Since the founding of the American Federation of Aviculture eight years ago, no major piece of legislation or regulation adversely affecting aviculture has successfully yet been passed. That remarkable statement is still true today, as the U.S. Delegation to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) goes to the meeting in New Delhi.

AFA was born amidst a bombardment of Federal and State legislation and regulation that threatened to destroy the promise for conservation held by the captive breeding of birds. We since have been bloodied by confrontations over Exotic Newcastle, appalled and frightened by scientifically weak and biased proposals of the U.S. Fish and Wildlife Service, incensed at the ignorance of the U.S. Public Health Service concerning psittacosis, and yet we have somehow managed to keep the lid on, come out on top, and educate a great many government officials in the process.

The day I got the phone call, first from Marshall Meyers, then from Congressman Dannemeyer’s office, telling me the proposal to list all the psittacines on Appendix II had been dropped, I felt very relieved and very proud. Proud to be a member of AFA. I remembered why I joined AFA in the first place and why I took the job of Legislative Liaison offered to me by then AFA President, Jerry Jennings. AFA is the only organization fully committed to defending the rights of the aviculturist.

The flames of anger were fanned by the winds of panic—a very bad situation that leads to unhappy mistakes. I and others made some of those mistakes and I will point them out as we go along. But we had to act and act fast.

It was decided to activate the AFA Emergency Operations Plan. To the extent that the State Coordinators and Club Delegates did their job, we were successful. Unfortunately the issue was of such complicated nature, a simple telephone call was not adequate to explain what must be done. Even in written form most people have a hard time grasping and understanding what CITES is, how it affects them, the part aviculturists were not competent to propagate it.

The flames of anger were fanned by the winds of panic—a very bad situation that leads to unhappy mistakes. I and others made some of those mistakes and I will point them out as we go along. But we had to act and act fast.

April 4, 1980 — The U.S Fish and Wildlife Service published a notice in the Federal Register calling for information to be used in preparing the U.S. proposals to amend the species lists of Endangered (Appendix I) and Threatened (Appendix II) wildlife. Individuals and organizations who felt that the political climate and conditions were right for a move to further restrict trade in certain psittacine species responded. Notably, little information was forthcoming on other orders of birds such as softbills and finches. Presumably the low visibility and low interest in trade in these birds was the reason, thereby indicating, once again, that the “scientific” or “biological” basis for these responses is highly suspect. Doesn’t anyone care about the Hornbills? Perhaps AFA should have made some suggestions of its own at this point. In 1982, the next time we prepare for a CITES meeting, I hope knowledgeable AFA members will become involved early in the process.

July 21, 1980 — On this memorable day, USFWS unveiled the potential proposals to amend the appendices to CITES in the Federal Register.

We were thunderstruck. Sixty four species of birds were proposed for listing, plus a proposal to list all remaining psittacines, not previously listed, on Appendix II, for control purposes only. A great fear ran through all who had previous experiences with similar proposals by USFWS. Right or wrong, FWS historically did exactly what it wanted to do in spite of all opposition, in spite of biological evidence to the contrary, in spite of the ultimate effect such decisions would have on the preservation of the species.

To heighten this paranoia, FWS announced in this same Notice that comments of interested parties were due by August 20 and that the final decisions of the Service would be published on or about August 22! Now, the greatest idiot in the nation would have to realize that even the most competent administrator (the Watchbird Editor, for example) could not possibly read, evaluate, organize the materials, make objective, scientific decisions, write the position paper, and get it all to the printer in time for publication inside of 48 hours! As we say in Washington, it was “wired”. The decisions, we felt, had already been made before the proposal was published and we were about to be taken to the cleaners once again. The anger started to well up inside of us. The so-called “environmentalists” who don’t even know what an Ara ararauna smells like, were deciding that aviculturists were not competent to propagate it.

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was attempting to cut off imports of psittacine birds. This was spawned by panic and fear, but it was erroneous. The USFWS was not proposing to cut off imports. They seized it as a golden opportunity, however, to treat the majority of responses opposing the proposals as letters from misinformed citizens and it gave them a perfect excuse for ignoring the informed comments that came in from individuals. AFA formally disavowed any connection with the Bird World letter, but it did little good.

AFA did, of course, file an official comment on the potential proposals. It was a 16 page document that 1) explored the relationship of AFA with USFWS as contrasted with other government agencies, 2) made observations on the inadequacies of the data supporting the amendments to the appendices, 3) comments on the Look-Alike problem as a basis for listing all remaining psittaciformes on Appendix II, 4) the effect an Appendix II listing of psittacines would have on Aviculture and "trade," and 5) comments on 61 of the individual species proposed for Appendix I or II. (We did not comment on three Falcon species proposed for downgrading from I to II by the North American Falconers.) A complete copy of the AFA Comment may be obtained by writing the Home Office.

