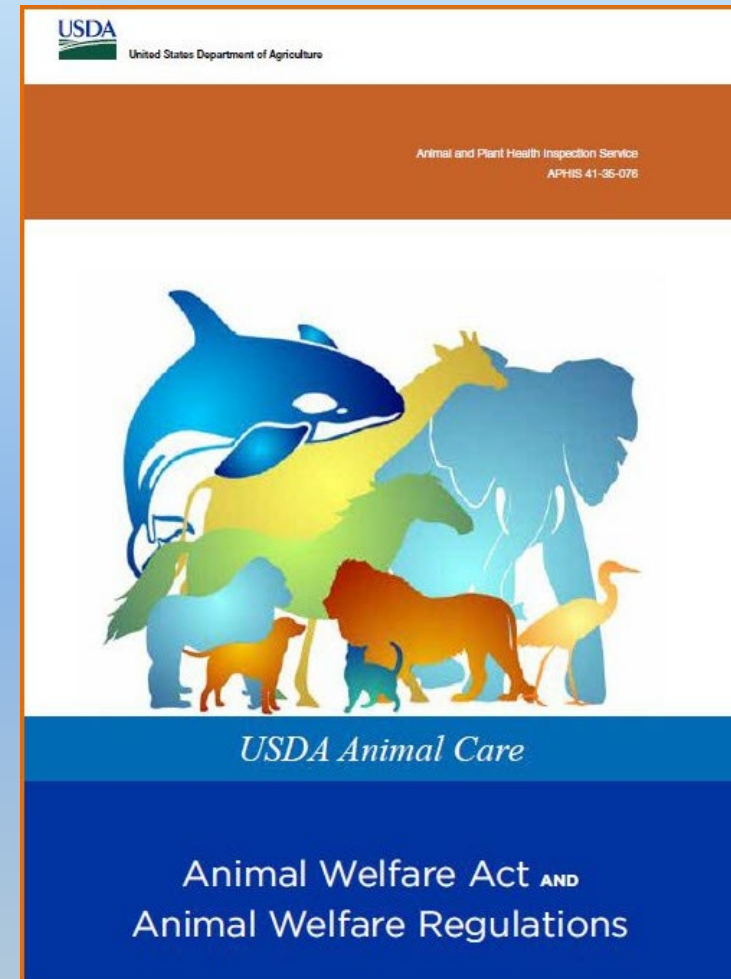
- Over 12,000 inspection sites across the US
- ~120 inspector positions in US (about 83 inspectors rn)
- ~125 active inspection sites in NC (not including birds yet)
 - ~86 Class C (exhibitors)
 - ~27 Class A & B (breeders & dealers)
 - ~29 Research
- Over 450 Other (airports, transporters, carriers, complaint only, etc)

Animal and Activity = key criteria for USDA license

- Species – Mammals and Birds
 - Native/wild, domestic, exotic
 - Not most horses, rats, mice
 - Never reptiles, amphibians, fish
- August 21, 2023 – if facility already holds USDA license – birds are included in inspections now.
- February 21, 2024 – if facility is not already licensed, licensure is required and enforcement begins.

5 Types of AWA Regulated Entities

- Registrations:
 - Research - R
 - Transportation – T
- Licenses:
 - Breeders – Class A
 - Dealers – Class B
 - Exhibitors - Class C



The Regulations

- Licensing
- Program of Veterinary Care
- Handling
- Standards of Care per species group
 - Enclosures
 - Space
 - Food & Water
 - Sanitation
 - Normal Behavior & More
- Transportation



The specific details for certain species.... In the Standards section of the Blue Book

A – Dogs and Cats

B – Guinea Pigs and Hamsters

C – Rabbits

D – Nonhuman Primates

E – Marine Mammals

F – Animals other than those in A-E

G – BIRDS



Exhibitors – Class C

- Show or Display Regulated Animals to the Public (NEVER includes REHAB animals)
- \$ doesn't matter (nor non-profit status)
- Educational and/or fundraising displays/events/tours off-site or at facility
- Native/wild and/or exotic and/or domestic mammals/birds.
- This now includes BIRDS!



