

## Background Information

### Captive Wildlife Draft Rules

#### 68A-6.0041 Exceptions to Standard Caging Requirements for Captive Wildlife

Item 6 C 1 j

August 7, 2008

#### **68A-6.0041 Exceptions to Standard Caging Requirements for Captive Wildlife.**

Wildlife may be temporarily housed in cages or enclosures smaller than the sizes set forth in Rule 68A-6.004, F.A.C., only under the following circumstances:

(1) For transport and for performing and non-performing animals as specified in Rule 68A-6.005, F.A.C.

(2) Wildlife being held for sale by those persons properly licensed pursuant to Section ~~372.924~~ 379.3761 or ~~372.16~~ 379.3711, F.S., or for veterinary care, or quarantine may be temporarily housed or caged in smaller cages or enclosures for a period not to exceed 60 days. With written notification to the Commission, this period may be extended in circumstances where a licensed veterinarian has certified that a longer holding period is medically necessary in the interests of the health, safety and welfare of the subject animals or the public. Medical records concerning all animals for which an extension of the 60-day period is obtained shall be maintained at the facility and shall be made available for inspection, upon request, by Commission personnel. The caging or enclosure of all wildlife temporarily held under this section shall not be smaller than that required for the caged animal to stand up, lie down, and turn around without touching the sides of the enclosure or another animal. All wildlife thus caged or housed shall be permanently marked or their enclosures shall be permanently marked, so as to be traceable to written records indicating the date the wildlife was placed in temporary holding. Such records shall be maintained and made available for inspection by Commission personnel. Commission personnel shall direct dealers to mark wildlife temporarily if, upon inspection, there is no record indicating the date the wildlife was placed in temporary holding.

(3) The standard caging requirements, as defined in Rule 68A-6.004, F.A.C., except for the fencing requirements, shall not apply to facilities possessing ratites (ostriches, rheas, emus, and cassowaries) for propagation purposes only and not for public exhibition or as personal pets. Facilities possessing bison for propagation purposes only and not for public exhibition or as personal pets are exempt from the standard caging requirements, as defined in Rule 68A-6.004, F.A.C.

(4) Newborn and juvenile mammals may be temporarily kept in enclosures below the standard caging requirements and are exempted from the multi-unit/land requirements. Paragraph ~~68A-6.0022(5)(e)~~ 68A-6.003(2)(e)1.-2., F.A.C., and structural strength requirements, Rule 68A-6.003, F.A.C., as follows:

(a) Newborn mammals may be kept in incubation and rearing facilities. Nursing young may be maintained with their parents with no increase in required cage size for the adult animal for up to twelve weeks, provided that documentation is available to show the age of the young. Such time may be extended with a veterinarian's statement, showing that such size cage is required for the continued health and welfare of the animals until a certain date.

(b) Juvenile mammals may be kept in enclosures that meet or exceed the size specification in subsection (2) of this section provided that:

1. Written documentation is available to verify the age of the animal.
2. The animal is marked or otherwise identifiable.
3. The animal shall be provided space for exercise on a daily basis.

4. Cages that meet the standard caging requirements shall be provided for Class I and Class II carnivores when they reach 25 pounds or six months of age, whichever comes first. Class III carnivores shall be provided cages that meet the standard caging requirements at six months of age. Class I, II, and III primates shall be provided cages that meet standard caging requirements at twelve (12) months of age.

(5) Hatchling/fledgling birds and newborn reptiles and amphibians may be held in enclosures that allow for normal postural movements and social adjustments that ensure the health and sanitary needs of the animals.

(6) Birds held temporarily for exhibit only and not for sale may be kept in show cages or enclosures for a maximum of three (3) days, provided that, such birds have sufficient space for perching without touching the sides, top, or bottom of the cage and the health and sanitary needs of the birds are met. Water shall be available in the show cages at all times.

(7) Reptiles and amphibians held temporarily for herptile shows, expositions, and exhibits may be kept for a maximum of three (3) days in enclosures that allow for normal postural movements and social adjustments and that ensure the health and sanitary needs of the animals.

(8) Cages or enclosures for mobility-impaired animals shall meet standard caging requirements, unless it can be demonstrated that such cage or enclosure, or its required accessories, are detrimental to the health or welfare of the animal. In such cases, written

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documentation by a veterinarian confirming the need for such exemption shall be maintained by the permittee and made available to Commission employees upon request.

(9) For animals held at exotic animal auctions, flea markets, and animal swap meets, said animals may be kept in enclosures that meet the size requirements of subsection (2) provided that such wildlife is maintained in accordance with paragraphs (9)(a)-(g) below. The owner of said wildlife shall be responsible for the welfare of such animals, unless such wildlife is consigned to an auctioneer or other sales representative, at which time the consignee shall be responsible.

(a) Wildlife shall be transported and held in non-injurious enclosures, under conditions that provide fresh air without injurious drafts, and shall be provided protection from the elements.

(b) Wildlife shall be protected from temperature extremes that could be detrimental to the health and welfare of the animals.

(c) Birds and mammals shall be watered at least twice during each twelve hour period.

(d) Fecal and food waste shall be removed from the wildlife's enclosures daily.

(e) Wildlife held in the same enclosures shall be kept in compatible groups.

(f) Wildlife cages/enclosures shall not be stacked over other cages/enclosures unless excreta is prevented from entering lower cages/enclosures.

(g) Sick or injured wildlife shall be afforded prompt veterinary treatment.

The owner of said wildlife shall be responsible for the welfare of such animals, unless such wildlife is consigned to an auctioneer or other sales representative, at which time the consignee shall be responsible.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., ~~372.16~~ 379.3711, ~~372.921~~ 379.3761, ~~372.922~~ 379.303  
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