I feel it should also be mentioned that at this same time there appeared an article by Richard Starnes in the August, 1980 issue of Outdoor Life, titled "The Sham of Endangered Species." For those of you who do not yet fully appreciate the inherent danger and the power of the endangered species regulations, I highly recommend you find this article and read it. It may scare the pants off you, but it will also underscore the significance of what has happened this past February.

And so the first letter-writing effort of AFA history got underway. Energetic State Coordinators and Club Delegates worked to get the letters out. Some created form letters, some created petitions. The August 20 deadline came and went. So did the notorious date for publication of the final decisions, August 22. We called the Office of the Scientific Authority from the AFA Convention in Las Vegas. Things were to be delayed another week. Then another. And another.

Then we learned that in spite of the large response to the published proposals, FWS intended to stick with their original plan to place all psittacines on Appendix II, for control purposes. This was hardly a "shock," but the question remained, what to do next? Obviously public opposition to the proposal was treated as misinformed and meaningless by the "committee" making the decisions at FWS. Our only recourse seemed to be to confront the issue as a political one, not a scientific one, and stimulate Congressional inquiries.

Anticipating such a situation, a letter to the membership had been prepared asking every member to write their Congressman and two Senators. It was decided to focus on the issue of the blanket-listing of all psittacines because of the confusion we would create by bringing in the several other issues that were of equally grave concern. What about the Appendix I and II proposal to prohibit trade with non-party countries to CITES (such as Mexico)? These would have to be dealt with in some other way. We would only muddy the waters by asking the membership to address these other concerns as well.

The letter was first printed and released to the Board as we had done with the first letter. It was then decided that we could easily miss some members utilizing this system as evidenced by that first go-around. So, applying the "Bern Criteria"* (our friends at FWS reading this will understand), we felt it would be a far greater error for someone not to receive a letter than for someone to receive two letters, and we asked the Publications Committee to send out a general membership mailing, in spite of the cost.

October 7, 1980 — The letter was dated and sent out as a legislative alert in those wonderful Hot Pink envelopes you remember so well. Still there had been no "final decisions" published in the Federal Register.

November 4, 1980 — Election day. A new administration came to power. The concept of the "Transition Team" was reborn.

November 6, 1980 — The long-awaited "final" decisions of FWS were published in the Federal Register. Only they weren't the final decisions. We were later to see that the final decisions would not be reached until February 20, one day before the delegation was to leave for India! The Notice was a review of the comments on the original proposals of July 21, We were given a fair hearing, although as I had feared, we were lumped with Bird World:

*The "Bern Criteria" were developed at the first CITES meeting in Bern, Switzerland. Part of that criteria states that it would be a far greater error to fail to list a species, by accident, that needs protection, than to list one, by accident, that does not need the protection. So when in doubt ...

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"The majority of the comments received by the Service concerned the listing of the order Psittaciformes in Appendix II. These comments were stimulated primarily by mailings from the American Federation of Aviculture and Bird World Magazine/International Bird Institute. They prompted individuals to write letters objecting to the proposal for a variety of reasons, often based on the incorrect premise that the Service was proposing to ban all imports of psittacines. The principal comments were as follows: . . . ."

They then listed our objections, pretty much as we had outlined in our August letters. After agreeing that habitat destruction and local use were the real culprits, a rebuttal of each of our objections followed, concluding with the following paragraph which we were to hear repeated many times in the answers to our Congressional inquiries:

"Because the proposal is for purposes of control, the Service does not now consider species covered by this proposal to be currently or potentially threatened. Further information would be required to demonstrate the need for stricter controls in Appendix II under Article II.2(a) or in Appendix I.

The Service does not anticipate listing any of the psittacines included in Appendix II under Article II.2(b) as Endangered or Threatened species under the Endangered Species Act unless later information requires that action."

AFA, as an organization, was mentioned again later in the Notice: "The American Federation of Aviculture provided extensive comments on the various suggested proposals concerning species of birds. These comments and information from other individuals and organizations led the Service to advance certain of these proposals and not others, based on a case-by-case evaluation of each species in terms of standards for listing set forth in CITES Article II and the Bern criteria."

