



House Bill Would Restrict Animal Imports To The United States

Will non-native fish, reptiles, small animals and others be banned from the United States?

By SmallAnimalChannel.com News Division

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The Nonnative Wildlife Invasion Prevention Act, introduced into the U.S. House of Representatives and referred to the Committee on Natural Resources, could force the U.S. Fish and Wildlife Service to “shut down a number of industries dependent upon non-native species — such as the pet industry, food aquaculture and sports fishing,” according to Marshall Meyers, testifying yesterday at a hearing before the House Natural Resources Committee’s Subcommittee on Fisheries, Wildlife and Oceans.

“HR 6311 is an overly simplistic approach to a very complex problem which involves much more than running a series of risk assessments in order to publish a list of approved species,” Meyers testified. “The socio-economic, as well as biological, issues impact hundreds of millions of Americans and a more reasoned approach is needed to address the invasive species.”

This legislation seeks “to prevent the introduction and establishment of nonnative wildlife species that negatively impact the economy, environment or human or animal species’ health” by establishing a risk assessment process that imported species would undergo before being allowed into the United States.

These species would include the majority of animals kept as pets in the United States, including potentially dogs and cats in addition to fish, reptiles, birds and small mammals.

“In the current economic environment, Congress must carefully consider both the financial costs and benefits of imported species,” Meyers testified. “The loss of certain high-income fish, for example, could result in the collapse of the entire ornamental fish industry and have significant repercussions for product manufacturers, distributors and retailers throughout the country.”

The pet industry, like several other industries, is dependent on the importation on non-native species, most of which are farm-raised, he said.

“PIJAC believes that effective measures should be in place to reduce the risk of the adverse impacts of invasive species,” Meyers testified. “We further believe that the appropriate directives for risk management are contained in the Lacey Act, the National Invasive Species Management Plan, and several Aquatic Nuisance Species Task Force initiatives, among others. As we have testified previously, the requisite human and financial resources have yet to be made available to the relevant federal agencies so that they can fully and effectively implement and enforce existing policies and programs. Until the government is willing to invest in implementation and enforcement of the regulatory measures it has already enacted, additional regulations will serve only to cripple an already faltering system.”

Essentially, the proposed legislation would seek to prevent entry to any species that is not native to the United States and that could likely establish itself in the U.S. or that could carry viruses, bacteria or parasites that would be able to establish themselves in the country.

As part of that assessment, the legislation calls for the creation of two lists: one of species approved for import, which could include non-risky species and potentially harmful species that are “so widespread in the United States that future import prohibitions or restrictions would have no practical utility;” the other of unapproved species, which would include injurious wildlife species as well as any species not listed on the approved species list.

The law defines non-native wildlife species as “any such species of mammal, bird, fish, reptile, amphibian, insect,” etc., that is not a native species to the U.S., regardless of whether it was raised in captivity.

PIJAC contends the legislation would require risk assessments for every non-native species in the pet trade, which includes more than 1,600 freshwater fish alone.

As written, the legislation could dramatically affect the number of animals available as pets — including cats and dogs — in

the United States.

“Unless socio-economic and cultural considerations are adequately accounted for in this process, numerous domesticated animals (e.g., domestic cats and livestock) are likely to qualify for the ‘black list’ as there is considerable scientific data to indicate that these non-native wildlife species, as currently defined by H.R. 6311, have caused substantial economic harm when they become feral,” Meyers testified.

Another PIJAC concern addressed by Meyers was the difficulty in proving a particular species could never cause harm.

“It imposes of persons interested in importing or possessing a species for commercial on non-commercial purposes the task of having to scientifically prove a negative — that the species will not cause harm or be likely to cause economic or environmental harm or harm to human and animal species’ health,” Meyers testified. “Simply on the grounds of ‘statistics 101,’ this is unworkable. Absent a crystal ball, it is impossible to prove conclusively that no harm has ever nor will ever occur at any time, anywhere in the United States.”

Meyers then said that thousands of non-native species have been in the pet trade for decades, few of which ever caused harm. In those cases, he added, the impacts were generally localized in urban and suburban settings that had already been subject to habitat loss and degradation.

“Is the mere absence of biological data, because it does not exist, sufficient to compel the USFWS to ban a species that has been imported in the millions or farmed in this country for 30 to 50 years absent evidence of invasiveness,” Meyers testified. “Based on such a standard, common goldfish, many tropical fish and myriad common species of birds and reptiles would be banned from the entire United States if it could be demonstrated that ... there is a likelihood that environmental conditions suitable for the establishment or spread ... exist anywhere in the United States. Marine organisms would be banned in Kansas because they might become established in Hawaiian waters. A parakeet would be banned in Minnesota because it could survive in south Florida.”

Among other issues brought up by Meyers: whether language in the legislation that required information about the conditions a species was captured or bred inappropriately brought an element of animal welfare into the risk analysis process and whether a user-fee process for risk assessments was fair, in that a business paying for the assessment of a particularly species also by default clears the species for his competitors as well.

For Meyers’ complete written testimony, as well as other witnesses, [click here>>](#)