EVALUATION OF THE PSITTACINE IMPORTATION PROCESS IN THE UNITED STATES

by Alexandra M. Dixon

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1255 Twenty-third Street, NW

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PREFACE

World Wildlife Fund, through its trade monitoring program, TRAFFIC(U.S.A.), regularly follows U.S. bird imports. Of the 700,000 birds imported into the U.S. annually, about one third are psittacines -- parrots, macaws, cockatoos and parakeets. As many as 60,000 psittacines may have entered this country illegally in 1984, according to recent U.S. government estimates. Yet in discussions with bird experts, traders, and government officials, TRAFFIC staff heard repeatedly that existing procedures governing psittacine imports did little to curb the illegal trade.

TRAFFIC(U.S.A.) decided as a result to take a closer look at the process, with a view to confirming or rebutting what we had heard and to recommending improvements in the system. We engaged a wildlife trade expert based in Cambridge, England to undertake a study on our behalf. That study, carried out between July and September 1985, included analysis of trade documents and statistics, visits to major U.S. ports of entry, and interviews with U.S. government officials, bird experts and industry representatives.

The study's findings, which this report sets out, were even more disturbing than we had anticipated. Lack of coordination among the many government agencies involved in psittacine imports, poor procedures for bird identification and inadequate training on the illegal trade problem plague the process. Until changes recommended in this report are adopted, effective control of the psittacine trade will be difficult at best. World Wildlife Fund and TRAFFIC staff have accordingly made improved regulation of psittacine imports a priority for the coming months.

INTRODUCTION

The destruction of habitat is a common cause of the depletion and loss of wildlife. In the case of many psittacine species, the decline in populations due to the deterioration of native environments has been aggravated by the large-scale removal of individuals to supply the demand for pet birds. International treaties and national wildlife laws have restricted the commercial availability of some species of psittacines, but generally this has simply resulted in a shift of commercial interest to other species.

Although a large number of psittacines are now bred in captivity, the production of parrots on a commercial scale is an expensive and labour-intensive operation. In the case of many species, for instance the popular amazons (most of which are difficult to breed anyway), it is still much cheaper to import wild birds. The low cost and ready availability of wild-caught birds, coupled with the high prices commanded by the birds once they enter the retail market, mean that the profits remain great, encouraging the continued exploitation of wild populations. As long as the commercial demand stays strong, large numbers of psittacines will be taken from the wild.

The psittacine order is comprised of 329 extant species (Inskipp, pers. comm.) of parrots, parrotlets, parakeets, cockatoos, macaws, loris and lorikeets. Members of this order are popular cage-birds, appealing to both the individual pet owner and the aviculturalist. As a result, they are much in demand and command high prices. In the U.S. alone, the annual retail turnover in psittacines represents approximately $300 million (Jackson, 1985); this does not even include the considerable turnover amongst aviculturalists (Meyers, pers comm.).

Although the percentage of psittacines out of all recorded bird imports has declined over the past four years from a high of 41% in 1980 to 31% in 1984 (Nilsson, 1985), the numbers entering the United States still remain substantial and the proportional decrease is most probably a reflection of the considerable rise in imports of finches. U.S. Department of Agriculture (USDA) figures for 1980 through 1984 report that 1,350,772 psittacines were imported into the U.S., with 202,690 entering in 1984 alone (Nilsson, 1985). U.S. Fish and Wildlife Service (FWS) data for 1984 record 246,622 psittacine imports for 1984.

This discrepancy of almost 44,000 birds may be explained by the failure of some regional offices of the USDA to send in all their forms to the head office in Washington. However, it should be noted that the FWS data are also incomplete, as not all the 1984 data had been entered into the Law Enforcement Management Information System (LEMIS) at the time of this study (Roeper, pers. comm.). Furthermore, neither figure includes the birds which are smuggled into the U.S. without documentation.

PURPOSE AND METHODOLOGY

The purpose of this report is to evaluate the system regulating the import of psittacines into the United States and to identify those procedural characteristics which permit uncontrolled or inadequately regulated commercial imports to occur. The report will examine the process through which birds enter the country, the agencies involved and the problems encountered by these agencies in the enforcement of the relevant regulations. The report will conclude with a series of suggested reforms which, in the opinion of the author, are necessary to improve the commercial importation process.

Interviews were carried out with agencies and individuals known to be involved in the importation of psittacines. The Fish and Wildlife Service (FWS) of the Department of the Interior, the Animal and Plant Health Inspection Service (APHIS) of the Department of Agriculture, Customs (Department of the Treasury), the National and New York Zoos, private importers and members of the pet industry were all consulted. In addition, trips were made to Miami, Florida and Los Angeles, California (the two principal ports of entry for live birds), as well as to New York, to talk with government agents and inspectors in the field. Two quarantine stations, one privately owned, one run by the USDA, were visited. All interviews and examinations of facilities took place in Summer 1985.

For the purposes of this report, 1984 was used as a sample year. Two sources of statistical data were used. 1984 "Declaration of Importation"

forms (3-177) filed with the Fish and Wildlife Service and entered into the LEMIS computer supplied one set of data. APHIS quarantine release forms (17-33) for 1984 provided the second set. There is considerable overlap in the information required by the two forms. Both ask for the quantity, species, country of origin and date of arrival. The FWS 3-177 form also requires the name of the importer and the name of the exporter, while APHIS requires the name of the shipper and of the broker. The APHIS 17-33's also record, on the basis of an actual head-count, the number of birds in the shipment, the number which were dead on arrival and the number which died in quarantine.

