

DIVISION 044

HOLDING, PROPAGATING, PROTECTED WILDLIFE

635-044-0000**Purpose**

The purpose of these rules is to regulate the holding and propagation of game birds [~~tiger salamanders,~~] and native wildlife, except those cervids regulated pursuant to OAR chapter 635, division 049.

Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222 & 498.242

Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222 & 498.242

Hist.: FWC 9-1993, f. & cert. ef. 2-8-93; FWC 69-1996, f. & cert. ef. 12-20-96

Wildlife Propagation License Regulations**635-044-0060****License Required to Propagate Wildlife**

(1) Any person desiring to propagate for sale any game mammal (excluding the family *Cervidae*)~~]~~ **or** game bird, or [~~tiger salamander (*Ambystoma tigrinum*) (excluding *Blotched tiger salamander A. t. melanostictum*)~~ ~~or~~] desiring to sell any propagated game mammal (excluding the family *Cervidae*)~~]~~ **or** game bird~~], or tiger salamander (*Ambystoma tigrinum*) (excluding *Blotched tiger salamander A. t. melanostictum*)~~] must first secure a Wildlife Propagation License by applying on a form provided to the Oregon Department of Fish and Wildlife. The application shall list the wildlife species and numbers being held for propagation purposes, or the species being held for sale. The application shall also include the date of application, and the name, address, and signature of applicant.

(2) Wildlife Propagation License shall cost \$25.00 (plus a \$2.00 license agent fee) and shall expire on December 31 of the year issued.

(3) Any person desiring to propagate and sell any raptor must adhere to all permit requirements and regulations pertaining to the propagation and selling of raptors, as adopted by the U.S. Department of the Interior on July 8, 1983. (Federal Register, Vol. 48, No. 132, Part 21)

Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222 & 498.242

Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222 & 498.242

1 Hist.: 3WC 2, f. 12-19-73, ef. 1-11-74, Renumbered from 630-025-0043, Renumbered from 635-007-
2 0150; FWC 6-1984, f. & ef. 2-29-84; FWC 28-1987, f. & ef. 6-19-87; FWC 69-1996, f. & cert. ef. 12-20-
3 96; DFW 31-2004, f. 4-22-04, cert. ef. 5-1-04; DFW 108-2009, f. & cert. ef. 9-8-09; DFW 142-2009, f.
4 11-12-09, cert. ef. 1-1-10

5
6 **DIVISION 056**

7 **IMPORTATION, POSSESSION, CONFINEMENT, TRANSPORTATION AND SALE OF NONNATIVE**
8 **WILDLIFE**

9
10 **635-056-0000**

11 **Purpose and General Information**

12 (1) The purpose of these rules is to protect Oregon’s native wildlife. These rules aim for this goal by
13 regulating human actions involving nonnative wildlife (whether those actions involve trade in nonnative
14 wildlife or involve interaction with nonnative species in the wild). The rules allow private use or
15 ownership of nonnative species to the extent that they do not pose a significant risk of harm to native
16 species.

17 (2) Scientific taxonomic nomenclature and common names reflect the following:

18 (a) Mammals -- **Wilson, D. E. and D. M. Reeder, Editors. 2005. Mammal Species of the World. A**
19 **Taxonomic and Geographic Reference. 3rd Edition. Johns Hopkins University Press** [~~“Walker’s~~
20 ~~Mammals of the World”, 6th Edition, R. M. Nowak, 1999]~~

21 [~~(b) Amphibians and Reptiles—“A Complete Guide to Scientific and Common Names of Reptiles and~~
22 ~~Amphibians of the World”, N. Frank and E. Ramus, 1996.]~~

23 (b) Birds -- **Clements, J.F. 2007. The Clements Checklist of Birds of the World, Sixth Edition.**
24 **Cornell University, Ithaca, New York.** [~~“Birds of the World: A Checklist”, J. F. Clements, 1991.)~~

25 (c) Amphibians and Reptiles -- **Frank, N. and E. Ramus. 1996. A Complete Guide to Scientific and**
26 **Common Names of Reptiles and Amphibians of the World. N G Publishing, Pottsville,**
27 **Pennsylvania.**

28 (d) Fish (except subfamily Serrisalminae) – **Nelson, J.S. et al. 2004. Common and Scientific Names of**
29 **Fishes from the United States, Canada, and Mexico. 6th Edition. American Fisheries Society**
30 **Special Publication 29. American Fisheries Society. Bethesda, Maryland.** [~~“Common and Scientific~~
31 ~~Names of Fishes from the United States, Canada, and Mexico”, 6th Edition, American Fisheries Society~~
32 ~~Special Publication 29, J. S. Nelson et al., 2004.] Subfamily Serrisalminae; **Robbins, C.L. et al. 1991.**
33 **World Fishes Important to North Americans. Special Publication 21. American Fisheries Society.**~~

1 **Bethesda, Maryland.** [~~“World Fishes Important to North Americans”, American Fisheries Society~~
2 ~~Special Publication 21, C. R. Robins et al., 1991.~~] ; **Subfamily Serrisalminae: Reis, R.E., S. Kullander**
3 **and C. Ferraris, Jr., Editors. 2003. Check List of the Freshwater Fishes of South and Central**
4 **America. ERIDUCRS. Porto Alegre. Brazil.**

5 (e) Mollusks – **Turgeon, D.D. 1998. Common and Scientific Names of Aquatic Invertebrates from**
6 **the United States and Canada: Mollusks, 2nd Edition. American Fisheries Society Special**
7 **Publication 26. American Fisheries Society. Bethesda, Maryland.** [~~“Common and Scientific Names of~~
8 ~~Aquatic Invertebrates from the United States and Canada: Mollusks”, 2nd Edition, American Fisheries~~
9 ~~Society Special Publication 26, D. D. Turgeon et al., 1998.~~]

10 (f) Crustaceans (except whiteleg shrimp) – **McLaughlin. P.A. 2005. Common and Scientific Names of**
11 **Aquatic Invertebrates from the United States and Canada: Crustaceans, American Fisheries**
12 **Society Special Publication 31. American Fisheries Society. Bethesda, Maryland.** [~~“Common and~~
13 ~~Scientific Names of Aquatic Invertebrates from the United States and Canada: Crustaceans”, American~~
14 ~~Fisheries Society Special Publication 31, P. A. McLaughlin et al., 2005.~~] Whiteleg shrimp: **Holthius.**
15 **L.B. 1980. Shrimps and Prawns of the World: An Annotated Catalogue of Species of Interest to**
16 **Fisheries. Food and Agriculture Organization Fisheries Synopsis no. 125, vol. 1.** [~~Rome, Italy~~
17 ~~Shrimps and Prawns of the World: An Annotated Catalogue of Species of Interest to Fisheries”, Food and~~
18 ~~Agriculture Organization Fisheries Synopsis no. 125, vol. 1, L. B. Holthius, 1980.~~]

19 **(3) If the taxonomic status of individual species is changed through subsequent publications**
20 **scientific taxonomy shall remain as cited in 635-056 for the purposes of implementing and**
21 **enforcing 635-056-0000 through 635-056-0150.**

22 Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,
23 498.052, 498.222 & 498.242

24 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
25 498.029, 498.052, 498.222 & 498.242

27 **635-056-0010**

28 **Definitions**

29 For the purposes of these rules, the definitions in ORS 496.004 and OAR 635-045-0002 apply. In
30 addition, the following definitions apply:

31 (1) "Aquaria" means any tanks, pools, ponds, bowls or other containers intended for and capable of
32 holding or maintaining live fish and from which there is no outfall to any waters of this state.

