

## U.S. Fish and Wildlife Serv., Interior

## § 15.2

acquired, imported, exported, purchased, sold, or otherwise transferred; and the dates of these transactions. The accredited wildlife sanctuary must maintain these records for 5 years, must make these records available to Service officials for inspection at reasonable hours, and must copy these records for Service officials, if requested. In addition, by declaring itself to be accredited under this subpart, a wildlife sanctuary agrees to allow access to its facilities and its prohibited wildlife specimens by Service officials at reasonable hours.

### § 14.255 Are there any exemptions to the restrictions contained in these regulations?

The prohibitions of §14.253 do not apply to:

- (a) A licensed person or registered person;
- (b) A State college, university, or agency;
- (c) A State-licensed wildlife rehabilitator;
- (d) A State-licensed veterinarian;
- (e) An accredited wildlife sanctuary; or
- (f) A person who:
  - (1) Can produce documentation showing that he or she is transporting live prohibited wildlife species between persons who are exempt from the prohibitions in §14.253; and
  - (2) Has no financial interest in the prohibited wildlife species other than payment received for transporting them.

## PART 15—WILD BIRD CONSERVATION ACT

### Subpart A—Introduction and General Provisions

Sec.

- 15.1 Purpose of regulations.
- 15.2 Scope of regulations.
- 15.3 Definitions.
- 15.4 Information collection requirements.

### Subpart B—Prohibitions and Requirements

- 15.11 Prohibitions.
- 15.12 Requirements.

### Subpart C—Permits and Approval of Cooperative Breeding Programs

- 15.21 General application procedures.
- 15.22 Permits for scientific research.
- 15.23 Permits for zoological breeding or display programs.
- 15.24 Permits for cooperative breeding.
- 15.25 Permits for personal pets.
- 15.26 Approval of cooperative breeding programs.

### Subpart D—Approved List of Species Listed in the Appendices to the Convention

- 15.31 Criteria for including species in the approved list for captive-bred species.
- 15.32 Criteria for including species in the approved list for non-captive-bred species.
- 15.33 Species included in the approved list.

### Subpart E—Qualifying Facilities Breeding Exotic Birds in Captivity

- 15.41 Criteria for including facilities as qualifying for imports. [Reserved]
- 15.42 List of foreign qualifying breeding facilities. [Reserved]

### Subpart F—List of Prohibited Species Not Listed in the Appendices to the Convention

- 15.51 Criteria for including species and countries in the prohibited list. [Reserved]
- 15.52 Species included in the prohibited list. [Reserved]
- 15.53 Countries of export included in the prohibited list. [Reserved]

AUTHORITY: 16 U.S.C. 4901–4916.

SOURCE: At 58 FR 60536, Nov. 16, 1993, unless otherwise noted.

### Subpart A—Introduction and General Provisions

#### § 15.1 Purpose of regulations.

The regulations in this part implement the Wild Bird Conservation Act of 1992, Pub. L. 102-440, 16 U.S.C. 4901–4916.

#### § 15.2 Scope of regulations.

(a) The regulations in this part apply to all species of exotic birds, as defined in section 15.3.

(b) The provisions in this part are in addition to, and are not in lieu of, other regulations of this subchapter B that may require a permit or prescribe additional restrictions or conditions

### § 15.3

### 50 CFR Ch. I (10–1–14 Edition)

for the import, export, reexport, and transportation of wildlife.

#### § 15.3 Definitions.

In addition to the definitions contained in parts 10 and 23 of this subchapter B, and unless the context requires otherwise, in this part:

*Documentation* means a description of how scientific information was collected, including the methodologies used; names and institutions of individuals conducting the work; dates and locations of any study; and any published results or reports from the work.

*Exotic bird* means any live or dead member of the Class Aves that is not indigenous to the 50 States or the District of Columbia, including any egg or offspring thereof, but does not include domestic poultry, dead sport-hunted birds, dead museum specimens, dead scientific specimens, products manufactured from such birds, or birds in any of the following families: Phasianidae, Numididae, Cracidae, Meleagrididae, Megapodiidae, Anatidae, Struthionidae, Rheidae, Dromaiinae, and Gruidae.

*Indigenous* means a species that is naturally occurring, not introduced as a result of human activity, and that currently regularly inhabits or breeds in the 50 States or the District of Columbia.

*Life cycle* means the annual processes involved with breeding, migration, and all other non-breeding activities.

*Person* means an individual, corporation, partnership, trust, association, or any other private entity; or any officer, employee, agent, department, or instrumentality of the Federal Government, of any State, municipality, or political subdivision of a State, or of any foreign government; any State, municipality, or political subdivision of a State; or any other entity subject to the jurisdiction of the United States.

*Species* means any species, any subspecies, or any district population segment of a species or subspecies, and includes hybrids of any species or subspecies. Hybrids will be treated according to the more restrictive appendix or category in which either parental species is listed.

*Status* means a qualitative measure of the vulnerability to extinction or extirpation of a population at a given time (e.g., endangered, threatened, vulnerable, non-threatened, or insufficiently known).

*Sustainable use* means the use of a species in a manner and at a level such that populations of the species are maintained at biologically viable levels for the long term and involves a determination of the productive capacity of the species and its ecosystem, in order to ensure that utilization does not exceed those capacities or the ability of the population to reproduce, maintain itself and perform its role or function in its ecosystem.

*Trend* means a long-term assessment of any change in the absolute or relative size of a species' population or habitat over time (e.g., increasing, decreasing, at equilibrium, insufficiently known).

*United States* means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

[58 FR 60536, Nov. 16, 1993, as amended at 61 FR 2091, Jan. 24, 1996]

#### § 15.4 Information collection requirements.

(a) The Office of Management and Budget approved the information collection requirements contained in this part 15 under 44 U.S.C. 3507 and assigned OMB Control Number 1018-0093. The Service may not conduct or sponsor, and you are not required to respond, to a collection of information unless it displays a currently valid OMB control number. We are collecting this information to provide information necessary to evaluate permit applications. We will use this information to review permit applications and make decisions, according to criteria established in various Federal wildlife conservation statutes and regulations, on the issuance, suspension, revocation, or denial of permits. You must respond to obtain or retain a permit.