



## FISH AND WILDLIFE SERVICE SEEKING INFORMATION ON CERTAIN CONSTRICTOR SNAKES

### The Issue.

The United States Fish and Wildlife Service (FWS) is currently reviewing available biological and economic information and asking for any information from the public on constrictor snakes from the *Python*, *Boa* and *Eunectes* genera for possible addition of some of these species to the list of injurious wildlife under the Lacey Act. **(NOTE: Even though it published in the Proposed Rules section of the Federal Register, this is NOT a rulemaking proposal - it is only a fact finding initiative.)**

After reviewing data received, the Service will carefully consider whether further analyses may be useful for certain species. They will also use this information to help communicate the potential risks of feral constrictors and expand outreach to prevent the release of unwanted pets. They might also use the information to work with states that are interested in permitting systems.

### What does an injurious wildlife listing mean?

- An injurious wildlife listing prohibits the **importation** and **interstate transport** of the species, gametes, viable eggs and hybrids between States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the U.S. by any means.
- Even if ever listed, an injurious wildlife designation does not prohibit State possession, sale, etc. within a state. (However, a state law may apply)
- Permits may be granted by the Service for the importation or transportation of specimens of injurious species and their offspring or eggs for bona fide scientific, medical, educational, or zoological purposes. The Service will regulate all movement, including intrastate transportation, of a species for which a permit has been issued.
- If a species was obtained prior to the effective date of a rule, a listing does not prohibit intrastate transport or possession of species within States, where not prohibited by the State. Any regulation pertaining to the use of species within States continues to be the responsibility of each State.



## The Impact.

In order to determine if further evaluation and stakeholder consultations may be warranted, the Fish and Wildlife Service published this notice of inquiry to solicit biological, economical and other data, through public comments, on constrictor snakes from the *Python*, *Boa* and *Eunectes* genera. Information collected will be used to determine if any snakes within these genera are a threat, or potential threat, to wildlife, wildlife resources, humans or interests of forestry, horticulture and agriculture in the U.S. In the long run, if any of these snakes are listed as injurious wildlife they could not be imported into the U.S. or transported into or between states, the District of Columbia, Puerto Rico or any territory/possession of the U.S. by any means **without a permit**. Permits may be issued only for bona fide scientific, medical, educational or zoological purposes. **(NOTE: Prior to listing, FWS must conduct a science-based biological analysis and economic analyses and seek additional public comment.)**

The FWS is seeking public comments and supporting biological data on the snakes in question. In an attempt to notify people of the types of information they need, FWS has asked for comments on the following questions: **(NOTE: Responses need not be limited to these questions, but it would be strategic to address them.)**

- What regulations does your State have pertaining to the use, transport or production of *Python*, *Boa* and *Eunectes* genera?
- How many species in the *Python*, *Boa* and *Eunectes* genera are currently in production for wholesale or retail sale, and in how many and which States?
- How may businesses sell *Python*, *Boa* or *Eunectes* species?
- How many businesses breed *Python*, *Boa* or *Eunectes* species?
- What are the annual sales for *Python*, *Boa* or *Eunectes* species?
- Please provide the number of *Python*, *Boa* or *Eunectes* species, if any, permitted within each State.
- What would it cost to eradicate *Python*, *Boa* or *Eunectes* individuals or populations, or similar species, if found?
- What are the costs of implementing propagation, recovery and restoration programs for native species that are affected by *Python*, *Boa* or *Eunectes* species, or similar snake species?
- What State-listed species would be impacted by the introduction of *Python*, *Boa* or *Eunectes* species?
- What species have been impacted, and how, by *Python*, *Boa* or *Eunectes* species?

## Recommended Action.

We ask that you withhold submitting your comments until close to the April 30 deadline in order to allow PIJAC time to provide you with guidance and information that will help you prepare effective comments. PIJAC is currently engaging in meetings with the FWS and gathering information to assist you on this issue. Again, please note, that this is not a proposed rulemaking notice – it is only a notice to gather information, especially biological, on these particular snakes.

PIJAC is also undertaking an extensive literature search of peer-reviewed articles, lay magazines, and books to gather relevant information to respond to the questions raised by the FWS. Anyone who has copies of articles or other pertinent information on the biology of any of the species

should send them to PIJAC at [info@pijac.org](mailto:info@pijac.org) AND to PIJAC's Senior Science and Policy Advisor, Dr. Jamie K. Reaser: [pijacscience@nelsoncable.com](mailto:pijacscience@nelsoncable.com). Dr. Reaser is compiling a database which PIJAC will use this information to develop a formal science-based response on behalf of the industry and hobbyists as well as provide information for people to use in crafting their comments.

Thirdly, PIJAC is conducting a survey of concerned members of the herpetoculture community and the industry to collect data to answer the questions posed by the FWS regarding numbers of breeders, animals sold, economic questions, etc. This information will be consolidated and presented as summaries of data received without identifying individuals supplying the information. The FWS is very aware of the concerns of many people about revealing their identity. If you are interested in providing herpetoculture data to PIJAC, please contact PIJAC at [info@pijac.org](mailto:info@pijac.org). All proprietary data (i.e. contributors' identity, numbers of animals, financial data) will be treated as confidential information and will only be seen by PIJAC staff.

We urge you to review this notice carefully and consider the implications that could come as a result of listing these snakes as injurious wildlife. If you have further questions concerning this matter, please contact PIJAC's Marshall Meyers by phone at 202-452-1525 or by email at [mmeyers@pijac.org](mailto:mmeyers@pijac.org). Those who are not members of PIJAC and desire further information about membership may phone Nancy Knutson at 1-800-553-PETS (7387) or visit the PIJAC website at [www.pijac.org](http://www.pijac.org).

#### **Where to send your comments:**

FWS will be receiving comments and other information on this issue until April 30, 2008. You may submit comments by one of the following methods:

- U.S. mail or hand-delivery: **Public Comments Processing, Attn: RIN 1018-AV68, Division of Policy and Directives Management, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Suite 222, Arlington, VA 22203**; or
- Website: **www.regulations.gov** (Follow instructions for submitting comments. In the "comments or submissions" box type in keyword: "injurious wildlife". This should take you to the comment page.).

FWS will not accept e-mail or faxes, and will post all comments on <http://www.regulations.gov>. This generally means that FWS will post any personal information you provide. For further information contact Erin Williams, Branch of Invasive Species at (703) 358-2034 or [erin\\_williams@fws.gov](mailto:erin_williams@fws.gov).

### **Not Yet a PIJAC Member?**

For more than thirty-five years, the Pet Industry Joint Advisory Council (PIJAC) has ensured the prosperity of the pet industry. To learn more about PIJAC, please visit our website at [www.pijac.org](http://www.pijac.org). For further information, please send an e-mail to [members@pijac.org](mailto:members@pijac.org) or phone 1-800-553-PETS (1-800-553-7387).

**Our Business IS Your Business. PIJAC: Keeping You in Business.**