

Cross Posted from the CVPWS Page about the AWA (Animal Welfare Act).

So just received an email from Cody Yeager with the USDA providing clarity on their position regarding exotic waterfowl, pheasants, pigeons, doves and chickens-

Wild and Exotic Poultry under the AWA - Last updated 12/19/2023

All birds are covered under the Animal Welfare Act (AWA) although some uses of domesticated poultry are exempt from AWA licensing requirements. Birds are defined in the Animal Welfare Regulations (AWR) as all members of the Class Aves, excluding eggs. An egg becomes a bird once hatching commences, defined as external pip.

The AWR defines “poultry” as any species of chickens, turkeys, swans, partridges, guinea fowl and pea fowl; ducks, geese, pigeons, and doves; grouse, pheasants, and quail. Poultry are additionally defined under the AWA as either a “farm animal” or as a “wild” or “exotic animal”.

Which poultry species are wild or exotic poultry under the AWA?

Birds that meet the regulatory definitions of both poultry and farm animal are any domestic species of poultry that are normally and have historically been raised on farms in the U.S. and are used or intended for use as food or fiber (feather), or for improving animal nutrition, breeding, management, or production efficiency, or for improving the quality of food or fiber (feather). Importantly, the regulatory definition of “animal” explicitly excludes farm animals, such as livestock and poultry. Therefore, domesticated farm-type poultry are excluded from coverage under the AWA when used or intended for use for such agricultural purposes.

However, there are avian species that fall within the regulatory definition of “poultry” that do not meet the definition of farm animal, as they are not domesticated, not normally and historically raised on farms, nor used or intended for use for food or other agricultural purposes. Per the regulatory definitions, these are wild or exotic poultry, depending upon on where the species historically originates, and are subject to all applicable regulations under the AWA.

Who needs a license for wild or exotic poultry under the AWA?

Facilities that exhibit any wild or exotic poultry for compensation are conducting an activity regulated under the AWA and must be licensed with the USDA.

Facilities that sell or trade for compensation any wild or exotic poultry for use in exhibition or for use as a pet are conducting activities regulated under the AWA and must be licensed with the USDA.

When is a license not required for wild or exotic poultry under the AWA?

Because unhatched eggs are excluded from the regulatory definition of “bird” the sale, purchase, or trade of eggs, even if conducted for compensation, is not regulated under the AWA and licensure is not required.

Where can I get more information about the birds under the AWA?

More information regarding birds under the AWA, including frequently asked questions and informational videos, can be found on the USDA APHIS website:

<https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare/new-bird-rule/awa-standards-for-birds>

How do I apply for license or registration under the AWA?

To learn more about licensing or registration under the AWA or to apply, please visit the USDA APHIS website: www.aphis.usda.gov/animalwelfare/apply

If you have any questions about applying for a license or registration under the Animal Welfare Act, please contact USDA Animal Care at: 2150 Centre Avenue Building B, Mailstop 3W11, Fort Collins, CO 80526

Phone: (970) 494-7478

Email: animalcare@usda.gov