What You Need to Know about Birds and the Animal Welfare Act
Webinar Question & Answer Transcript (Dec 16, 2023)

1. Is AAV working with AFA, ASA, OPA? Also animal rights is not the same as animal welfare.
   - Anthony A. Pilny, DVM, DABVP (Avian): In various ways yes, and there is an active desire for more groups to work together but that has its challenges.

2. How is “emotional need” determined by the USDA for birds? How is it defined when needs of birds change between species and equally keeping in mind that some enrichment pieces may be seen as aversive to the bird or too large enclosure, etc, based on individual behavior?
   - Anthony A. Pilny, DVM, DABVP (Avian): An important and complex question - it has to be based on existing regulations, the knowledge of the attending veterinarian, current standards for birds, the owner/breeder, and the species. The goal is to ensure there is focus and thinking about emotional needs.

3. We agree that regulation and inspection is necessary for baseline animal welfare. We already have cases that we have been reported, etc, but the case has not prevented further transgression of welfare and are continued to do business. What is the process for reporting a USDA licensed entity or reporting an entity that has not complied by applying for the USDA licensure?
   - Anthony A. Pilny, DVM, DABVP (Avian): Reporting to the USDA specifically and the veterinarian in charge of the avian division at USDA and may involve local animal law enforcement now that these protections exist.

4. Do breeders selling birds at bird club events require a license or does this fall under the Pet Store criteria?
   - Flight Club Foundation: Our understanding is that the USDA does not quite know what to do about the complexity of doing public events. We host a large international event and do not allow adoptions or sales of parrots, only educational display. However, we do know that face-to-face sales are exempt. How that is defined may well be case by case basis. We have been following this closely and in direct contact with USDA regularly about how they want to regulate us.
   - Anthony A. Pilny, DVM, DABVP (Avian): If the buyer, seller, and bird are in the same place and the transfer happens then and there, no license is needed - unless the breeder has a license based on the number of birds they sell overall and in other ways outside of direct sales.

5. What can we do to regulate rescues that are hoarding animals and the practices that are unwell and also adopting for fees that are equivalent to breeding fees? Are rescues also being regulated since they are receiving public income?
   - Anthony A. Pilny, DVM, DABVP (Avian): It depends on how the rescue fits with the described criteria. Some rescues are willingly getting a license to open themselves for transparency, others may need to be investigated and evaluated for need. Again, animal law enforcement now has ‘legs to stand on’ for hoarding or abuse.
6. Do Avian Adoption Organizations (rescues) need a license? Exhibitor?
   - **Flight Club Foundation**: My understanding by USDA is absolutely because they are taking in public money. Their license is Class C I believe. But we could find out more here, we hope:
   - **Anthony A. Pilny, DVM, DABVP (Avian)**: Go through the Licensing Assistant on the USDA website to find out. There are some variables and exceptions making it hard to have one answer.

7. I am working with an adoption organization and want to get them the needed information.
   - **Flight Club Foundation**: You can find the full AWA ACT FOR BIRDS at the Federal Register under “Standards of Birds for use in research under the Animal Welfare Act”. They can also contact Dr. Cody Yager, DVM, that is in charge of this roll-out if they have further questions as well.
   - **Anthony A. Pilny, DVM, DABVP (Avian)**: Agreed with Flight Club Foundation to share the website, the link to the regulations, and watch the YouTube videos.

8. How would the USDA be able to determine the veterinarian’s experience with a particular species?
I’m not aware of veterinary experience documentation requirement from the veterinarian to the USDA.
   - **Live answered**

9. If a small 501c3 bird rescue, takes in surrenders and than adopts them out would a license be required?
   - **Anthony A. Pilny, DVM, DABVP (Avian)**: Possibly. The Licensing Assistant on the USDA website will help decide. Rescues are not automatically exempt and if adoption fees are collected or there is any breeding, then certainly a license may be needed.
   - **DJ**: If no breeding at all, and even being donation-based, a license would be required?
   - **Jessica**: If it's a 501c3 rescue they shouldn't be breeding as that's the opposite of rescues.
   - **Flight Club Foundation**: According to Dr. Yager and David Garcia, lawyer, yes, rescues will need to be regulated as display because they are receiving public funds. Anyone receiving public donations or funds are all under the same regulation which is critical for the actual welfare of birds. If they were excluded entirely, then this is only targeting one market vs. the actual welfare of birds.

10. What are we going to do about the shortage of veterinarians to be involved, especially veterinarians specializing in avian health?
    - **Anthony A. Pilny, DVM, DABVP (Avian)**: No clear answer to this. The AAV has reached out and offered our assistance, many of us as individuals have offered to help, and once enforcement and inspections become the norm then USDA will see what their need is. I have a concern about non-bird vets doing this work overall.

11. How can environmental enrichment be so important without requiring opportunities for flight?
    - **Anthony A. Pilny, DVM, DABVP (Avian)**: Exactly!!!
12. With the uncertainties for Parrot Rescues, wouldn't it be easier to have a license specifically for rescues?

- Anthony A. Pilny, DVM, DABVP (Avian): I believe anyone can voluntarily get a license even if they aren’t required. But perhaps more licensing categories will be developed over time.
- Jessica: My worry for my 501c3 bird rescue, if we are marked exempt, but then we are actually supposed to, that we would be uncompliant. I don’t want that. I feel there needs to be more clarification for rescues. We take a lot of pride in what we do and how we run our operations.
- Flight Club Foundation: I think all should be regulated equally if all are receiving public funding of any kind. It’s about the animal welfare, not about the exemptions minus those that are already regulated under another body.

13. Would you have to be licensed and accredited in each state in order to be an AV to inspect an aviary in that state?

Live answered