By matching the date of arrival and the country of origin in the two separate sets of data, it was possible to compare the information recorded by the two forms and to determine the degree of correlation between the data of FWS and the data of APHIS. It was also possible to determine if the importer and the owner of the quarantine were the same individuals or organisations.

CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) annual reports provided a third set of data but they were not a primary source of information as this report is concerned with what happens to the birds after they arrive in the U.S. rather than with international trade routes.

INTERNATIONAL AND NATIONAL LEGISLATION

All psittacines, with the exception of the budgerigar, Melopsittacus undulatus, and the cockatiel, Nymphicus hollandicus, are listed on the Appendices to CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora). Those species which are considered by the Parties to be endangered are listed on Appendix I and no international commercial trade is permitted except under exceptional circumstances. Both import and export permits are required for these species. Those species which are judged to be currently capable of tolerating commercial exploitation but which may become threatened by trade are listed on Appendix II. Export permits are required for these species. Ninety-one countries are currently party to CITES, including the United States which began implementing the treaty in 1975.

In addition to being party to CITES, individual countries may have enacted national legislation or be subject to other treaties which affect the legality of birds entering international trade. In the U.S., the Lacey Act incorporates foreign wildlife conservation laws and prohibits trade in any wildlife or wildlife product which is taken or possessed in contravention of another country's law (Bean, 1983). Although responsibility for administration of the Lacey Act has been divided since 1970 between the Secretaries of Commerce and Interior, enforcement is largely carried out by the Fish and Wildlife Service of the Department of the Interior.

The provisions of the Lacey Act are augmented by the U.S. Endangered Species Act (1973) which enables the Secretary of the Interior to create lists of species or subspecies which are considered on the basis of scientific and commercial evidence to be 'endangered' (likely to become extinct) or 'threatened' (likely to become endangered). Additional species may be designated as endangered or threatened if they are so similar in appearance to other listed species that adequate protection of the latter requires listing of the former (Bean, 1983). Twenty-six species of psittacines are included in the List of Endangered and Threatened Wildlife and Plants (50 C.F.R. §17.11 and §17.17 and Appendix A) covered by the Act.

Psittacine imports are also subject to health and veterinary regulations administered by the Department of Agriculture's Animal and Plant Health Inspection Service (APHIS). These regulations, set out in Part 9 of the Code of Federal Regulations (9 C.F.R.), are largely concerned with the control of diseases which may be communicable to humans or poultry, particularly psittacosis and Viscerotropic Velogenic Newcastle Disease (VVND). In addition, bird imports may be subject to U.S. Customs tariffs and must therefore clear Customs to enter the United States.

Thus the import of psittacines is controlled by the legal mandates of three separate agencies. Ideally, the administration of these mandates should be complementary and effective implementation should be made possible through a high degree of inter-agency cooperation. In practice the system is inadequate. At best it is weakened by lax or insufficient implementation of the regulations. At worst, it is open to abuse by

unscrupulous individuals who capitalise on the lack of systematic inter-agency cooperation, limited resources on the part of enforcement bodies and the autonomy of privately-owned quarantine stations.

GENERAL PROCEDURE FOR THE IMPORT OF PSITTACINES

USDA/APHIS

Except under exceptional circumstances, all birds entering the U.S. must be quarantined for 30 days. Exceptions may be made if the birds are personal pets entering from Canada ´9 C.F.R. §92.2(c)(1)¸ or if they are returning to the U.S. within 60 days of their departure ´§92.2(c)(2)(i)¸. Shipments (lots) of pet birds of United States origin which have been out of the U.S. for more than 60 days may enter the U.S. without going through an official quarantine provided that the owner submits a Veterinary Service form 17-8, which ensures that the birds will be kept under observation for a period of 30 days and will not come into contact with any poutry and other birds during this time and that any suspicious symptoms will be reported immediately to the "appropriate Federal officials" ´§92.2(c)(2)(ii)(B)¸. No commercial shipments qualify for the above exemptions.

Unless the birds in question fall within the exemptions offered by §§92.2(c)1 and 2, the importer must apply to the USDA for a permit to import them. The application must be made six weeks in advance of the birds' arrival and the required form varies depending on whether the birds in question are pets or a commercial shipment and whether a private or government quarantine is to be used. See Table 1.

Table 1

USDA Importation Forms

Number	Description
17-129	Application for an import permit for commercial birds entering a government-run quarantine station.
17-130	Permit to enter a government quarantine.
17-20	Application for an import permit, for commercial birds using a private quarantine station; becomes the permit when signed by USDA.
17-23	Application for an import permit for pet birds.

Source: USDA/APHIS Veterinary Service.

The 17-20 application, most commonly used for psittacine imports, calls for the common or scientific names of the birds to be imported as well as additional details of country of origin, proposed shipping route, etc. If the USDA decides to grant a permit, they will return the importer three copies of the 17-20 form, entitled "Permit to Import Birds," which is valid for thirty days from date of issue. Of the three copies of the permit received by the importer, one is for his own records; the other two copies are to be sent to the exporter who in turn sends one copy with the birds when they are shipped.

Two points are important here. First, if the importer is intending to use a private quarantine station, it is he who makes the necessary arrangements for space and the USDA staff required to monitor the

birds. Second, although the back of the form refers in small print to the need for general compliance with pertinent Department of Interior regulations, no explanation is included of the specific FWS requirements for appropriate documents verifying the legality of the shipment, among these CITES permits.