- 1 (2) "Aquaria Fish" means any fish, shellfish or marine invertebrates legally acquired and sold in the pet
2 store trade, except game fish, state or federally protected threatened and endangered species and those
3 species listed as Prohibited or Controlled.
- 4 (3) "Commercial Fur Farm" means any operation which raises captive fox (*Vulpes vulpes* or *Urocyon*
5 *cinereoargenteus*) or mink (*Mustela vison*) for profit and possesses 10 or more animals.
- 6 (4) "Controlled Species" means wildlife that the commission has placed on the Controlled list.
- 7 (5) "Domestic" means those animals which are identified in OAR 635-056-0020 (Domestic or Otherwise
8 Exempt Animals).
- 9 (6) Except where used in reference to ORS chapter 609, "Exotic" means a wildlife species not native to
10 Oregon; foreign or introduced.
- 11 (7) "Hold" means any form of possession or control of an animal, gamete, or hybrid thereof.
- 12 (8) "Hybrid" means any animal, gamete or egg that is produced by crossing at least one wild individual of
13 a species with any other species or subspecies.
- 14 (9) "Import/importation" means to bring or cause live wildlife to be transported into Oregon by any
15 means.
- 16 (10) "Introduced" means a species, subspecies or populations which occur in Oregon because of human
17 action or intervention, rather than natural (nonhuman) colonization or immigration.
- 18 (11) "Live Foodfish" means any fish or marine invertebrate legally acquired and held in aquaria or
19 packaged live and sold in the wholesale or retail trade for human consumption, except game fish, state or
20 federally protected threatened and endangered species and those species listed as Prohibited or
21 Controlled.
- 22 (12) "Marine invertebrate" means any marine invertebrate species commonly sold in the wholesale or
23 retail trade for human consumption, or commonly found in the ornamental aquarium trade.
- 24 (13) "Native" means species, subspecies or populations which occur currently or historically in Oregon
25 through natural (i.e. nonhuman) colonization or immigration, rather than by human action or intervention.
- 26 (14) "Nonnative" means a wildlife species not native to Oregon; foreign or introduced.
- 27 (15) "Noncontrolled Species" means wildlife that the commission has placed on the Noncontrolled list.
- 28 (16) "Prohibited Species" means wildlife that the commission has placed on the Prohibited list.
- 29 (17) "Species" means a unit of classification of animals which are capable of interbreeding and producing
30 fertile offspring.
- 31 (18) "Subspecies" means a unit of classification of animals within a species which show differences in
32 size, color or form as a result of being partially or completely reproductively isolated from other
33 populations of the species.

1 Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,
2 498.052, 498.222 & 498.242

3 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
4 498.029, 498.052, 498.222 & 498.242

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6 **635-056-0020**

7 **Animals Exempt from These Rules**

8 Pursuant to the definition of "wildlife," the following species are not subject to these rules because they
9 are not "wild": SPECIES -- SCIENTIFIC NAME

10 (1) Alpaca, **Guanaco, Llama** -- *Lama glama* [pæəs].

11 (2) Ass, Burro, Donkey -- *Equus asinus*.

12 (3) Bison -- *Bison bison*.

13 (4) Camel -- *Camelus bactrianus* and *C. dromedarius*.

14 (5) Cat (all domestic breeds) -- *Felis catus*.

15 (6) Cattle and Yak -- *Bos species*.

16 (7) Chinchilla -- *Chinchilla laniger*.

17 (8) Dog (all domestic breeds) -- *Canis familiaris*.

18 (9) European Rabbit -- *Oryctolagus cuniculus*.

19 (10) Ferret (**European polecat**) -- *Mustela putorius*.

20 (11) Gerbil (**Mongolian Jird**) -- *Meriones unguiculatus*.

21 (12) Goat -- *Capra hircus*.

22 [~~(13) Guanaco—Lama guanicoe.~~]

23 [~~(14)~~] **(13)** Guinea pig -- *Cavia porcellus*.

24 [~~(15)~~] **(14) Common** Hamster – *Cricetus cricetus* [~~Mesocricetus auratus~~].

25 [~~(16)~~] **(15)** Horse -- *Equus caballus*.

26 [~~(17) Llama—Lama glama.~~]

27 [~~(18)~~] **(16)** Mouse (House mouse) -- *Mus musculus*.

28 [~~(19)~~] **(17)** Mule and Hinny -- *Equus asinus* x *E. caballus*.

29 [~~(20)~~] **(18)** Rat -- *Rattus norvegicus* and *R. rattus*.

30 [~~(21)~~] **(19)** Sheep -- *Ovis aries* and hybrids of *O. aries* with *O. aires orientalis* [~~(musimon)~~], hybrids of
31 *O. aries* with *Ammotragus lervia*, and hybrids of *O. aries* with *Pseudois nayaur*.

32 [~~(22)~~] **(20)** Swine -- *Sus scrofa domestica* (includes pot-bellied pigs)

33 [~~(23)~~] **(21)** Vicuña -- *Vicugna vicugna*.

- 1 [~~24~~] **(22)** Cassowary -- *Casuarius species*.
 2 [~~25~~] **(23)** Chicken -- *Gallus gallus*.
 3 [~~26~~] **(24)** Ducks and Geese (morphologically distinct from wild waterfowl; except Egyptian geese and
 4 Mute swans).
 5 [~~27~~] **(25)** Emu -- *Dromaius novaehollandiae*.
 6 [~~28~~] **(26)** Guinea fowl -- *Numida meleagris*.
 7 [~~29~~] **(27)** Ostrich -- *Struthio camelus*.
 8 [~~30~~] **(28)** Parrots, Parakeets, Lories, and Cockatoos -- Psittaciforme (All species).
 9 [~~31~~] **(29)** Peafowl -- *Pavo cristatus*.
 10 [~~32~~] **(30)** Pigeon or Rock dove -- *Columba livia*.
 11 [~~33~~] **(31)** Rhea -- *Rhea americana* and *R. pennata*.
 12 [~~34~~] **(32)** Turkey (morphologically distinct from wild turkey) -- *Meleagris gallopavo*.
 13 Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,
 14 498.052, 498.222 & 498.242
 15 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
 16 498.029, 498.052, 498.222 & 498.242

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18 **635-056-0030**

19 **Exclusions**

20 The Oregon Department of Agriculture regulates the keeping of certain animals pursuant to ORS 609.305
 21 to 609.335. However, the commission does regulate the release, hunting and other activities not
 22 associated with the keeping of these animals, as provided in the commission's statutes and administrative
 23 rules.

