



## U.S. Fish & Wildlife Service

# Captive Wildlife Safety Act

## *What Big Cat Owners Need to Know*

The Captive Wildlife Safety (CWSA), which was signed on December 19, 2003, addresses concerns about public safety and the growing number of big cats in private hands in the United States.

This law amends the Lacey Act to make it illegal to import, export, buy, sell, transport, receive or acquire certain live big cats across State lines or the U.S. border. The Act provides exemptions for certain individuals and entities.

### **What big cats are covered by the Act?**

The Act's prohibitions apply to:

- Lions, tigers, leopards, snow leopards, clouded leopards, jaguars, cheetahs, and cougars
- All subspecies of these species
- Any hybrid combination of these species

### **What activities are prohibited?**

Unless you are exempt, you may not move live big cats across State lines or the U.S. border. Prohibited activities include:

- Import into or export out of the United States
- Interstate sale and purchase
- Transport across State lines
- Receiving or acquiring big cats if the animals are moved from one State to another

### **When do these prohibitions go into effect?**

Enforcement of the CWSA begins on September 17, 2007.

### **Does the Act make it illegal to own a big cat?**

No. This Federal law does not address possession. At least 19 States, however,

ban private possession of big cats, and a number of others have a partial ban on possession or require a permit. Local laws may also regulate possession of these animals.

### **Does the CWSA apply to big cats that were legally owned before passage of the law or the effective date of its prohibitions?**

Yes. The law and its prohibitions apply to all covered big cats regardless of when they were acquired and to all persons and entities except those specifically identified as exempt. The Act provides no "grandfather clause."

### **If I own a big cat and move to another State, can I take this animal with me?**

No. The prohibition on transport applies to any movement of a covered big cat across State lines, even household moves. Only exempt individuals or entities can move a cat from one State to another.

### **Can I take a big cat to another State for veterinary treatment?**

Unless you qualify for exemption, you cannot transport a covered cat to another State for any reason. Only an exempt individual or entity can arrange such transport.

### **Can I sell a big cat to someone in another State?**

No. Unless you are exempt under the Act, you cannot sell a cat to someone in another State. You may be able to make such a sale within your State, unless State or local laws prohibit such sales.

### **If I can no longer keep or care for a big cat, can I transfer the animal to an exempt person or organization in another State?**

Yes. You may give the cat to an exempt organization or person who can take care of it, but the exempt individual or organization must arrange for transporting the animal across State lines.

### **Can I buy a big cat from an exempt person or organization in another State?**

No. Such a purchase would be legal only if you were also exempt.

### **What are the penalties for violating the CWSA?**

Penalties depend on the type of violation. If you import or export a big cat or sell or buy a cat or cats worth more than \$350 in interstate commerce, you have committed a felony. You could be sent to prison for up to five years and ordered to pay a fine of up to \$250,000. Fines for organizations can be as high as \$500,000.

Other violations are misdemeanors with lower penalties. For example, if you move from one State to another and take a big cat with you, you could be fined as much as \$100,000 (\$200,000 for an organization) and sent to prison for up to one year.

### **Who is exempt from CWSA prohibitions?**

- Persons, facilities, or other entities licensed by the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) under the Animal Welfare Act to possess big cats (such license-holders typically include zoos, circuses, and those who conduct research with wild animals)
- Persons registered by APHIS under the Animal Welfare Act to transport big cats
- State colleges and universities
- State agencies
- State-licensed wildlife rehabilitators
- State-licensed veterinarians
- Wildlife sanctuaries that meet specific criteria

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**What criteria must sanctuaries meet to be exempt?**

To qualify as exempt, sanctuaries:

- Must be a non-profit entity that is tax exempt under section 501(a) of the Internal Revenue Code
- Cannot engage in commercial trade in big cat species, including their offspring, parts, and products made from them
- Cannot breed big cats
- Cannot allow direct contact between big cats and the public at their facilities
- Must keep records of transactions involving covered cats
- Must allow the Service to inspect their facilities, records, and animals at reasonable hours

**What records must sanctuaries keep?**

Sanctuaries must keep records of any possession, transportation, sale, acquisition, purchase, barter, disposition, importation or exportation of big cats. Sanctuaries must keep their records up to date, retain them for five years, and make them or copies available to the Service on request. Records must include the dates of transactions and the names and addresses of the persons involved.

**How can I learn more about the CWSA?**

If you have questions or need additional information, contact:

**U.S. Fish and Wildlife Service  
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