Once the importer receives the 17-20 form, the birds may be shipped to the U.S. The Department of Agriculture has approved fifteen ports of entry for commercial bird shipments. The Department of Interior has designated nine ports of entry of commercial wildlife shipments plus three U.S.-Mexican and six U.S.-Canadian border ports (for trade between the two border countries only; Shoemaker, pers. comm.). Commercial shipments of birds may only enter the U.S. through the eleven ports approved by both Departments and all shipments must be cleared by FWS at one of these ports. According to FWS data, commercial bird shipments in 1984 entered the U.S. through the following ports as listed below:

Table 2

Number of Psittacines Entering
Designated or Border Ports - 1984

New York, NY	18,402
Miami, FL	63,837 (1)
New Orleans, LA	13,330
Brownsville, TX	7,217
Los Angeles, CA	111,024
San Francisco, CA	965
Honolulu, HI	6,163
Seattle, WA	*
Chicago, IL	19,464
TOTALS	240,40

* = Data unavailable
(1) Final total for Miami is unconfirmed.

Although in theory each of these ports is equally accessible, in fact the vast majority of psittacines arrive at Los Angeles and Miami. This bias is due to a combination of factors: the convenience of their location for shipments from South America, Asia, and Austral-Asia (the origins of most commercial psittacine shipments); the absence of direct flights from the countries of origin to ports in the Mid-West and South; and the U.S. regulations which prohibit in-transit birds at any airport (Bruch, pers. comm.).

Upon arrival, the birds are met by the importer or designated broker, the USDA veterinarian and the USDA biotechnician, all of whom are present at the importer's expense (Bruch, pers. comm.). Customs must also clear the shipment at this time but this is usually done by means of a provisional release; most psittacines are imported from developing countries so there is no payable duty (Franck, pers. comm.). FWS may or may not be informed of the shipment's arrival, depending on the working relationship with the local USDA and the importers or brokers. If FWS is informed, they may inspect the shipment at the airport, but as the birds are in shipping crates and the emphasis at this time is on getting them off the plane and into quarantine as quickly as possible, any inspection at this point is likely to be cursory.

The veterinarian and the biotechnician accompany the birds to the quarantine. Except in situations of unusually high mortality in the shipment, the veterinarian is unlikely to have direct contact with the birds (Autry, pers. comm., Bruch, pers. comm.). However, the biotechnician

enters the quarantine area with the quarantine caretaker and together they identify the birds by species, count the number which arrived and the number dead on arrival (Bruch, pers. comm.). Under §92.11(3)(ii)(E), the birds are banded in the next 72 hours with rings coded to the quarantine station and are given an identifying number. These numbers are recorded in a daily log book maintained by the operator of the facility. The log book must be kept available to the veterinarian for twelve months after the release of the birds from quarantine [§92.11(3)(iii)]. That subsection also stipulates that the "operator" of the facility shall make an identification record at the time each psittacine bird is identified containing the "species of the bird, including the common and scientific name."

The birds enter the quarantine on an "all-in, all-out" basis. This means that each bird shipment is treated as a single unit; the quarantine does not begin until the last bird has arrived and all the birds are released at the same time. Furthermore, if one bird tests positive for VVND, the whole lot will be destroyed or shipped back to the country of origin. Additional birds may be added to the lot after the arrival of the first birds but the quarantine period commences with the arrival of the last birds so that all the birds have a minimum quarantine of 30 consecutive days [§92.11(3)(ii)]. However, as the importer pays for quarantine and for the time of the USDA veterinarian and biotechnician from the point of arrival of the first birds, it is usually financially impractical to extend this 'window' for more than a couple of days (Meyers, pers. comm.).

For the first 16 days of the quarantine, the USDA biotechnician will enter the quarantine area to collect dead birds and to take cloacal swabs. Up to thirty dead birds a day are post-mortemed in this period. After the sixteenth day, the biotechnician usually does not enter the quarantine area and may be replaced by a USDA aide with less expertise who stays on guard at the facility anytime anyone is with the birds (Autry, pers. comm.; Bruch, pers. comm.). In the absence of USDA personnel, the facility is sealed and no one may enter.

Based on the post-mortem results and the cloacal swabbing, the lot will be approved or denied admission. If VVND is detected, the lot will either be shipped back to the country of origin or destroyed (the USDA uses the term 'depopulated') §92.11(3)(ii)(E) . USDA encourages the importer to choose the first option as many countries will accept birds back (Hanson, pers. comm.; Ritchie, pers. comm.).

Fish and Wildlife Service

At some point during the quarantine, supposedly as soon as possible after the birds arrive, the importer or his broker must submit a 3-177 "Declaration of Importation" form to the Fish and Wildlife Service required under 50 C.F.R. §14.61. FWS then examines the paperwork, which in the case of almost all psittacines must include a CITES export permit or reexport certificate, and then decides whether to release the shipment. If FWS decide to inspect the birds, FWS personnel may enter the quarantine but

are required to not have any contact with other birds for three days before and three days after their entry into quarantine. Because of this requirement, FWS usually chooses to inspect the birds upon their release from quarantine. If birds are to be seized, FWS may notify the quarantine facility in advance but they are not obliged to do so.

The Quarantine Facility

There are three USDA and 83 USDA-approved private quarantine facilities (Ritchie, pers. comm.) for commercial birds in the U.S., although many stations are not in constant use. Most stations are in the Miami and Los Angeles areas, although most ports of entry have quarantines in the vicinity. However, the number and distribution of the facilities are constantly changing. Miami, for example, currently has 15 stations but anticipates having 28 quarantine stations operating in the area in the next year with a yearly influx of around 600,000 birds (including non-psittacines) (Bruch, pers. comm.). The expected increase will be due not only to the establishment of new stations but also to the relocation of some existing stations from other ports of entry because the volume of birds entering these ports has declined.

Every quarantine must satisfy certain USDA regulations regarding location, construction and management of the facility to ensure proper isolation and control of the birds as possible vectors of disease.