24 Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,
 25 498.052, 498.222 & 498.242

26 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
 27 498.029, 498.052, 498.222 & 498.242

28 Hist.: FWC 69-1996, f. & cert. ef. 12-20-96

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30

Importation

31 **635-056-0040**

32 **Requirements for Importation and Possession of Live Wildlife**

1 For species, subspecies or hybrids listed as Prohibited or those species not yet classified, a permit will not
2 be issued allowing the importation and possession of live wildlife, except to American Zoo and
3 Aquarium Association (AZA) accredited facilities, colleges, universities and those facilities which can
4 demonstrate compliance with standards as provided in OAR 635-056-0050(2). For species, subspecies or
5 hybrids listed as Controlled, an importation permit may be required as set forth by the commission. For
6 species, subspecies or hybrids listed as Noncontrolled, no ODFW importation permit is required.
7 Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,
8 498.052, 498.222 & 498.242
9 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
10 498.029, 498.052, 498.222 & 498.242

11
12 **635-056-0050**

13 **Prohibited Species**

14 (1) Except as otherwise provided in these rules or other rules of the commission, live wildlife listed
15 below may not be imported, possessed, sold, purchased, exchanged or transported in the state:

16 (a) Prohibited Mammals: Common Name -- Family -- Genus/species:

17 (A) Order Didelphimorphia Virginia opossum -- Didelphidae -- *Didelphis virginiana*.

18 (B) Order Dasyuromorphia

19 (i) Broad-footed marsupial mice -- Dasyuridae -- *Antechinus* All species and hybrids;

20 (ii) Brush-tailed marsupial mice -- Dasyuridae -- *Phascogale* All species and hybrids;

21 (iii) **Dunnant** [~~Narrow-footed marsupial mice~~] -- Dasyuridae -- *Sminthopsis* All species and hybrids.

22 (C) Order Diprotodontia

23 (i) **Common brushtail** [~~Brush-tailed possum~~] -- Phalangeridae -- *Trichosurus vulpecula*;

24 (ii) **Common ringtail** [~~Ring-tailed possum~~] -- Pseudocheiridae -- *Pseudocheirus peregrinus*.

25 (D) Order **Cingulata** [~~Xenarthra~~] Nine-banded armadillo -- Dasypodidae -- *Dasypus novemcinctus*.

26 (E) Order **Erinaceomorpha** [~~Insectivora~~] Eurasian hedgehogs -- Erinaceidae -- *Erinaceus europaeus*, *E.*
27 *concolor*, *E. amurensis*.

28 (F) Order Chiroptera Bats -- All families except Pteropodidae -- All species and hybrids.

29 (G) Order Carnivora

30 (i) Wild canids -- Canidae -- All native species. However, fox (*Vulpes vulpes* and *Urocyon*

31 *cinereoargenteus*) are exempt from this prohibition if when part of a commercial fur farming operation
32 or for wildlife rehabilitation purposes by a licensed wildlife rehabilitator;

33 (ii) Mongooses -- *Herpestidae* -- All species and hybrids;

- 1 (iii) Civets and Genets -- *Viverridae* -- All species and hybrids (except *Arctictis binturong*).
- 2 (H) Order Artiodactyla
- 3 (i) Sheep, Goats, Chamois, Tahr -- *Bovidae* -- Subfamily *Caprinae*; All species and hybrids except:
- 4 (I) *Capra hircus*;
- 5 (II) *Ovis aries*;
- 6 (III) hybrids of *Ovis aries* with *O. a. orientalis* [~~musimon~~]; hybrids of *O. aries* with *Ammotragus lervia*;
- 7 and hybrids of *O. aries* with *Pseudois nayaur*;
- 8 (ii) Wildebeest -- *Bovidae* -- *Connochaetes* All species and hybrids;
- 9 (iii) Central Asian gazelles -- *Bovidae* -- *Procapra* All species and hybrids;
- 10 (iv) Wild boar -- *Suidae* -- *Sus scrofa* (except *Sus scrofa domesticus*).
- 11 (I) Order Rodentia
- 12 (i) **Argentine** Plains viscacha -- *Chinchillidae* -- *Lagostomus maximus*;
- 13 (ii) Chinese jumping mouse -- *Dipodidae* -- *Eozapus setchuanus*;
- 14 (iii) Desert jerboas -- *Dipodidae* -- *Jaculus* All species and hybrids;
- 15 (iv) Kangaroo rats -- *Heteromyidae* -- *Dipodomys* All nonnative species except *D. deserti* and *D.*
- 16 *spectabilis*;
- 17 (v) **Pale** kangaroo mouse -- *Heteromyidae* -- *Microdipodops pallidus*;
- 18 (vi) [~~Silky~~] Pocket mice -- *Heteromyidae* -- *Perognathus* All nonnative species and hybrids;
- 19 (vii) Capybara -- *Hydrochaeridae* -- *Hydrochaeris hydrochaeris*;
- 20 (viii) Old world porcupines -- *Hystricidae* -- *Hystrix africaeaustralis*, *H. cristata*, and *H. indica*;
- 21 (ix) Mouselike hamster -- *Muridae* -- *Calomyscus* All species and hybrids;
- 22 (x) Ratlike hamsters -- *Muridae* -- *Cricetulus* All species and hybrids;
- 23 (xi) [~~Black bellied hamster~~ -- *Muridae* -- *Cricetus ericetu*];
- 24 [~~(xii)~~] (xi) Bushy-tailed jird -- *Muridae* -- *Sekeetamys calurus*;
- 25 [~~(xiii)~~] (xii) Nutria (**Coypu**) -- *Myocastoridae* -- *Myocastor coypus*;
- 26 [~~(xiv)~~] (xiii) **Fat** [~~Edible~~] dormouse -- *Myoxidae* -- **Glis** [~~Myoxus~~] *glis*;
- 27 [~~(xv)~~] (xiv) **Hazel** [~~Common~~] dormouse -- *Myoxidae* -- *Muscardinus avellanarius*;
- 28 [~~(xvi)~~] (xv) Antelope ground squirrels -- *Sciuridae* -- *Ammospermophilus* All nonnative species and
- 29 hybrids except *A. harrisii*;
- 30 [~~(xvii)~~] (xvi) Tricolored squirrels -- *Sciuridae* -- *Callosciurus* All species and hybrids except *C. prevostii*;
- 31 [~~(xviii)~~] (xvii) Prairie dogs -- *Sciuridae* -- *Cynomys* All species and hybrids;
- 32 [~~(xix)~~] (xviii) Southern flying squirrel -- *Sciuridae* -- *Glaucomys volans*;
- 33 [~~(xx)~~] (xix) Marmots -- *Sciuridae* -- *Marmota* All nonnative species and hybrids;