Do I need a license & How do I get one?

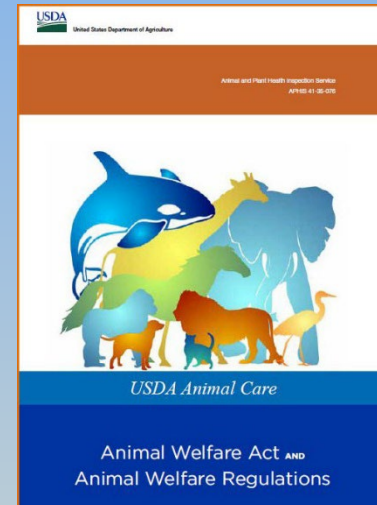
If you:

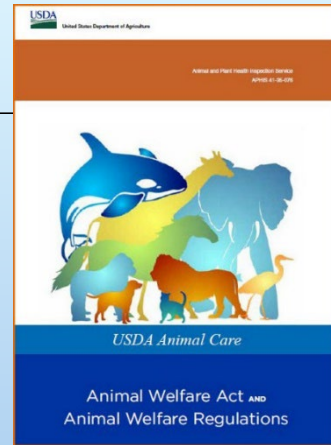
- Display/exhibit native, domestic, and/or exotic animals (mammals and birds) to the public in (almost) any manner
 - and/or-
- allow the public to visit your facility and see your animals...

And you are not already licensed with USDA.....

Then we need to talk!

To determine your status...





I Think I Might Need a License...

- If you display and/or exhibit covered species,
 - call AC Program Support (PS) office (970-494-7478) and request a Blue Book – most current is July 2023
 - Or download pdf @ https://www.aphis.usda.gov/animal_welfare/downloads/AC_BlueBook_AWA_508_comp_version.pdf
- Also, recommend going to
 - <https://efile.aphis.usda.gov/LRAssistant/s/> and complete exercise.
- Communicate with NC WRC



Read the Blue Book:

- Licensing requirements, record-keeping requirements
- Perimeter fence requirements for subpart F species - variances are less frequently granted than in previous years
- Program of Veterinary Care
 - Relationship for regulated animals is different than for pets
 - On-site visit before licensure
 - Written agreement and program covering species present.
 - AV input and oversight
- Husbandry standards for covered species – birds are in Subpart G
- Handling standards for covered species

The Licensing Process

Application

- Paperwork
- Fee (\$120)
- Inspector gets notified

Communicate
with NC WRC
RAPS

PreLicense
Process

- Short Call – establish need for license
- Long Call – go through BB and specific details
- PL#1 – starts the clock – 60 days to pass in up to 3 inspections, 100% compliance
- Pass and receive 3-year license

Routine
Inspections

- Routine unannounced inspections typically every 6-12 months - at facility and when away
- Also 3-year re-license inspection
- Complaint inspections

USDA Bird Regulations and Facilities with NCWRC Captive Permits for Holding

- ~31 NCWRC permit holders who have birds as of June 2023
- Some facilities already licensed due to other species on exhibit – regulations were effective August 23, 2023
- Some need to get licensed ASAP – regulations become effective February 21, 2024
- Get ready – USDA is strictly enforcing bird regulations and licensing requirements.

Next up....

- A quick walk through some of the general regulations that apply to birds and to all other covered species.
- A quick walk through some of the bird regulations, to show that they are similar in many ways to the other species subparts, with some exceptions highlighted along the way.
- Note that not all slides reflect the exact language of the AWA. Please refer to the Blue Book for exact wordings.

Are you ready? Here we go....

- Note that regulation info on slides may be paraphrased – go to the AWA/Blue Book for exact (legal) language!!

Are you ready? Here we go....



Are you ready? Here we go....