Specifically, these regulations refer to the physical requirements of the building 9 C.F.R. §92.11(f)(2)(i-ii) , operational procedures for personnel and the handling of birds §92.11(f)(3)(i-ii) and necessary records §92.11(f)(F)(iii) . Before a decision is made on the eligibility of the facility as a quarantine station, it must be inspected by a Veterinary Medical Officer of the USDA Veterinary Services to determine whether it complies with the regulations. Once USDA approval is granted, the operator enters into a "Cooperative and Trust Fund Agreement" under which the operator undertakes to abide by certain conditions §92.11(f)(7)(iii) . Briefly summarised these conditions are as follows:

1. To operate the facility in accordance with all federal laws and regulations.

2. To provide a current list of the designated personnel employed by the operator to care for the birds.

3. To furnish the Veterinary Service with a signed statement from all designated personnel that they will not have any contact with birds outside the quarantine for a minimum of three days after exposure in the quarantine.

4. To not permit any designated personnel, whom the Service determines to be unfit, to be employed at a quarantine station.

5. To allow the unannounced entry into the quarantine facility of Service personnel or other persons authorised by the Service for the purpose of inspecting birds in quarantine, the operations at the quarantine facility and to ascertain compliance with the standards for approved quarantine facilities and handling procedures for importation of birds contained in Title 9, Code of Federal Regulations (9 C.F.R.).

6. To provide permanent restrooms in both the clean (non-bird holding) and the quarantine areas.

7. To provide a T.V. monitoring system or a window or windows sufficient to provide a full view of the quarantine area.

8. To install a communication system between the clean and quarantine areas.

9. To secure all windows and any openings.

10. To install tamperproof hasps.

11. To install a viewing hood over the necropsy table.

12. To bag waste material in leakproof bags.

13. To feed chlorotetracycline to psittacine birds, upon their arrival at the facility.

14. To install an electronic security system which is coordinated with the local police so that monitoring of the facility is maintained whenever Service personnel are not at the facility or, in lieu of an electronic system, to arrange for continuous guarding of the facility with personnel from a bonded security company.

The above sections describe how the import and quarantine system works on paper. In practice, there are numerous problems with the way the system operates.

PROBLEMS OF THE IMPORT PROCEDURES

USDA/APHIS

The USDA/APHIS is concerned with the control of diseases harmful to humans and the vast poultry industry of the United States; it is not interested in species conservation or the legality of imports with regard to international or domestic wildlife laws (Ritchie, pers. comm.). Disregarding for the moment any possible argument on the need for cooperation between agencies charged with the enforcement of U.S. laws and regulations, evaluation of the quarantine system indicates that while the control of VVND is apparently generally effective, the regulations pertaining to the quarantine system are cumbersome and often poorly enforced. Common complaints from all sides (importers, FWS and Customs) are that the veterinarians are intolerant of concerns other than those related to disease, that the biotechnicians are poorly trained and there are not enough of them, and that the system is inconsistent, inefficient and expensive for the legitimate importer.

Within USDA, opinions vary from those who "have no problem with how the system is operating" to those who are extremely critical. One USDA veterinarian, who asked not to be identified, said that the quarantine system was "out of control". USDA had not anticipated the rapid proliferation of privately-owned stations following the lifting of the ban

on bird imports in 1973* and had been caught unprepared for the increased demands that such growth would make upon APHIS manpower and resources. Furthermore, USDA had lost a potential source of considerable income which would have been generated had more importers been forced to use government quarantines.

While this veterinarian was referring to the issue on a regional level, there are other indications that staff shortages may result in lax enforcement of federal regulations elsewhere. Miami, for example, which is anticipating 28 quarantine stations with an annual influx of approximately 600,000 birds (Bruch, pers. comm.) intends to cope with this volume with four full-time veterinarians. Although some would dispute the predicted volume of 600,000 birds (Meyers, pers. comm.), it still seems likely that the volume will increase significantly given that Miami will virtually double its number of quarantines. Three full-time and one half-time veterinarians currently handle the load; the addition of one half-time veterinarian to cope with thirteen more stations scarcely seems to suggest an adequate manpower response on the part of USDA. Accordingly, it would be unrealistic to assume that these veterinarians will be directly involved in the welfare of the birds or that they will be able to ensure that federal regulations are enforced and standards maintained. The role of the biotechnicians becomes increasingly important under such conditions.

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* The ban was temporarily imposed from 1972 to 1973 in an effort to control spread of VVND. In 1974, the quarantine system was initiated and the ban was lifted (Rosskopf and Woerpel 1984).

Unfortunately, the biotechnicians are frequently ill-equipped to handle such responsibilities. To begin with, there is no formal training in bird identification or handling; it is assumed that on-the-job experience will be sufficient and that the biotechnician will be self-motivated enough to obtain any additional learning that may be necessary (Ritchie, pers. comm.).

Secondly, many biotechnicians are 'intermittents' meaning that they work on an irregular basis for a salary only; they do not receive USDA benefits. Most intermittent biotechnicians are students or individuals interested in a part-time or second job. In many ports, Los Angeles for example, intermittents are viewed as a way of temporarily solving staff shortages while at the same time saving money; five full-time USDA biotechnicians assisted by a cadre of intermittents cope with 25 quarantine stations in the Los Angeles area (Autry, pers. comm.). Although biotechnicians in L.A. oversee the intermittents, there is no uniform formalised mechanism for the supervision of biotechnicians and intermittents. The veterinarian in charge may check in with the quarantine station but he generally does not have contact with the birds and is not in a position to check on the daily activities of the biotechnician or on the quality of his work.