- 1 [~~(xxi)~~] **(xx)** Giant flying squirrel -- Sciuridae -- *Petaurista* All species and hybrids;
- 2 [~~(xxii)~~] **(xxi)** Eastern gray squirrel -- Sciuridae -- *Sciurus carolinensis*;
- 3 [~~(xxiii)~~] **(xxii)** **Eastern** Fox squirrel -- Sciuridae -- *Sciurus niger*;
- 4 [~~(xxiv)~~] **(xxiii)** **Eurasian** [~~European~~] red squirrel -- Sciuridae -- *Sciurus vulgaris*;
- 5 [~~(xxv)~~] **(xxiv)** Ground squirrels -- Sciuridae -- *Spermophilus* All nonnative species and hybrids except *S.*
- 6 *adocetus*, *S. annulatus*, *S. atricapillus*, *S. madrensis*, *S. mexicanus*, *S. mohavensis*, *S. perotensis*, and *S.*
- 7 *tereticaudus*;
- 8 [~~(xxvi)~~] **(xxv)** Chipmunks -- Sciuridae -- *Tamias* All nonnative species and hybrids.
- 9 [~~(xxvii)~~] **(xxvi)** African ground squirrels -- Sciuridae -- *Xerus* All species and hybrids;
- 10 (J) Order Lagomorpha
- 11 (i) Hares and Jackrabbits -- Leporidae -- *Lepus* All nonnative species and hybrids;
- 12 (ii) Cottontails -- Leporidae -- *Sylvilagus* All nonnative species and hybrids.
- 13 (b) Prohibited Birds: Common Name -- Family -- Genus/species:
- 14 (A) Order Anseriformes Egyptian Goose -- Anatidae -- *Alopochen aegyptiaca* [~~aegyptiacus~~].
- 15 (B) Order Charadriiformes Spotted thick-knee -- Burhinidae -- *Burhinus capensis*.
- 16 (C) Order Coraciiformes
- 17 (i) Malachite kingfisher -- Alcedinidae -- *Alcedo cristata*;
- 18 (ii) Laughing kookaburra -- Alcedinidae -- *Dacelo novaeguineae*.
- 19 (D) Order Passeriformes
- 20 (i) Yellowhammer -- Emberizidae -- *Emberiza citrinella*;
- 21 (ii) European greenfinch -- Fringillidae -- *Carduelis chloris*;
- 22 (iii) Chaffinch -- Fringillidae -- *Fringilla coelops*.
- 23 ~~{(e) Prohibited Fish: Common Name -- Family -- Genus/species: }~~
- 24 ~~{(A) Order Amiiformes Bowfin -- Amiidae -- *Amia calva*. }~~
- 25 ~~{(B) Order Cypriniformes }~~
- 26 ~~{(i) Piranha or Caribe -- Characidae subfamily Serrasalminae -- All species and hybrids except~~
- 27 ~~*Serrasalmus*, *Pygocentrus* and *Pristobrycon* pursuant to ORS 498.242 [and OAR 635-011-0160(2)]~~
- 28 ~~{(ii) Walking catfish (ORS 498.242) -- Clariidae -- All species and hybrids;}~~
- 29 ~~{(iii) Oriental weatherfish -- Cobitidae -- *Misgurnus anguillicaudatus*; }~~
- 30 ~~{(iv) Ide -- Cyprinidae -- *Leuciscus idus*;}~~
- 31 ~~{(v) Rudd -- Cyprinidae -- *Scardinius erythrophthalmus*.}~~
- 32 ~~{(C) Order Lepisosteiformes}~~
- 33 ~~{(i) Gar -- Lepisosteidae -- All species and hybrids.}~~

- 1 ~~[(D) Order Perciformes]~~
- 2 ~~[(i) Snakehead—Channidae—*Channa* All species and hybrids;]~~
- 3 ~~[(ii) Round Goby—Gobiidae—*Neogobius melanostomus*;]~~
- 4 ~~[(iii) Ruffe—Percidae—*Gymnocephalus cernuus*;]~~
- 5 ~~[(iv) Zander or Pike perch—Percidae—*Sander lucioperca*.]~~
- 6 ~~[(E) Order Salmoniformes Pikes, Pickerel, Esocidae—All species and hybrids.]~~
- 7 ~~[(d)]~~ **(c)** Prohibited Amphibians: Common Name -- Family -- Genus/species:
- 8 (A) Order Caudata
- 9 (i) Tiger salamander -- Ambystomatidae -- *Ambystoma tigrinum* All nonnative sub-species;
- 10 (ii) Amphiumas -- Amphiumidae -- All species and hybrids;
- 11 (iii) Giant salamanders and Hellbenders -- Cryptobranchidae -- All species and hybrids;
- 12 (iv) American giant salamanders -- Dicamptodontidae -- All nonnative species and hybrids;
- 13 (v) Asian salamanders -- Hynobiidae -- *Ranodon* All species and hybrids;
- 14 (vi) Shovel-nosed salamander -- Plethodontidae -- *Leurognathus marmoratus*;
- 15 (vii) Waterdogs -- Proteidae -- *Necturus* All species and hybrids;
- 16 (viii) Firebelly newts -- Salamandridae -- *Cynops* All species and hybrids;
- 17 (ix) **European Mountain or** Brook salamanders -- Salamandridae -- *Euproctus* All species and hybrids;
- 18 (x) **Caucasus or** Spine-tailed salamanders -- Salamandridae -- *Mertensiella* All species and hybrids;
- 19 (xi) **Red-spotted or** Eastern newt -- Salamandridae -- *Notophthalmus viridescens*;
- 20 (xii) Chinese ~~[ersted]~~ newts -- Salamandridae -- *Pachytriton* All species and hybrids;
- 21 (xiii) Warty newts -- Salamandridae -- *Paramesotriton* All species and hybrids;
- 22 (xiv) Ribbed newts -- Salamandridae -- *Pleurodeles* All species and hybrids;
- 23 (xv) Fire salamanders -- Salamandridae -- *Salamandra* All species and hybrids;
- 24 (xvi) Roughskin newts -- Salamandridae -- *Taricha rivularis* and *T. torosa*;
- 25 (xvii) Alpine newts -- Salamandridae -- *Triturus* All species and hybrids;
- 26 (xviii) Crocodile newts -- Salamandridae -- *Tylotriton* All species and hybrids;
- 27 (xix) Sirens -- Sirenidae -- All species and hybrids.
- 28 (B) Order Anura
- 29 (i) Fire-bellied toads -- Bombinatoridae -- *Bombina* All species and hybrids;
- 30 (ii) True toads -- Bufonidae -- *Bufo* All nonnative species and hybrids except *Bufo marinus*;
- 31 (iii) Midwife toads -- Discoglossidae -- *Alytes* All species and hybrids;
- 32 (iv) Painted frogs -- Discoglossidae -- *Discoglossus* All species and hybrids;
- 33 (v) Cricket frog -- Hylidae -- *Acris* All species and hybrids;

- 1 (vi) European tree frog -- Hylidae -- *Hyla arborea*;
- 2 (vii) Cope's gray tree frog -- Hylidae -- *Hyla chrysoscelis*;
- 3 (viii) Green tree frog -- Hylidae -- *Hyla cinerea*;
- 4 (ix) Mediterranean tree frog -- Hylidae -- *Hyla meridionalis*;
- 5 (x) Gray tree frog -- Hylidae -- *Hyla versicolor*;
- 6 (xi) Chorus frog -- Hylidae -- Pseudacris All nonnative species and hybrids;
- 7 (xii) Australian froglets -- Myobatrachidae -- Crinia All species and hybrids;
- 8 (xiii) Australian swamp frogs — Myobatrachidae — *Limnodynastes* All species and hybrids;
- 9 (xiv) Barred frogs -- Myobatrachidae -- *Mixophyes* All species and hybrids;
- 10 (xv) Spadefoot toads -- Pelobatidae -- All nonnative species and hybrids;
- 11 (xvi) African clawed frog -- Pipidae -- *Xenopus* All species and hybrids;
- 12 (xvii) African bull frog -- Ranidae -- *Pyxicephalus* All species and hybrids;
- 13 (xviii) Siberian frog -- Ranidae -- *Rana altaica*;
- 14 (xix) Khabarovsk frog -- Ranidae -- *Rana amurensis*;
- 15 (xx) Crawfish frog -- Ranidae -- *Rana areolata*;
- 16 (xxi) Swedish swamp frog -- Ranidae -- *Rana arvalis*;
- 17 (xxii) Asian frog -- Ranidae -- *Rana asiatica*;
- 18 (xxiii) Rio Grande leopard frog -- Ranidae -- *Rana berlandieri*;
- 19 (xxiv) Plains leopard frog -- Ranidae -- *Rana blairi*;
- 20 (xxv) Caucasus frog -- Ranidae -- *Rana camerani*;
- 21 (xxvi) Inkiapo frog -- Ranidae -- *Rana chensinensis*;
- 22 (xxvii) Toudaohe frog -- Ranidae -- *Rana chevronta*;
- 23 (xxviii) Green frog -- Ranidae -- *Rana clamitans*;
- 24 (xxix) Spring frog -- Ranidae -- *Rana dalmatina*;
- 25 (xxx) Dybowski's frog -- Ranidae -- *Rana dybowskii*;
- 26 (xxxii) Stream frog -- Ranidae -- *Rana graeca*;
- 27 (xxxiii) Pig frog -- Ranidae -- *Rana grylio*;
- 28 (xxxiiii) River frog -- Ranidae -- *Rana heckscheri*;
- 29 (xxxv) Turkish frog -- Ranidae -- *Rana holtzi*;
- 30 (xxxvi) Iberian frog -- Ranidae -- *Rana iberica*;
- 31 (xxxvii) Agile frog -- Ranidae -- *Rana japonica*;
- 32 (xxxviii) Italian agile frog -- Ranidae -- *Rana latastei*;
- 33 (xxxix) **Kokarit or** Taipa frog -- Ranidae -- *Rana longicrus*;

