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Injurious Wildlife Species; Constrictor Snakes from Python, Boa, and Eunectes Genera

Comment On: [FWS-R9-FHC-2008-0015-0001](#)

Injurious Wildlife Species; Review of Information Concerning Constrictor Snakes From Python, Boa, and Eunectes genera

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Comment on FR Doc # E8-01770

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General Comment

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Division of Policy and Directives Management

U.S. Fish and Wildlife Services

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Sent via U.S. Mail and via eRulmaking Portal

RE: Injurious Wildlife Species. Information Concerning Constrictor Snakes from Python, Boa, and Eunectes genera.

On behalf of Born Free USA united with Animal Protection Institute (“Born Free USA”) and our national membership, I am pleased to offer these comments in response to the Notice of Inquiry regarding snakes in the Python, Boa and Eunectes genera for possible addition to the list of injurious wildlife under the Lacy Act.

Born Free USA has a long history of advocating on behalf of captive wildlife and is a leader in working at the state and local level to restrict and ban the private possession of dangerous exotic animals – those that pose significant risk to human health and safety and the environment. We have also worked for the past several years on issues relevant to the retail pet industry. We offer the following information in support of issuing a proposed rule to add Python, Boa and Eunectes genera to the list of injurious wildlife under the Lacy Act.

The Service specifically requested information on the following issues pertaining to commerce in Python, Boa and Eunectes genera:

State regulations

The sale and possession of exotic animals including exotic snakes is regulated by a patchwork of state and local laws that generally vary by community and by animal. 28 states prohibit possession of at least the most dangerous reptiles – those that pose a significant human health and safety risk. Such reptiles typically include alligators, crocodiles, and poisonous snakes such as vipers and some include constrictors (pythons, boas) although often restrictions are limited to snakes over a certain size. Thirteen states require a license or permit to possess exotic animals including otherwise prohibited snakes. Many cities and counties have adopted ordinances that are more stringent than the state law, and, as such, may further prohibit certain snakes.

A summary of state exotic animal laws are available on the Born Free USA website: http://www.api4animals.org/b4a2_exotic_animals_summary.php
Number of species sold in each state

No comprehensive list of all Python, Boa, and Eunectes genera species (or any reptile species) sold in each state exists nor do any federal regulations mandate or facilitate collection of these data. While the federal Animal Welfare Act (AWA) mandates that certain animal facilities be licensed and comply with minimal record keeping requirements, reptiles are not regulated under the AWA leaving the majority of reptile dealers and retailers free from federal oversight.

Moreover, U.S. import records notoriously misidentify and misreport imported reptile species and the FWS inspector corps does not actually visually inspect each live animal shipment. Of course due to the clandestine nature of the black market it is also impossible to account for the number of species that enter the country illegally. Once animals are imported or produced individual states have

little control over the number of species that eventually enter and reside their state.

Number of businesses selling these species

In the absence of federal laws governing sale of most animals (including reptiles) sold in retail venues such as pet stores, 27 states and the District of Columbia have enacted some laws governing the retail sale of animals. However few require that businesses selling animals be licensed or track the number of species sold and even fewer set forth regulations that govern the sale of reptiles at all. A summary of state pet shops laws are available on the Born Free USA website:

http://www.api4animals.org/b4a1_petshoplaws_state.php

Number of businesses breeding these species

As above, there is no federal oversight of reptile breeding facilities and very few, if any, states have licensing schemes for breeders of exotic reptiles nor keep accurate records on the type of species bred by each facility.

However, in comparison to birds and mammals bred for the pet trade the number of businesses and individuals actively in breeding these species on a large scale is likely rather low. Most reptiles that are kept as pets are captured in the wild or were born from wild-caught parents held on ranches or farms in their country of origin . Although some reptiles are bred in captivity, such animals constitute a small portion of reptiles kept as pets largely because capturing reptiles in the wild is cheaper and easier than is captive breeding.

The Burmese python is an example of a species that is commonly bred in captivity, however evidence suggests the market for this species is becoming saturated and as a result has contributed to abandonment problems when owners seek to rid themselves of the responsibility of caring for these reptiles

Annual sales of these species

According to the American Pet Products Manufacturers Associations 2007-2008 National Pet Owners Survey 4.8 million households in the United States contained one or more pet reptiles for an estimated total of 13.4 million reptiles (although it is assumed that amphibians are also included in this total). The most commonly kept pet reptile is a turtle. It is unknown how many of these households contain snakes including Boas, Pythons, and Eunectes species.

As previously mentioned the value of the market for these particular species cannot be determined with any accuracy. However it can be reasonably assumed that the removal of these species from the market place would not have a significant economic impact on the U.S. pet industry which has a history of being fad-driven, as certain species become unavailable or unpopular interest is shifted to another species.

In the absence of these species in the market pet enthusiasts may be encouraged to shift their interest to other possibly more appropriate species or to other hobbies altogether thereby creating economic opportunity in another area.

Impact and costs

To understand the full trade in Pythons, Boas, or Euneptes species it is necessary to have reliable figures on which species are being traded and in what quantity. Unfortunately, there are a number of factors that make accurate accounting impossible. As explained above, at the state level there are no data on the number and species of reptiles sold annually in the United States and no states keep records on the number of reptiles sold or produced in-state or exported to other states. At the federal level the data tracking imports are similarly poor – it has been estimated that on a typical day the United States imports 588,000 individually counted animals plus an additional 3 tons of animals that were weighed, not counted individually.

However, the potential and realized cost of allowing the continued trade in these species likely outweighs any benefits attributable to the trade.

Congress has identified non-native species as the second-leading contributing factor after habitat loss and alteration for listings under the Endangered Species Act of 1973 affecting nearly half of all threatened and endangered native species . It is well known that restoring threatened and endangered species is a lengthy and costly process. American citizens who pay to restore imperiled species should not be forced to pay the price for the small percentage of the population who are interested in possessing harmful reptile species.

The interest in trading and possessing Pythons, Boas or Euneptes species should not be placed above the interests of a majority of Americans who do not want our native species placed at risk for such frivolous pursuits.

Thank you for your consideration of these comments.

Sincerely,

Monica Engebretson
Senior Program Associate
Born Free USA united with Animal Protection Institute