In the absence of appropriate supervisory systems, the biotechnicians, regardless of whether or not they are intermittents, are vulnerable to a lack of discipline and motivation which may ultimately lead to corruption. In Miami, when the author entered a privately-owned station on day two of the quarantine, the biotechnician was extremely remiss in

enforcement of the regulations. The biotechnician did not ensure that the visitors were aware of the restrictions with regard to subsequent contact with birds, did not check that they showered in/showered out, did not assist with the banding of the birds which was being done at the time by two quarantine employees, nor accompany the visitors into the quarantine area despite 9 C.F.R. 92.11(f)(7)(iii)(A)(15) which states that no non-APHIS personnel will enter the quarantine area unless APHIS personnel are present. While it could be argued that the biotechnician's presence in the outer area was sufficient, it can also be argued that the visitors could have brought in birds or taken them out and that effective enforcement of the regulations would require closer supervision than the visitors received.

The importers also suffer from the personnel inconsistencies, the lack of trained personnel who can manage the various necessary techniques and the general shortage of USDA staff which makes the scheduling of imports difficult. Some importers said that they preferred having the biotechnicians remain in the clean area and not interfere with the birds because they were so inept that simple processes such as unloading the birds from shipping crates took much longer than usual and were more stressful to the birds. In any case, some importers said, biotechnicians frequently choose to remain in the clean area of the quarantine and keep their contact with the birds to a minimum. There appears to be no justification for this since officially the biotechnician would be regarded

as contaminated and therefore prohibited from contact with other birds anyway, at least for the first sixteen days of a quarantine period. There is the very clear implication that, given the tiresome chore of showering in/showering out and the general noise and smell of a psittacine quarantine area, biotechnicians may be reluctant to enter the quarantine area. In the absence of supervision or quarantine operators who insist that they fulfill their obligations, nothing impels the biotechnician to ensure that the procedures are properly carried out, that the birds are correctly identified, that the bands go on the right birds, and that numbers of birds which arrived, which were dead on arrival and which died in quarantine, are properly recorded.

In short, the whole quarantine procedure is based upon the premise that the biotechnicians are adequately trained in bird identification and handling, that they are motivated to enter the quarantine with the operator at least for the first sixteen days of the quarantine to check the birds, that they are disciplined enough not to relax the regulations and that they fill in the necessary records correctly. Clearly a great deal depends on the personal willingness of the biotechnician to ensure that the quarantine station operates according to federal regulations.

The standards of record-keeping are also a source of problems. To start with, although the "Permit to Import Birds" (Form 17-20) requires the "Common or scientific name (genus and species)" and states further "Be specific", the USDA commonly accepts loose generic terms such as "macaws", "amazons" or "parakeets" (pers. obs.). Importers maintain that frequently

they apply for the permit before they actually acquire the birds and before they know exactly what they will import. While this seems reasonable in practical terms, it means that from a standpoint of species identification the form is useless. If USDA will tolerate such broad responses what is the point of telling the applicant to be specific?

A second problem with this form is its title - "Permit to Import Birds." There are reports that the completed forms with the USDA signature and seal are being used in South America and South-East Asia as proof of U.S. government permission to import birds; few people even read the back page let alone interpret the oblique Department of Interior reference to mean that additional documents may be necessary (Glowen, pers. comm.). The title is misleading particularly in non-English speaking countries.

With regard to the quarantine release forms it must be said that in the case of psittacines at least, full common names are generally recorded. Certainly for the year 1984, the vast majority of the 17-33 forms were reasonably precise as far as providing psittacine species names; whether in fact these were the actual species involved depends on the accuracy of the export paperwork and the ability of the biotechnician to identify the birds independently. It must also be said that the correlation between the FWS LEMIS data and the data from the individual APHIS 17-33 forms correlated over 90% of the time when both sets of data

were available.

It must be recognised that APHIS is subject to the same budgetary constraints which hamper many government agencies. From the standpoint of the control of VVND, the USDA exerts a largely effective control upon legitimate bird imports. However, the legal mandate of USDA/APHIS requires enforcement of all federal regulations pertinent to the quarantine system. The lack of direct applicability to the control of poultry-infectious diseases does not excuse lax or absent implementation of non health-related regulations.

Fish and Wildlife Service

The Fish and Wildlife Service is charged with ensuring that no wildlife or wildlife product enters the United States in violation of national or international laws. As previously stated, with the exception of the cockatiel and the budgerigar, all psittacines must at the very least have CITES export permits from the country of origin which must be presented to FWS along with the "Declaration of Importation" form. Thus FWS is the principal body responsible for the control of psittacine imports.

Unfortunately, interviews with FWS personnel and analysis of the LEMIS

data indicate that in the vast majority of psittacine imports, FWS has played a very distant role, relying on the paperwork rather than actual inspection of the birds to identify potentially illegal imports. In many cases, examination of the papers accompanying a bird shipment will reveal discrepancies which justify further investigation and possible seizure of the birds. However, the bird market is extremely profitable and big importers have both the financial resources and the contacts in the countries of origin to ensure that the paperwork appears in order, regardless of which species may be involved. If FWS does not physically inspect the birds, they will not pick up on the illicit importation. And the fact is that in most cases, FWS does not inspect.

The consistent failure to inspect is a serious problem and one that FWS is the first to appreciate. Agents and inspectors in the ports of entry expressed great interest in spending more time in the field but said that staff shortages and lack of overtime pay severely restricted their efforts. Furthermore, in contrast to the APHIS or Customs personnel who are available on a 24-hour basis, most FWS offices are open between the hours of 8:00 to 4:00 Monday to Friday, an exception being New York where they have two staggered shifts. However, in general the limited hours mean that any shipment which arrives outside that time-frame does not get inspected at the time of arrival and whether FWS ever sees the birds at all depends on if there is any substantive reason to go into the quarantine station.