- 1 (xxxix) Brusa frog -- Ranidae -- *Rana macrocnemis*;
- 2 (xl) Nikko frog -- Ranidae -- *Rana ornativentris*;
- 3 (xli) Pickeral frog -- Ranidae -- *Rana palustris*;
- 4 (xlii) Mink frog -- Ranidae -- *Rana septentrionalis*;
- 5 (xliii) Wood frog -- Ranidae -- *Rana sylvatica*;
- 6 (xliv) Tago frog -- Ranidae -- *Rana tagoe*;
- 7 (xlv) European common frog -- Ranidae -- *Rana temporaria*;
- 8 (xlvi) Tsushima frog -- Ranidae -- *Rana tsushimensis*;
- 9 (xlvi) Carpenter frog -- Ranidae -- *Rana virgatipes*.
- 10 ~~(e)~~ **(d)** Prohibited Reptiles: Common Name -- Family -- Genus/species:
- 11 (A) Order Testudines
- 12 (i) Snapping turtle -- Chelydridae -- All species and hybrids;
- 13 (ii) Chinese pond turtle -- Emydidae -- *Chinemys* All species and hybrids;
- 14 (iii) Pond turtle -- Emydidae -- *Clemmys* All nonnative species;
- 15 (iv) Painted turtle -- Emydidae -- *Chrysemys* All nonnative sub-species;
- 16 (v) European pond turtle -- Emydidae -- *Emys orbicularis*;
- 17 (vi) Blanding's turtle -- Emydidae -- *Emydoidea blandingii*;
- 18 (vii) Map turtle -- Emydidae -- *Graptemys* All species and hybrids;
- 19 (viii) Asian pond turtle -- Emydidae -- *Mauremys* All species and hybrids;
- 20 (ix) Pond slider -- Emydidae -- *Pseudemys* and *Trachemys* All species and hybrids;
- 21 (x) Common musk turtle -- Kinosternidae -- *Kinosternon odoratum*;
- 22 (xi) Common mud turtle -- Kinosternidae -- *Kinosternon subrubrum*;
- 23 (xii) North American soft shell -- Trionychidae -- *Apalone* All species and hybrids;
- 24 (xiii) African soft shell -- Trionychidae -- *Trionyx triunguis*.
- 25 (B) Order Squamata (*Suborder Lacertilia*)
- 26 (i) Slow worm -- Anguidae -- *Anguis fragilis*;
- 27 (ii) Sand lizard -- Lacertidae -- *Lacerta agilis*;
- 28 (iii) Jewelled Lizard -- Lacertidae -- *Lacerta lepida*;
- 29 (iv) Iberian Mountain Lizard -- Lacertidae -- *Lacerta monticola*;
- 30 (v) Meadow Lizard -- Lacertidae -- *Lacerta praticola*;
- 31 (vi) Iberian Emerald Lizard -- Lacertidae -- *Lacerta schreiberi*;
- 32 (vii) Balkan Emerald Lizard -- Lacertidae -- *Lacerta trilineata*;
- 33 (viii) Emerald Lizard -- Lacertidae -- *Lacerta viridis*;

- 1 (ix) Viviparous Lizard -- Lacertidae -- *Lacerta vivipara*;
- 2 (x) Erhard's Wall Lizard -- Lacertidae -- *Podarcis erhardi*;
- 3 (xi) Iberian Wall Lizard -- Lacertidae -- *Podarcis hispanica*;
- 4 (xii) Common Wall Lizard -- Lacertidae -- *Podarcis muralis*;
- 5 (xiii) Crocodile lizard -- Xenosauridae -- *Shinisaurus crocodilurus*.
- 6 (C) Order Squamata (*Suborder Serpentes*)
- 7 (i) Brown tree snake -- Colubridae -- *Boiga irregularis*;
- 8 (ii) Black-necked spitting cobra -- Elapidae -- *Naja nigricollis*;
- 9 (iii) Cape cobra -- Elapidae -- *Naja nivea*;
- 10 (iv) Copperheads and cottonmouths -- Viperidae -- *Agkistrodon* All species and hybrids;
- 11 (v) Puff adders -- Viperidae -- *Bitis* All species and hybrids except *Bitis gabonica* and *B. nasicornis*;
- 12 (vi) Lanceheads -- Viperidae -- *Bothrops* All species and hybrids;
- 13 (vii) Palm pit vipers -- Viperidae -- *Bothriechis* All species and hybrids;
- 14 (viii) Rattlesnakes -- Viperidae -- All nonnative species and hybrids except *Crotalus aquilus*, *C.*
- 15 *basiliscus*, *C. durissus*, *C. intermedius*, *C. polystictus*, *C. pusillus*, *C. tortugensis*, *C. triseriatus*, *C.*
- 16 *unicolor*, and *C. vegrandis*;
- 17 (ix) Mid-east vipers -- Viperidae -- *Daboia* All species and hybrids;
- 18 (x) Pygmy rattlesnake -- Viperidae -- *Sistrurus catenatus*;
- 19 (xi) Asian pit vipers -- Viperidae -- *Trimeresurus* All species and hybrids;
- 20 (xii) Wagler's palm viper -- Viperidae -- *Tropidolaemus wagleri*;
- 21 (xiii) Sand vipers -- Viperidae -- *Vipera* All species and hybrids.
- 22 ~~{(e)}~~ **(e) Prohibited Fish: Common Name -- Family -- Genus/species:**
- 23 **(A) Order Amiiformes Bowfin -- Amiidae -- *Amia calva*.**
- 24 **(B) Order Cypriniformes**
- 25 **(i) Piranha or Caribe -- Characidae subfamily Serrasalminae--~~All species and hybrids except~~**
- 26 **~~Serrasalmus, Pygocentrus and Pristobrycon pursuant to ORS 498.242 and OAR 635-011-~~**
- 27 **~~0160(2);~~ commonly known as caribe or piranha – All species and hybrids except carnivorous**
- 28 **species of Pygocentrus, Serrasalmus or Pristobrycon pursuant to ORS 498.242;**
- 29 **(ii) Walking catfish (ORS 498.242) -- Clariidae -- All species and hybrids;**
- 30 **(iii) Oriental weatherfish -- Cobitidae -- *Misgurnus anguillicaudatus*;**
- 31 **(iv) Ide -- Cyprinidae -- *Leuciscus idus*;**
- 32 **(v) Rudd -- Cyprinidae -- *Scardinius erythrophthalmus*.**
- 33 **(C) Order Lepisosteiformes**