What followed was a table of the U.S. and foreign proposals that were submitted to the CITES Secretariat. The U.S. was now proposing only 22 psittacine species for Appendix II and four for Appendix I. A far cry from the original 60! But, of course, they were still proposing the wholesale listing of all remaining psittacines for Appendix II, for control purposes. Among those proposed for Appendix II, Article II.2(a), were all of the macaws, several amazons, including the Yellow-heads and Mexican Red Head, and several conures.

It is pertinent at this point to note that an Appendix II [II.2(a)] listing is the substantive category of 'Threatened' and requires a finding on the part of the Wildlife Management or Scientific Authority of the exporting country, that the export of any particular bird is not detrimental to the population of that species in that country. A document must be issued to that effect. Most of the birds listed come from countries plagued by poverty, disease, starvation, revolution, and other similar aggravations. Now, can you imagine, the priority that "Bird Documentation" must have in an atmosphere of this kind? And the bureaucratic intrigues which results?

November thru mid-January — Our Congressional write-in campaign was well underway. We have no way of knowing how many letters, form letters, and petition responses were sent to Congressmen and Senators. As the copies of these began arriving at the Home Office, it would have been easier to weigh them than to count them. State Coordinators and Club Delegates really worked this time getting out the letters.

There were so many letters forwarded to me by Cathy Young at the Home Office, that I could not hope to read them all, let alone answer them. Please accept my apology if you did not get an answer to your letter addressed to me, personally.

At one person, gainfully employed eight hours a day by my regular job, catering to four hundred birds another part of the day, dealing with Exotic Newcastle, State level legislation, USDA matters, bird smuggling problems, FWS matters, general AFA matters, and phone calls continuously from aviculturists all over the United States, simply could not answer all those letters. But I loved every one of them.

November 10, 1980 — USFWS published a Notice in the Federal Register announcing the Australian Proposals. As if we didn’t have enough problems, Australia was proposing further Regulation in Trade of Appendix II wildlife (one of our early fears), a Reverse Listing concept for CITES Appendices (i.e. a 'Clean List' of wildlife acceptable for trade), and an "Interpretation of the Convention" as to whether it should seek and end to trade in all wildlife as its goal, or whether it should seek "rational use" of wildlife as its goal. The final U.S. position on these items was to 1) oppose any further restrictions on trade in Appendix II wildlife, 2) oppose the Reverse Listing concept, and 3) to support rational use of wildlife as the goal of
November 15, 1980 — AFA held its Regional Convention in Jacksonville, Florida. At the Board meeting a resolution was passed supporting the concept of a Parrot Identification Manual designed by RARE, Inc. A sample of the manual was provided us by Robert Ridgely, Vice President of RARE, a month earlier. It is our hope that such a manual will successfully be funded either by the government or private bird interests or both as a means of eliminating the necessity of future attempts to list all the birds on Appendix II in an effort to combat the look-alike problem. Anyone with any ideas on how to raise money for this manual, please contact me. A copy of the complete Resolution may be obtained from your Club Delegate or State Coordinator.

November 24, 1980 — One of the mistakes I made in the panic period mentioned earlier came home to roost. I received a letter from one very angry Robert Ridgely. If you recall, in the legislative alert, dated Oct. 7, 1980, I had suggested that USFWS had based their entire case "principally on the work of one man, Robert Ridgely, who miraculously was able to study over 200 species of birds in only two years and determine a need for them to be listed on the CITES ..." appendices. "This is impossible and absurd," I said. Bob Ridgely agreed with me. Further, he pointed out, I completely misrepresented his work. My defense is simply that in reading the July 21 potential proposals, Ridgely is named so frequently that one gets the impression that he is the only one who did any field work upon which they could hang their case. This, apparently, is not so. To set the record straight, I will point out precisely what Bob Ridgely's role was, as indicated by his letter to me. He did not recommend the listing of "over 200 species" of parrots.

"and certainly have never studied that many species; that total, in fact, is far more than actually exist in the New World, my sole area of parrot expertise. What I did recommend was the addition of 39 species or subspecies to either Appendix I or II. For all of these I had what I felt were justifiable grounds, based on their status in the wild or in trade ... This total has since been reduced to, I believe, 27 species, the excluded 12 being species for which I felt my case was somewhat weaker; while I may disagree, this action is certainly within their mandate, and also demonstrates that they were not

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mindlessly accepting my recommendations. I also agreed to support the proposal of the Defenders of Wildlife and Trafficking—USA that all New World psittacids be included under the "look-alike" clause provision. This support is based only on the general premise that all parrots do resemble each other, and that confusion with protected species is possible, in some cases even likely. I have never stated or implied that I had studied these species in the wild and do not believe that specific listing is warranted at this time.