In a port like Los Angeles where the vast majority of shipments of psittacines arrive at night, the limited hours have particular

significance. Table 3 shows the total number of shipments physically inspected for each port of entry during 1984, according to FWS.

Table 3
Actual Shipments Inspected-1984

Port of Entry	Number of Shipments	Actual Inspections	
		Number	Percent
New York	61	16	26.2
Miami	86	9	10.4
New Orleans	21	2	9.5
Brownsville	8	8	100
Los Angeles	109	19	17.4
San Francisco	6	5	83.3
Seattle	*	*	*
Chicago	19	18	94.7
Honolulu	9	7	77.7

*Data unavailable.
Source: U.S. Fish and Wildlife Service.

It should be remembered that inspectors are responsible for all wildlife and wildlife product imports. In addition, they themselves are required to enter all the "Declaration of Importation" forms into LEMIS, a time-consumimg and endless task. Even so, the percentages of inspection in the two principal ports, Miami and Los Angeles, are disturbingly low. When questioned about this, FWS personnel all blamed lack of enough inspectors to handle the volume of trade and the hours the office was open. In Miami, for example, staff departures, personal leave and a small staff meant that for much of 1984 there was only one inspector available for all the work- the mandatory paperwork to clear shipments as well as inspections.

Needless to say, it was virtually impossible for this inspector to do much in the way of field inspection. This situation has now been corrected with the assignment of five inspectors plus a lead inspector. However, a general pattern of limited hours, lack of consistent overtime pay and staff shortages persists throughout the major designated ports. In L.A., the lack of overtime pay meant that inspectors either had to come in on their own time or the shipments were not inspected; usually the latter proved true.

In addition to the problems of time and staff shortages, there is the problem of notification of arrival of the shipment. Although the importer or his broker must notify both USDA and Customs of the birds' arrival, they are under no compulsion to notify FWS as well. In Miami, USDA said that FWS is always told so that they could meet the birds if they chose. However, FWS was not informed of a shipment which the author knew to have arrived while visiting the port, so obviously this is not always the case.

Another problem is that although most importers appear to present the "Declaration of Importation" form fairly soon after the birds' arrival, there is no official requirement that they do so. An importer can present the forms shortly before the birds are to be released from quarantine giving FWS a minimum amount of time to check on the validity of the papers. This tactic can cause problems if FWS has queries on the legality of the shipment but only a limited amount of time to come up with the legal support for seizure. Furthermore, the State Department, while very ready to cooperate in obtaining information from the country of origin, objects to last minute demands which require immediate attention and which put them under pressure to get a response (Glowen, pers. comm.).

Additional complications are generated by the lack of systematic inter-agency cooperation. Depending on the regional personalities of the various APHIS, FWS and Customs personnel, relations between the agencies can range from good to poor. In New York, FWS agents said that relations with the USDA quarantine station in Newburg were now very good although last year there had been serious problems of communication. Relations with several of the biotechnicians were said to be excellent (Librandi, pers. comm.) but this would appear to be the exception rather than the rule. In Miami, FWS reported that the USDA veterinarians had been known to actually argue with them regarding seizures on the grounds that the importer in question was a very good client.

Even when seizures were made at a USDA quarantine, there was disagreement as to who was financially liable for the quarantine fees: the importer, USDA or FWS. It is FWS' belief that a "Memorandum of Understanding" among FWS, APHIS, the Department of Justice and Customs states that USDA will pay the costs (Matthews, pers. comm.) However, USDA has been known to refuse to allow FWS to seize birds until it has paid the costs.

Poor cooperation was not confined to FWS/APHIS. In Los Angeles, disagreements and resentments were apparent between Customs and FWS, largely because the former accused the latter of being derelict in their jobs (Franck, pers. comm.; Palladini, pers. comm.). Whatever the reasons, such inter-agency squabbling and lack of communication is counter-productive to the effective implementation of U.S. laws and regulations.

Nor is the problem of poor communications confined to inter-agency relations. FWS personnel in the ports complained of lack of support from within the FWS hierarchy. Although money and resources might be allocated to the ports, frequently such allocations did not make it as far as the ports but were detoured into the favorite projects of regional agents in charge. Furthermore, the dissemination of information from Washington down to the port level was often extremely slow.

For example, according to the terms of the CITES treaty, the May 1985 decision to list the scarlet macaw (Ara macao) in Appendix I became effective on 1 August 1985. Yet on 1 August, the port offices of FWS still had not been notified of the changes adopted at the CITES meeting and were instructed not to enforce the CITES amendment until they received notice in the Federal Register. As of 1 September 1985, no final notification had been published so scarlet macaws were still able to enter the U.S. as an Appendix II species.*

In summary, the shortage of personnel in the ports, the time constraints exerted upon the staff and the lack of formalised communication mechanisms between agencies severely hamper the enforcement of wildlife importation controls. The rapid dissemination of up-to-date information is crucial to the efficacy of FWS: poor or delayed communications between agencies and between internal offices of the FWS severely restrict the efforts of the Service to implement CITES and the Lacey Act effectively.

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* The Federal Register notice pertaining to Ara macao was finally published in November 1985.

Customs

Wildlife law enforcement is a very low priority within the Customs Service (Franck, pers. comm.) for the simple reason that there is usually not enough revenue involved. Most Customs agents receive only cursory training in wildlife identification although their mandate with regards to wildlife includes all products as well as live animals. Thus, for the most part, Customs plays a minimal role. Los Angeles appears to be the only exception with an active branch of Customs agents concerned with the importation of wildlife. However, in the other ports, principally Miami and New York, Customs agents are for the most part more concerned with the import of contraband, particularly drugs.