- 1 **(i) Gar -- Lepisosteidae -- All species and hybrids.**
- 2 **(D) Order Perciformes**
- 3 **(i) Snakehead -- Channidae -- *Channa* All species and hybrids;**
- 4 **(ii) Round Goby -- Gobiidae -- *Neogobius melanostomus*;**
- 5 **(iii) Ruffe -- Percidae -- *Gymnocephalus cernuus*;**
- 6 **(iv) Zander or Pike-perch -- Percidae -- *Sander lucioperca*.**
- 7 **(E) Order Salmoniformes Pikes, Pickerel, Muskellunge -- Esocidae -- All species and hybrids.**
- 8 (f) Prohibited Mollusks Common Name -- Family -- Genus/species:
- 9 (A) Order Bivalvia
- 10 (i) Asian clam -- Corbiculidae -- All species;
- 11 (ii) Zebra mussel, **Quagga mussel** -- *Dreissenidae* -- All species.
- 12 (B) Order Neogastropoda Japanese oyster drill -- Muricidae -- *Ceratostoma inornatum*.
- 13 **(C) Order Architaenioglossa**
- 14 **(i). Chinese mystery snail -- Viviparidae -- *Cipangopaludina chinensis***
- 15 **(ii) Japanese mystery snail -- Viviparidae -- *Cipangopaludina japonica***
- 16 (g) Prohibited Crustaceans Common Name -- Family -- Genus/species:
- 17 (A) Order Decapoda
- 18 (i) Chinese mitten crab -- Grapsidae -- *Eriocheir* All species;
- 19 (ii) Blue crab -- Portunidae -- *Callinectes sapidus*;
- 20 (iii) Crayfish -- Cambaridae -- All species.
- 21 (2) The department may issue a permit for the importation, possession, sale, purchase, exchange or
- 22 intrastate transportation of prohibited species and those species not yet classified if the department finds
- 23 that the following standards have been met:
- 24 (a) The facility is constructed to minimize escape of prohibited species;
- 25 (b) There are adequate security and safety programs and procedures which minimize the possibility of
- 26 escape;
- 27 (c) There is adequate record keeping to aid in tracking of confined animals or recovery of escaped
- 28 animals;
- 29 (d) There are adequate procedures, equipment and trained staff to maximize capture of escaped animals;
- 30 (e) Adequate veterinary care is provided to identify and minimize the spread of diseases; and
- 31 (f) The applicant has a good reputation for care of animals and compliance with the wildlife laws.
- 32 (g) Using forms provided by the department, persons or entities may apply for a permit under subsection
- 33 (2) as follows:

1 (A) Facilities accredited by the American Zoo and Aquarium Association (AZA). Because the
2 department finds that the current AZA accreditation process holds these facilities to standards equivalent
3 to those in subsection (2), AZA accreditation shall be evidence that the department's standards for
4 importation, possession, sale, purchase, exchange or intrastate transportation of prohibited species are
5 met. To obtain a permit for these activities, AZA accredited facilities shall submit a completed
6 application form and proof of accreditation.

7 (B) Universities and colleges. To obtain a permit, universities and colleges shall submit:

8 (i) A completed application form;

9 (ii) A written description of escape avoidance procedures and facilities; and

10 (iii) Identification of the time period(s) during which prohibited species will be held.

11 (C) Others. To apply for a permit, persons and entities other than universities, colleges and AZA
12 accredited facilities shall submit:

13 (i) A completed application form; and

14 (ii) A completed Prohibited Species Questionnaire.

15 (h) Satisfactory facilities inspections may be required prior to issuance of any permit.

16 (3) The prohibitions imposed above regarding possession of Virginia opossum, nutria, Eastern gray
17 squirrel, fox squirrel, and Eastern cottontail rabbit do not apply to licensed wildlife rehabilitators
18 conducting wildlife rehabilitation in compliance with Department rules. Release of these species by
19 licensed wildlife rehabilitators shall occur at a location designated by the Department.

20 Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,
21 498.052, 498.222 & 498.242

22 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
23 498.029, 498.052, 498.222 & 498.242

24

25 **635-056-0060**

26 **Noncontrolled Species**

27 ~~[(1)]~~ Except as otherwise provided in these rules or other rules of the commission, wildlife listed below
28 may be imported, possessed, sold, purchased, exchanged or transported in the state without a permit:

29 ~~[(a)]~~ **(1)** Noncontrolled Mammals: Common Name -- Family -- Genus/species:

30 ~~[(A)]~~ **(a)** Order Monotremata: Echidnas -- Tachyglossidae -- All species.

31 ~~[(B)]~~ **(b)** Order Didelphimorphia: Short-tailed opossums -- **Didelphinae** [~~Marmosidae~~] -- *Monodelphis*
32 All species.

33 ~~[(C)]~~ **(c)** Order Dasyuromorphia: Numbat -- Myrmecobiidae -- *Myrmecobius fasciatus*.

- 1 [~~(D)~~] **(d)** Order Peramelemorphia:
- 2 [(+)] **(A)** Dry country bandicoots -- Peramelidae -- All species except *Isodon obesulus*, *Perameles*
- 3 *gunnii*, and *P. nasuta*;
- 4 [(+)] **(B)** Rainforest bandicoots -- **Peramelidae** [~~Peroryetidae~~] -- All species.
- 5 [~~(E)~~] **(e)** Order Diprotodontia:
- 6 [(+)] **(A)** Feathertail glider -- Acrobatidae -- *Acrobates pygmaeus*;
- 7 [(+)] **(B)** Kangaroos and wallabies -- Macropodidae -- All species;
- 8 [(+)] ~~(C)~~ **(C)** Striped possums -- Petauridae -- *Dactylopsila* All species;
- 9 [(+)] **(D)** Sugar glider -- Petauridae -- *Petaurus breviceps*;
- 10 [(+)] **(E)** Cuscuses -- Phalangeridae -- *Phalanger* All species;
- 11 [~~(F)~~] **(f)** Order **Pilosa** [~~Xenarthra~~]:
- 12 [(+)] **(A)** Three-toed tree sloths -- Bradypodidae -- All species;
- 13 [(+)] **(B)** Two-toed tree sloths -- Megalonychidae -- All species;
- 14 [(+)] ~~(C)~~ **(C)** Anteaters -- Myrmecophagidae -- All species.
- 15 [~~(G)~~] **(g)** Order **Erinaceomorpha** [~~Insectivora~~]: **Four-toed** [~~African pygmy~~] hedgehog -- Erinaceidae --
- 16 *Atelerix albiventris*.
- 17 [~~(H)~~] **(h)** Order Dermoptera: Flying lemurs or colugos -- Cynocephalidae -- All species.
- 18 [(+)] **(i)** Order Chiroptera: Old World fruit bats -- Pteropodidae -- All species.
- 19 [(+)] **(j)** Order Carnivora:
- 20 [(+)] **(A)** Aardwolf -- Hyaenidae -- *Proteles cristatus*;
- 21 **(B) Seals and sea lions -- Otariidae -- All nonnative species.**
- 22 [(+)] ~~(C)~~ **(C)** Red/Lesser Panda -- Procyonidae -- *Ailurus fulgens*;
- 23 [(+)] ~~(D)~~ **(D)** Olingos -- Procyonidae -- *Bassaricyon* All species;
- 24 [(+)] ~~(E)~~ **(E)** Coatimundis -- Procyonidae -- *Nasua* All species;
- 25 [~~(v)~~] **(F)** Kinkajou -- Procyonidae -- *Potos flavus*;
- 26 [~~(vi)~~] **(G)** Binturong -- Viverridae -- *Arctictis binturong*.
- 27 [~~(K)~~ Order Pinnipedia: Seals and sea lions — All families — All nonnative species.]
- 28 [~~(L)~~] **(k)** Order Cetacea: Whales and dolphins -- All families -- All species.
- 29 [~~(M)~~] **(l)** Order Sirenia: Manatees -- All families -- All species
- 30 [~~(N)~~] **(m)** Order Proboscidea: Elephants -- Elephantidae -- All species.
- 31 [~~(O)~~] **(n)** Order Perissodactyla:
- 32 [(+)] **(A)** Zebra and Asses-- Equidae -- *Equus* All species;
- 33 [(+)] **(B)** Rhinoceros -- Rhinocerotidae -- All species;