2.1 a 3 viii Licensing requirements - exemptions

- **EXEMPT:** Any person who:
- Maintains a total of four or fewer raptors for exhibition,
- holds a valid permit from the U.S. Fish and Wildlife Service, and
- is not otherwise required to obtain a license.
- This exemption does not extend to any person acting in concert with others where they collectively maintain a total of more than four raptors for exhibition, regardless of possession and/or ownership;

2.1 a 3 vii Exempt from USDA licensing – mammal exhibition (as a reminder)

- vii. EXEMPT: Any person who maintains a total of eight or fewer pet animals as defined in part 1 of this subchapter for exhibition,
 - small exotic or wild mammals (such as hedgehogs, degus, spiny mice, prairie dogs, flying squirrels, jerboas, domesticated ferrets, chinchillas, and gerbils), and/or
 - domesticated farm-type animals (such as cows, goats, pigs, sheep, llamas, and alpacas) for exhibition, and is not otherwise required to obtain a license.

NOT covered by any exemption:



2.1 b 2 ii - Requirements and application:

- 2. Licenses authorize a specific number and specific type(s) of animals, as follows:
- ii. Licenses authorize the use of animals subject to subparts A through G in part 3 of this subchapter, except that, for animals subject to subparts D and F, licenses must specifically authorize the use of each of the following groups of animals:
 - Group 5 (baboons and nonbrachiating species larger than 33 pounds) and
 - Group 6 (great apes over 55 pounds and brachiating species) nonhuman primates;
 - exotic and wild felids (including but not limited to lions, tigers, leopards, cheetahs, jaguars, cougars, lynx, servals, bobcats, and caracals, and any hybrid cross thereof);
 - hyenas and/or exotic and wild canids (including but not limited to wolves, coyotes, foxes, and jackals);
 - bears; and
 - mega-herbivores (including but not limited to elephants, rhinoceroses, hippopotamuses, and giraffes).

2.2 Acknowledgement of regulations and standards

- Animal Care will supply a copy of the Act and the regulations and standards in this subchapter to an applicant upon request.
- Signing the application form is an acknowledgement that the applicant has reviewed the Act and the regulations and standards and agrees to comply with them.

2.40 - Attending veterinarian and adequate veterinary care (dealers and exhibitors).

a. Each exhibitor shall have an attending veterinarian who shall provide adequate veterinary care to its animals in compliance with this section.

1. Each exhibitor shall employ an attending veterinarian under formal arrangements. In the case of a part-time attending veterinarian or consultant arrangements, the formal arrangements shall include a written program of veterinary care and regularly scheduled visits to the premises of the exhibitor; and

2. Each exhibitor shall assure that the attending veterinarian has appropriate authority to ensure the provision of adequate veterinary care and to oversee the adequacy of other aspects of animal care and use.

2.40 - Attending veterinarian and adequate veterinary care (exhibitors) - cont.

- b. Each exhibitor shall establish and maintain programs of adequate veterinary care that include:
 - 1. The availability of appropriate facilities, personnel, equipment, and services to comply with the provisions of this subchapter;
 - 2. The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care;

2.40 - Attending veterinarian and adequate veterinary care (exhibitors) - cont.

- b. Each exhibitor shall establish and maintain programs of adequate veterinary care that include:
 - 3. Daily observation of all animals to assess their health and well-being; Provided, however, That daily observation of animals may be accomplished by someone other than the attending veterinarian; and Provided, further, That a mechanism of direct and frequent communication is required so that timely and accurate information on problems of animal health, behavior, and well-being is conveyed to the attending veterinarian;

2.40 - Attending veterinarian and adequate veterinary care (exhibitors) - cont.

- b. Each exhibitor shall establish and maintain programs of adequate veterinary care that include:
 - 4. Adequate guidance to personnel involved in the care and use of animals regarding handling, immobilization, anesthesia, analgesia, tranquilization, and euthanasia; and
 - 5. Adequate pre-procedural and post-procedural care in accordance with established veterinary medical and nursing procedures.

2.126 c - Access and inspection of records and property; submission of itineraries.