As all bird imports must be cleared by Customs at the time of their arrival, it seems that the lack of wildlife identification training and motivation on the part of inspectors is a waste of a valuable means of verifying the legality of a shipment and the identification of the birds.

The Quarantine Facility

It is an interesting fact that most of the big bird importers also own their own quarantine stations. Bern Levine of Pet Farm Inc. in Miami imported a minimum of 19,300 birds last year, all of which went into his own quarantines in Miami, Honolulu and elsewhere (Levine, pers. comm.).

Gators of Miami, importers of at least 34,000 birds last year, are known to own three stations. In Los Angeles the situation is much the same. David Mohilef, the importer of over 24,000 birds from South America and Southeast Asia, has at least six stations. While this undoubtedly makes economic sense, it also means that the individual or organisation profiting most from the import of the birds is also the one controlling the birds during the time they are supposedly under federal scrutiny.

APHIS personnel may theoretically be in charge, supervising the quarantine to make sure that regulations are upheld, but as previously discussed, much depends on the integrity, motivation, and scrupulousness of the biotechnician. If, for some reason, the biotechnician is vulnerable to persuasion or bribery, the whole system can collapse. It is therefore an important point that the biotechnicians work for the same quarantine station on a regular basis. Some operators request particular biotechnicians because it is easier to deal with known individuals who may have recognised skills. This is quite understandable especially given the reported incompetence of some biotechnicians, but it also means that the quarantine operator can rely on getting a particular person, a predictability which may permit some deviation from the regulation on the part of the biotechnician.

The importer/quarantine operator's relations with the veterinarian may also be open to favouritism. FWS and Customs agents reported a pattern of clientism which they found objectionable in USDA veterinarians. This was found to be particularly true when FWS or Customs (in L.A.) wanted to seize birds. USDA veterinarians had been known to change release times so that,

even though FWS notified them in advance of their intention to seize the birds or their interest in seeing the birds when they got out of quarantine, the veterinarian would allow the birds to leave earlier than FWS expected so that the birds were gone when FWS arrived. This is known to have happened in all the major ports (Librandi, pers. comm.).

Also unfortunate are the almost common poor relationships between FWS and importers in general, owing to poor communications and preconceived attitudes of both parties. Given that it is legal to import many species of psittacines, it is to be regretted that greater co-operation between legitimate importers and FWS is not somehow brought about in an effort to crack down on illegal importers.

CONCLUSION

The psittacine importation process in the United States is fraught with procedural and administrative inadequacies which provide loopholes through which the controls may be avoided. Theoretically, the concerted efforts of the USDA, FWS and Customs should ensure that all psittacines which enter the U.S. are healthy, non-endangered birds taken legally in their countries of origin or captive-bred elsewhere. However, as indicated above, this cannot be assumed to be true, and in fact the system as it operates is open to abuse.

While it is recognised that the sheer volume of psittacines entering this country presents a large administrative burden, it is also recognised that the agencies concerned could do much to improve the efficacy with which they implement the relevant regulations. The following recommendations are presented as suggestions as to how this might be accomplished.

RECOMMENDATIONS

USDA/APHIS

1. Change the title of form 17-20 "Permit to Import Birds" so that document cannot be misinterpreted as discussed in this report.

2. Implement a better system of supervision for biotechnicians, perhaps identifying a lead biotechnician whose primary function is to make sure that standards are maintained and regulations upheld.

3. Train biotechnicians in the handling and identification of birds. Both the importer and APHIS would benefit from the higher quality of personnel. Also there would be less excuse for importers to request any single biotechnician.

4. Define the biotechnician job description more precisely. Although some veterinarians said that the biotechnician assisted in the quarantine area or with paperwork, importers said this was not so. If biotechnicians are to be used effectively they should know exactly what is expected from them.

5. Institute a formalised system of communication whereby APHIS automatically notifies FWS of a shipment at the time of its arrival or within the next working day.

6. Install a viewing window or windows, at least as large as a wall, sufficient to view the entire quarantine area from the non-quarantine area.

Fish and Wildlife Service

1. Increase emphasis on inspections in the field. As in other similar situations, importers will increasingly find ways to produce paperwork that appears valid and unless FWS actually sees the birds there will be no way of determining if the paperwork matches the birds.

2. Improve the level of priority attached to law enforcement in the ports of entry. Currently, many agents and inspectors are discouraged by the lack of funding (e.g., overtime pay), the shortage of manpower and the volume of trade with which they are expected to deal.

3. Release the inspectors from the obligation of typing the 3-177 forms into LEMIS. This is a waste of their time and expertise and could be done by clerical staff.

4. Improve communications between the ports and Washington. Currently agents have to spend valuable time going through the imposed channels of communication to get confirmation of international laws, policy and legal position. Given the complexity of relevant international laws and treaties and the direct application to enforcement in the ports, it would seem advisable for agents in the ports to contact Washington directly rather than go through the regional office. This way information could be disseminated much more rapidly.

5. Improve bird identification training for inspectors.

6. Increase the number of inspectors at the ports. Currently there are a total of 55 inspectors who are expected to cope with all wildlife imports, live animals as well as products.

Customs

1. Improve the level of importance attached to wildlife cases.

2. Provide training in wildlife identifcation on a regular basis to those personnel who are interested in wildlife enforcement.