- 1 [(iii)] **(C)** Tapirs -- Tapiridae -- All species.
- 2 [(P)] **(o)** Order Hyracoidea: Hyraxes -- Procaviidae -- All species.
- 3 [(Q)] **(p)** Order Tubulidentata: Aardvark -- Orycteropodidae -- *Orycteropus afer*.
- 4 [(R)] **(q)** Order Artiodactyla:
- 5 [(i)] **(A)** Antelope and buffalo-- Bovidae -- All species except subfamily Caprinae and *Procapra* species;
- 6 [(ii)] **(B)** Giraffe and okapi -- Giraffidae -- All species;
- 7 [(iii)] **(C)** Pygmy hippopotamus -- Hippopotamidae -- *Hexaprotodon liberiensis*;
- 8 [(iv)] **(D)** Hippopotamus -- Hippopotamidae -- *Hippopotamus amphibius*;
- 9 [(v)] **(E)** Peccary -- Tayassuidae -- All species;
- 10 [(vi)] **(F)** Chevrotains -- Tragulidae -- All species.
- 11 [(S)] **(r)** Order Pholidota: Pangolins -- Manidae -- All species.
- 12 [(T)] **(s)** Order Rodentia:
- 13 [(i) ~~Paca~~ ~~Agoutidae~~ ~~Agouti paca~~;
- 14 [(ii)] **(A)** Scaly-tailed squirrels -- Anomaluridae -- All species;
- 15 [(iii)] **(B)** Hutias -- Capromyidae -- All species;
- 16 [(iv)] **(C) Mara** (Patagonian hare) -- Caviidae -- *Dolichotis* All species;
- 17 [(v)] **(D)** Mountain viscachas -- Chinchillidae -- *Lagidium* All species;
- 18 **(E) Dwarf hamsters -- Cricetidae [Muridae] -- Phodopus All species**
- 19 **(F) Paca -- Cuniculidae [Agoutidae] -- Cuniculus [Agouti] paca;**
- 20 [(vi)] **(G)** Agoutis -- Dasyproctidae -- *Dasyprocta* All species;
- 21 [(vii)] **(H)** Acouchis -- Dasyproctidae -- *Myoprocta* All species;
- 22 [(viii)] **(I)** Pacarana -- Dinomyidae -- *Dinomys branickii*;
- 23 [(ix)] **(J)** Prehensile-tailed Porcupines -- Erethizontidae -- *Coendou* All species;
- 24 [(x)] **(K)** Kangaroo Rats -- Heteromyidae -- *Dipodomys deserti* and *D. spectabilis*;
- 25 [(xi)] **(L)** Brush-tailed porcupines -- Hystricidae -- ***Atherusus* [~~Atherus~~]** All species;
- 26 [(xii)] **(M)** Old world porcupines -- Hystricidae -- *Hystrix* All species except *H. africae australis*, *H. cristata*, and *H. indica*;
- 27
- 28 [(xiii)] **(N)** Spiny mice -- Muridae -- *Acomys* All species;
- 29 [(xiv)] **(O) Crateromys** (Bushy tailed cloud rats) -- Muridae -- *Crateromys* All species;
- 30 [(xv)] **(P)** African giant pouched rats -- Muridae -- *Cricetomys* All species;
- 31 [(xvi)] **(Q) African** White-tailed rat -- Muridae -- *Mystromys albicaudatus*;
- 32 [(xvii)] **(R) Phloeomys** (Slender tailed rats) -- Muridae -- *Phloeomys* All species;
- 33 [(xviii)] **(R) Dwarf hamsters -- Cricetidae [Muridae] -- Phodopus All species;**

- 1 [~~(xix)~~] **(S)** Degus -- Octodontidae -- *Octodon* All species;
- 2 [~~(xx)~~] **(T) South African** Springhare -- Pedetidae -- *Pedetes capensis*;
- 3 [~~(xxi)~~] **(U)** Prevost's squirrel -- Sciuridae -- *Callosciurus prevostii*;
- 4 [~~(xxii)~~] **(V)** African palm squirrels -- Sciuridae -- *Epixerus* All species;
- 5 [~~(xxiii)~~] **(W)** Pygmy flying squirrels -- Sciuridae -- *Petaurillus* All species;
- 6 [~~(xxiv)~~] **(X)** Oil palm squirrels -- Sciuridae -- *Protoxerus* All species;
- 7 [~~(xxv)~~] **(Y)** Giant squirrels -- Sciuridae -- *Ratufa* All species.
- 8 **(b)** **(2)** Noncontrolled Birds: Nothing in this subsection authorizes the importation, possession, sale,
9 confinement or transportation of birds protected by the federal Migratory Bird Treaty Act: Common
10 Name -- Family -- Genus/species:
- 11 [~~(A)~~] **(a)** Order Tinamiformes: Tinamous -- Tinamidae -- All species.
- 12 [~~(B)~~] **(b)** Order Sphenisciformes: Penguins -- Spheniscidae -- All species.
- 13 [~~(C)~~] **(c)** Order Galliformes
- 14 **(i)** **(A)** Curassows, guans, and chacalacas -- Cracidae -- All species except *Chamaepetes goudotii*,
15 *Penelope montagnii*, and *P. superciliaris*.
- 16 **(ii)** **(B)** Megapodes -- Megapodiidae -- All species.
- 17 [~~(D)~~] **(d)** Order Gruiformes:
- 18 **(i)** **(A)** Trumpeters -- Psophiidae -- All species.
- 19 **(ii)** **(B)** Buttonquails and hemipodes -- Turnicidae -- All species.
- 20 [~~(E)~~] **(e)** Order Charadriiformes:
- 21 **(i)** **(A)** Senegal thick-knee -- Burhinidae -- *Burhinus senegalensis*;
- 22 **(ii)** **(B)** Water thick-knee -- Burhinidae -- *Burhinus vermiculatus*.
- 23 [~~(F)~~] **(f)** Order Coliiformes: Mousebirds and Collies -- Coliidae -- All species.
- 24 [~~(G)~~] **(g)** Order **Cuculiformes** [~~Musophagiformes~~]: Turacos, plaintain eaters and go-away birds --
25 Musophagidae -- All species:
- 26 [~~(H)~~ Order Cuculiformes]
- 27 **(i)** **(A) White browed** [~~Burchell's~~] coucal-- Centropodidae -- *Centropus supercilius* *burchelli*;
- 28 **(ii)** **(B)** Pheasant coucal -- Centropodidae -- *Centropus phasianinus*;
- 29 **(iii)** **(C)** Senegal coucal -- Centropodidae -- *Centropus senegalensis*;
- 30 **(iv)** **(D)** Greater coucal -- Centropodidae -- *Centropus sinensis*.
- 31 [~~(I)~~]**(h)** Order Trogoniformes: Trogons -- Trogonidae -- All species;
- 32 [~~(J)~~] **(i)** Order Coraciiformes:
- 33 **(i)** **(A)** Blue-winged kookaburra -- Alcedinidae -- *Dacelo leachii*;