I hope this clarifies the confusion. I do support responsible aviculture, as represented (I think) by AFA, and would like to believe we could cooperate in matters of mutual concern in the future. Mis-representing my work, however, is not a very appropriate way to begin." 

In my reply I expressed the sincere hope that while this may have been a "stormy" beginning, it will truly be a "beginning" and not just an isolated incident.

The USFWS responses to the Congressional inquiries began to roll in, along with copies of the original letters from the AFA membership. You no doubt would have been impressed, stunned even, by the quality of the AFA members' letters. Some were brilliant. The creative approach to the issue taken by many tells me that AFA will be around a long, long time.

You would have been less impressed by the Congressional replies. Most were simply a regurgitation of the form letters they received from USFWS. This was predictable, however. Even in areas heavily populated with bird people, most Senators and Congressmen were content with forwarding the FWS response to their constituent and considered the matter closed.

Then, when things seemed the most bleak, when it appeared that no one really gave a damn about our problem, when I was certain that the great steam roller labeled "USFWS" was about to grind right over us, something happened. I first noticed the change when reviewing the signatures on the letters of FWS to the Scientific Authority. Then one day some came in signed by the Office of the Assistant Secretary. This could have meant one of two things. Either Dr. Jachowski's office could no longer handle the workload of all those letters to Congress and the work had to be parceled out, or the issue was attracting the attention of higher-level authorities. I prefer to believe the latter.

Concurrently, the Reagan transition team was evaluating the problems the public was having with USFWS, along with every other corner of the government. Nothing like a ton of hostile letters on the desks of Senators and Congressmen to focus attention on specific issues! It was also quite significant that the Pet Industry had such close ties with the transition team that they could point to that stack of letters from the disgruntled public as evidence that this was an area that definitely warranted looking into.

During this same period something else happened which I had hoped all along would occur. A few AFA members were unwilling to accept the "party line" from USFWS as regurgitated for them by their Congressmen. They went back to their Congressmen and said, "Hey! Fish and Wildlife really didn't answer the questions we asked them, and they certainly didn't produce any scientific data to substantiate their case! Please check into it further for me." This was a turning point.

Along with the Washington, D.C. legislative team, there were many individual AFA members who did yeoman duty on this project and I cannot name them all. I do feel, however, that two people must be singled out for their creative, tireless efforts which had a definite impact directly and indirectly on the final outcome. One is Linda Sun of Riverside, California, and the other is Ron Brown of Fullerton, California. I was personally not acquainted with either before this all began.

Linda, early in the project, took our case to the various media and obtained coverage in the local press, radio, and television. She then made herself extraordinarily knowledgeable about the CITES treaty and its terms. She soon was able to quote chapter and verse and used this to pursue an ongoing correspondence with Dick Jachowski, Chief of the Office of the Scientific Authority, USFWS. Copies of this correspondence read like "The Great Debate". She wasn't about to take "No" for an answer. The climax of this exchange was a total surprise. In her letter of January 28, 1981:

Dear Dr. Jachowski,

I realize that during these past several months, you have patiently endured a torrent of criticism. Through it all, you have remained courteous, helpful and polite. Although you and I may continue to differ on various aspects of the
proposal, I want you to know that I have appreciated your gallantry under pressure, and to thank you for your help.

If I had viewed the initial July proposal as a plea for help instead of a heavy-handed abuse of power, my work on these tables would have begun much sooner. I apologize to you if I have been misinterpreting your goals and accusing you of ulterior motives when there were none.

The “tables” she refers to are nothing less than A MASSIVE PARROT IDENTIFICATION CHART COVERING 260 SPECIES IN MINUTE DETAIL SO THAT THEY CAN BE COMPARED TO EACH OTHER! It is a gargantuan task that leaves me with my mouth hanging open in total awe. Her attitude: If they cannot solve their identification problems, we’ll solve them for them. No more Appendix II for control purposes, thank you! Amazing, Linda. Congratulations. Dr. Jachowski has told me that the “tables” have been distributed for comment.

We now come to the important story of Ron Brown, AFA Delegate for the Orange County Bird Breeders, and his Congressman, William E. Dannemeyer, of the 39th Congressional District.