INDIVIDUALS INTERVIEWED

Autry, G.:	Veterinarian in Charge, U.S. Department of Agriculture, Los Angeles, CA
Bruch, D.:	Assistant Veterinarian in Charge, U.S. Department of Agriculture, Miami, FL
Franck, J.:	Import Specialist, U.S. Customs Service, Los Angeles, CA
Glowen, E.:	Wildlife Officer, U.S. Department of State, Washington, D.C.
Hanson, J.:	Veterinarian, U.S. Department of Agriculture Quarantine Station, Newburg, NY
Inskipp, T.:	Senior Research Officer, IUCN Wildlife Trade Monitoring Unit, Cambridge, United Kingdom
Levine, B.:	Pet Farm Inc., Miami, FL
Librandi, S.:	Agent, U.S. Fish and Wildlife Service, New York, NY
Matthews, M.:	Special Agent, U.S. Fish and Wildlife Service, Miami, FL
Meyers, M.:	General Council, Pet Industry Joint Advisory Council, Washington, D.C.
Palladini, M.:	Special Agent, U.S. Fish and Wildlife Service, Long Beach, CA
Ritchie, W.:	Staff Officer, U.S. Department of Agriculture, Washington, D.C.
Roeper, N.:	Intelligence Analyst, U.S. Fish and Wildlife Service, Division of Law Enforcement, Washington, D.C.
Shoemaker, F.:	Senior Special Agent, U.S. Fish and Wildife Service, Division of Law Enforcement, Washington, D.C.

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Appendix A

U.S. Endangered Species List - Psittacines

Amazona arausiaca	Red-necked Amazon, Parrot
Amazona guildingii	St. Vincent Amazon, Parrot
Amazona imperialis	Imperial Amazon, Parrot
Amazona leucocephala	Bahaman, Cuban Amazon, Parrot
Amazona pretrei pretrei	Red-spectacled Amazon, Parrot
Amazona rhodocorytha	Red-browed Amazon, Parrot
Amazona versicolor	St. Lucia Amazon, Parrot
Amazona vinacea	Vinaceous-breasted Amazon, Parrot
Amazona vittata	Puerto Rican Amazon, Parrot
Anodorhynchus glaucus*	Glaucous Macaw
Anodorhynchus leari	Indigo, Lear's Macaw
Aratinga guarouba	Golden Parakeet, Conure
Cyanopsitta spixii	Little Blue, Spix's Macaw
Cyanoramphus auriceps forbesi	Forbes', Yellow-fronted Parakeet
Geopsittacus occidentalis*	Australian Night Parrot
Neophema chrysogaster	Orange-bellied Parakeet, Parrot
Neophema pulchella	Turquoise Parakeet
Neophema splendida	Scarlet-chested, Splendid Parakeet
Pezoporus wallicus	Ground Parrot
Pionopsitta pileata	Red-capped, Brazilian Pileated Parrot
Psephotus chrysopterygius	Golden-shouldered, Hooded Parakeet
Psephotus pulcherrimus*	Paradise, Beautiful Parakeet
Psittacula echo	Mauritius Parakeet
Pyrrhura cruentata	Blue-throated, Ochre-marked Parakeet
Rhynchopsitta pachyrhyncha	Thick-billed Parrot
Strigops habroptilus	Kakapo, Owl Parrot

* Possibly extinct, according to CITES (see p. 41)

Appendix B

CITES Appendix I - Psittacines

Amazona arausiaca	Red-necked Amazon, Parrot
Amazona barbadensis	Yellow-shouldered Amazon, Parrot
Amazona brasiliensis	Red-tailed Amazon, Parrot
Amazona dufresniana rhodocorytha	Red-browed Amazon, Parrot
Amazona guildingii	St. Vincent Amazon, Parrot
Amazona imperialis	Imperial Amazon, Parrot
Amazona leucocephala	Bahaman, Cuban Amazon, Parrot
Amazona pretrei	Red-spectacled Amazon, Parrot
Amazona versicolor	St. Lucia Amazon, Parrot
Amazona vinacea	Vinaceous-breasted Amazon, Parrot
Amazona vittata	Puerto Rican Amazon, Parrot
Anodorhynchus glaucus*	Glaucous Macaw
Anodorhynchus leari	Indigo, Lear's Macaw
Ara ambigua	Great Green, Buffon's Macaw
Ara glaucogularis (often traded under the incorrect designation Ara caninde)	Caninde, Blue-throated Macaw
Ara macao	Scarlet Macaw
Ara rubrogenys	Red-fronted Macaw
Aratinga guarouba	Golden Parakeet, Conure
Cyanopsitta spixii	Little Blue, Spix's Macaw
Cyanoramphus auriceps forbesi	Forbes', Yellow-fronted Parakeet
Cyanorapmhus novaezelandiae	New Zealand, Red-fronted Parakeet
Geopsittacus occidentalis*	Australian Night Parrot
Neophema chrysogaster	Orange-bellied Parakeet, Parrot
Ognorhynchus icterotis	Yellow-cheeked, Yellow-eared Conure
Opopsitta diophthalma coxeni (includes generic synonym Cyclopsitta)	Coxen's Double-eyed Fig Parrot
Pezoporus wallicus	Ground Parrot
Pionopsitta pileata	Red-capped, Brazilian Pileated Parrot
Psephotus chrysopterygius	Golden-shouldered, Hooded Parakeet
Psephotus pulcherrimus*	Paradise, Beautiful Parakeet
Psittacula echo	Mauritius Parakeet
Psittacus erithacus princeps	Principe Grey Parrot
Pyrrhura cruentata	Blue-throated, Ochre-Marked Parakeet
Rhynchopsitta spp.	Thick-billed Parrots
Strigops habroptilus	Kakapo, Owl Parrot

* Possibly extinct