- Any person who is subject to the Animal Welfare regulations and who intends to exhibit any animal at any location other than the person's approved site (including, but not limited to, circuses, traveling educational exhibits, animal acts, and petting zoos),
- except for travel that does not extend overnight,
- shall submit a written itinerary to the Deputy Administrator. The itinerary shall be received by the Deputy Administrator no fewer than 2 days in advance of any travel and shall contain complete and accurate information concerning the whereabouts of any animal intended for exhibition at any location other than the person's approved site

2.131 - Handling of animals.

- a. All licensees who maintain wild or exotic animals must demonstrate adequate experience and knowledge of the species they maintain.

2.131 - Handling of animals.

- b. 1. Handling of all animals shall be done as expeditiously and carefully as possible in a manner that does not cause
 - trauma,
 - overheating,
 - excessive cooling,
 - behavioral stress,
 - physical harm, or
 - unnecessary discomfort.

2.131 - Handling of animals - cont.

- (c)(1) During public exhibition, any animal must be handled so there is minimal risk of harm to the animal and to the public, with sufficient distance and/or barriers between the animal and the general viewing public so as to assure the safety of animals and the public.

2.131 - Handling of animals - cont.

- (d)(2) A responsible, knowledgeable, and readily identifiable employee or attendant must be present at all times during periods of public contact.

2.131 - Handling of animals - cont.

- (e) When climatic conditions present a threat to an animal's health or well-being, appropriate measures must be taken to alleviate the impact of those conditions. An animal may never be subjected to any combination of temperature, humidity, and time that is detrimental to the animal's health or well-being, taking into consideration such factors as the animal's age, species, breed, overall health status, and acclimation.

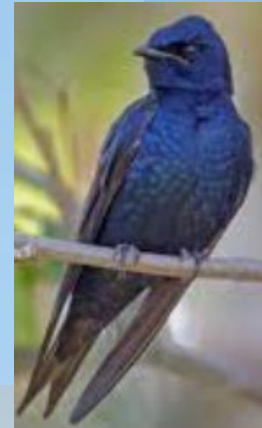
Handling regulations are under review.

Handling definition per Animal Welfare Act:

- petting,
- feeding,
- watering,
- cleaning,
- manipulating,
- loading,
- crating,
- shifting,
- transferring,
- immobilizing,
- restraining,
- treating,
- training,
- working,
- moving,
- or any similar activity with respect to any animal.

SUBPART G

Specifications for the Humane Handling, Care, Treatment, and Transportation of Birds



3.151 Facilities, indoor

- a. Temperature and humidity.
- b. Ventilation.
- c. Lighting.
- d. Indoor pool or other aquatic areas.

3.152 Facilities, outdoor.

- a. Acclimation.
- b. Shelter from inclement weather.

3.153 Primary enclosures.

- General requirements. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary enclosures must be kept in good repair.

3.153 Primary enclosures.

- a 1. Primary enclosures must be constructed and maintained so that they:
 - i. Have no sharp points or edges that could injure the birds;
 - ii. Protect the birds from injury;
 - iii. Contain the birds securely;
 - iv. Restrict other animals from entering the enclosure;
 - v. Ensure that birds have the option to remain dry and clean;
 - vi. Provide shelter and protection for each bird from climatic and environmental conditions that may be detrimental to its health and well-being;

3.153 a 1 Primary enclosures - cont.

- vii. Provide sufficient shade to comfortably shelter all birds housed in the primary enclosure at one time, including low ranking birds that are maintained in social groupings that form dominance hierarchies;
- viii. Provide all birds with easy and convenient access to clean food and potable water;
- ix. Ensure that all surfaces in contact with the birds may be readily cleaned and/or sanitized in accordance with § 3.158 or be replaced when worn or soiled; and
- x. Have floors that are constructed in a manner that protects the birds' feet and legs from injury.