Ron, like Linda, generated much media publicity. Memorable is the newspaper clipping with a picture of a long line of cockatiels. The caption reads: “Are these birds Endangered Species?” Additionally, he brow-beat several hundred people into signing letters, petitions, etc. Most notable, however, was the persistence he and his Congressman, Bill Dannemeyer, showed in pressing FWS for justification of the Proposal. Dannemeyer eventually become one of our strongest allies.

Not being satisfied with the “form letter” he received from FWS, Dannemeyer shot back, this time to the Director: “I believe that a number of my questions in my November 11 letter were not answered . . . Below are the questions or requests to which I would appreciate an expedited and specific response: . . .”

And then he went beyond the CITES issue to the real issue—“It appears that the Fish and Wildlife Service has not focused on the precise issue here: the importance of captive breeding in the preservation of threatened species. . . . Why hasn’t the U.S. government sought to provide regulatory relief in its amendments to serve the very people who promote the multiplication of endangered species? . . .
The final psittacine species proposal of the United States to CITES:

- Indicates AFA was in a meeting with USFWS that this species was, indeed, a true Look-Alike.

This endangered species photo taken by Coleen Summerville, of Monterey Park, CA., was entered in the 1980 Watchbird photo contest. It won special merit in the color slide category.
The following are proposed as Look-Alikes for already listed species:

<table>
<thead>
<tr>
<th>Species</th>
<th>Current Listing</th>
<th>Proposed Look-Alike</th>
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<tbody>
<tr>
<td>Orange Bellied Parakeet</td>
<td>I</td>
<td>* Blue Winged (N. chrysostoma)</td>
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<td></td>
<td></td>
<td>* Elegant (N. elegans)</td>
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<tr>
<td>Scarlet Chested Parakeet</td>
<td>II</td>
<td>* Turquoise (N. pulchella)</td>
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<tr>
<td></td>
<td></td>
<td>Females and immatures very difficult to distinguish; all Neophemas above.</td>
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<tr>
<td>Slender Billed Cockatoo</td>
<td>II</td>
<td>Goffin’s Cockatoo</td>
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<td></td>
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<td>Bare Eyed Cockatoo</td>
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<td>duCorps Cockatoo</td>
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<td>(Short beak on immatures)</td>
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<td></td>
<td></td>
<td>of slender billed</td>
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<td>Blue Naped Parrot</td>
<td>II</td>
<td>Great Billed Parrot</td>
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<td></td>
<td></td>
<td>(Immatures same color)</td>
</tr>
<tr>
<td>Orange Fronted Kakariki</td>
<td>II</td>
<td>Yellow Fronted Kakariki</td>
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<td></td>
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<tr>
<td>Cape Parrot</td>
<td>II</td>
<td>Jardine’s Parrot</td>
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<td></td>
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<td>(Immatures similar)</td>
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CITES MEETING UPDATE:

DISASTER IN NEW DELHI! But for Whom?

The optimism expressed in the report on our success with the U.S. Proposals to amend the CITES Appendices has been dashed by the Convention itself. The British proposal to place all psittacines, not previously listed, on Appendix II (Threatened) was adopted amidst a “band-wagon” atmosphere on March 6, 1981. There are three species excluded: the Budgie; the Cockatiel, and the Indian Ringneck Parakeet (at the request of the host country!). It will take effect June 6, 1981.

The United States and Switzerland led the battle to defeat the British proposal, with Dr. Dick Jachowski of USFWS, spokesperson for the U.S., fighting brilliantly and with all sincerity to beat down this obviously irresponsible move. Observers say that the U.S. could not have done more to defeat it. When the vote was taken, the result was 32 to 4 in favor, with the United States, Switzerland, Lichtenstein, and Chile in opposition.

The great sadness which follows goes far beyond the politics and far beyond the burdensome documentation of bird exports and imports:

- The credibility of CITES has been destroyed. Clearly all psittacines are not threatened. Starting with the Peach Faced Love Bird and working up to the Bare Eyed Cockatoo that are poisoned by the Australians as pests. The events and final decisions of CITES will be reported in the next issue of Watchbird.

- Smuggling and illicit trade will now only be encouraged.

- It destroys the concept of a “Threatened” species. Now they are all alike. They all will be treated exactly the same way, denying special status to those species which are really threatened.

- CITES will lose the respect and support of organizations such as our own, governments, and millions of individuals who saw it as the means of protecting endangered wildlife.

But for Whom?

As American citizens we must seriously consider whether the embarrassment of being a part of such an unscientific, irresponsible organization as CITES is worth the benefits dreamed of by its founders. The benefits of protecting endangered wildlife cannot be argued.

CITES, perhaps, is not the vehicle with which to do it, however.
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