3.153 Primary enclosures - cont.

- b. Space requirements.
 - Primary enclosures must be constructed and maintained so as to allow each bird to make normal postural and social adjustments, such as dust-bathing and foraging, with adequate freedom of movement and freedom to escape from aggression demonstrated by other animals.
 - Both part-time and full-time attending veterinarians at a facility must consult with the facility to ensure that the space in all enclosures housing birds is adequate and allows for normal postural and social adjustments.

3.153 c Primary enclosures - cont.

- c. Special space requirements for wading and aquatic birds.
 - Primary enclosures must contain a pool or other aquatic area and a dry area that allows easy ingress and egress.
 - Pools must be of sufficient surface area and depth to allow each bird to make normal postural and social adjustments, such as immersion, bathing, swimming and foraging, with adequate freedom of movement and freedom to escape from aggression demonstrated by other birds in the enclosure.
 - Dry areas must be of sufficient size...

The BEEP

- The Bird Environmental Enrichment Plan (BEEP)
- 3.154 Environment enhancement to promote psychological well-being.
- A template is under review for approval. Use the NHP template for now.
- <https://www.aphis.usda.gov/library/forms/pdf/aphis-7050.pdf>

3.154 Environment enhancement to promote psychological well-being.

- Exhibitors must develop, document, and follow a species-appropriate plan for environment enhancement adequate to promote the psychological well-being of birds.
- The plan must be approved by the attending veterinarian and must be in accordance with the regulations in this subpart and with currently accepted professional standards as cited in appropriate professional journals or reference guides.
- This plan must be made available to APHIS upon request.

3.154 Environment enhancement to promote psychological well-being - cont.

- The plan, at a minimum, must address each of the following:
 - Social grouping
 - Environmental enrichment
 - Special considerations
 - Restraint devices
 - Exemptions
- Additional details in regulations, tech notes and training videos

ANIMAL HEALTH & HUSBANDRY STANDARDS

- 3.155 Feeding.
- 3.156 Watering.
- 3.157 Water quality.
- 3.158 Cleaning, sanitization, housekeeping, and pest control.

3.159 Employees.

- A sufficient number of adequately trained employees or attendants must be utilized to maintain the professionally acceptable level of husbandry and handling practices set forth in this subpart.
- Such practices must be conducted under the supervision of a bird caretaker who has appropriate experience in the husbandry and care of birds that are being managed in a given setting.

3.160 Compatibility and separation.

- a. Socially dependent birds must be housed in social groups, except where the attending veterinarian exempts an individual bird because of its health or condition, or in consideration of its well-being, or for specific management needs,
- b. Birds may not be housed with other animals, including members of their own species, unless they are compatible, do not prevent access to food, water, or shelter by individual animals, and are not known to be hazardous to the health and well-being of each other. Compatibility must be determined in accordance with generally accepted professional practices and by actual observations to ensure that the birds are compatible.

TRANSPORTATION STANDARDS

- 3.161 Consignments to carriers and intermediate handlers.
- 3.162 Primary enclosures used to transport live birds.
- 3.163 Primary conveyances (motor vehicle, rail, air, and marine).
- 3.164 Food and water requirements.
- 3.165 Care in transit.
- 3.166 Terminal facilities.
- 3.167 Handling.
- 3.168 Climatic and environmental conditions during transportation.

Emergencies Impact Everyone... Including Animals in Rehab

What's your plan for severe weather,
flood, fire, disaster?



What's your plan for protests? Acts of terror?



Ongoing Collaboration with NC WRC, US Fish & Wildlife

- Share oversight of many native mammal species – now including birds
- Maintain strong relationships with colleagues
- Share appropriate information & provide support when needed
- Conduct facility inspections together



Summary for today

- Do you need a license and who to contact?
- Be patient – usually only one VMO in your area.
- Bird regulations are here.
- Handling - notice of future updates.
- Cards & books available – reach out! (and be patient, please.)



USDA Stakeholder Announcements – highly recommend!

Sign up!

<https://public.govdelivery.com/accounts/USDAAPHIS/subscriber/new>

The End...



Questions? Comments?

Mary Ann McBride, DVM

919-259-5348 mobile

Maryann.t.mcbride@usda.gov