- 1 [(ii)] **(B)** Woodland kingfisher -- Alcedinidae -- *Halcyon senegalensis*;
- 2 [(iii)] **(C)** African pygmy kingfisher -- Alcedinidae -- *Ispidina picta*;
- 3 [(iv)] **(D)** Hornbills -- Bucerotidae -- All species;
- 4 [(v)] **(E)** Rollers -- Coraciidae -- All species;
- 5 [(vi)] **(F)** Bee-eaters -- Meropidae -- All species except *Merops apiaster*, *M. oreobates*, *M. pusillus*, and
- 6 *Nyctyornis athertoni*;
- 7 [(vii)] **(G)** Motmots -- Momotidae -- All species.
- 8 [~~(K)~~] **(j)** Order Piciformes:
- 9 [(i)] **(A)** Barbets -- Capitonidae -- All species;
- 10 [(ii)] **(B)** Toucans -- Ramphastidae -- All species;
- 11 [~~(L)~~] **(k)** Order Passeriformes:
- 12 **(A) Orange-breasted bunting [~~erested cardinal~~] -- Cardinalidae [~~Emberizidae~~] -- *Passerina***
- 13 ***leclancherii***;
- 14 [(i)] **(B)** Cotingas -- Cotingidae -- All species;
- 15 [(ii)] **(C)** Red-crested finch -- Emberizidae -- *Coryphospingus cucullatus* [~~eucullatus~~];
- 16 [(iii)] **(D)** Pileated finch -- Emberizidae -- *Coryphospingus pileatus*;
- 17 [(iv)] **(E)** Yellow-breasted bunting -- Emberizidae -- *Emberiza aureola*;
- 18 [(v)] **(F)** Golden-breasted bunting -- Emberizidae -- *Emberiza flaviventris*;
- 19 [(vi)] **(G)** Cinnamon-breasted bunting -- Emberizidae -- *Emberiza tahapisi* [~~tahapsi~~];
- 20 [(vii)] **(H)** Yellow cardinal -- Emberizidae -- *Gubernatrix cristata*;
- 21 [(viii)] **(I)** Black-crested finch -- Emberizidae -- *Lophospingus pusillus*
- 22 [(ix)] **(J)** Crested bunting -- Emberizidae -- *Melophus lathami*;
- 23 [(x)] **(K)** Yellow-billed cardinal -- Emberizidae -- *Paroaria capitata*;
- 24 [(xi)] **(L)** Red-crested cardinal -- Emberizidae -- *Paroaria coronata*;
- 25 [(xii) ~~Orange-crested cardinal -- Emberizidae -- *Passerina leclancherii*;~~]
- 26 [(xiii)] **(M)** [~~Cinereous~~] **Black-capped** warbling finch -- Emberizidae -- *Poospiza melanoleuca*;
- 27 [(xiv)] **(N)** Saffron finch -- Emberizidae -- *Sicalis flaveola*;
- 28 [(xv)] **(O)** Double-collared seedeater -- Emberizidae -- *Sporophila caerulescens*;
- 29 [(xvi)] **(P)** Rusty-collared seedeater -- Emberizidae -- *Sporophila collaris*;
- 30 [(xvii)] **(Q)** Parrot-billed seedeater -- Emberizidae -- *Sporophila peruviana*;
- 31 [(xviii)] **(R)** Slate-colored seedeater -- Emberizidae -- *Sporophila schistacea*;
- 32 [(xix)] **(S)** Swallow tanager -- Emberizidae -- *Tersina viridis*;
- 33 [(xx)] **(T) Cuban [~~Melodius~~] grassquit -- Emberizidae -- *Tiaris canorus* [~~canora~~];**

- 1 [(xxi)] **(U)** Blue-back grassquit -- Emberizidae -- *Volatinia* [~~*Volatina*~~] *jacarina*;
- 2 [(xxii)] **(V)** Waxbills, mannikins, munias -- Estrilididae -- All species;
- 3 [(xxiii)] **(W)** Broadbills -- Eurylaimidae -- All species;
- 4 [(xxiv)] **(X)** Black siskin -- Fringillidae -- *Carduelis atrata*;
- 5 [(xxv)] **(Y)** Linnet -- Fringillidae -- *Carduelis cannabina*;
- 6 [(xxvi)] **(Z)** European goldfinch -- Fringillidae -- *Carduelis carduelis*;
- 7 [(xxvii)] **(AA)** Red siskin -- Fringillidae -- *Carduelis cucullata*;
- 8 [(xxviii)] **(BB)** Hooded siskin -- Fringillidae -- *Carduelis magellanica*;
- 9 [(xxix)] **(CC)** Yellow--breasted greenfinch -- Fringillidae -- *Carduelis spinoides*;
- 10 [(xxx)] **(DD)** European siskin -- Fringillidae -- *Carduelis spinus*;
- 11 [(xxxi)] **(EE)** Yellow-rumped siskin -- Fringillidae -- *Carduelis uropygialis*;
- 12 [(xxxii)] **(FF)** Yellow-bellied siskin -- Fringillidae -- *Carduelis xanthogastra* [~~*xanthogaster*~~];
- 13 [(xxxiii)] **(GG)** Yellow-billed grosbeak -- Fringillidae -- *Eophona migratoria* [~~*migratorius*~~];
- 14 [(xxxiv)] **(HH)** Japanese grosbeak -- Fringillidae -- *Eophona personata*;
- 15 [(xxxv)] **(II)** Oriole finch -- Fringillidae -- *Linurgus olivaceus*;
- 16 [(xxxvi)] **(JJ)** Brown bullfinch -- Fringillidae -- *Pyrrhula nipalensis*;
- 17 [(xxxvii)] **(KK) Eurasian bullfinch** [~~*Bullfinch*~~] -- Fringillidae -- *Pyrrhula pyrrhula*;
- 18 [(xxxviii)] **(LL)** Black-throated island canary [~~*singing finch*~~] -- Fringillidae -- *Serinus atrogularis*;
- 19 [(xxxix)] **(MM) Island** canary -- Fringillidae -- *Serinus canaria*;
- 20 [(xl)] **(NN)** Yellow crowned canary -- Fringillidae -- *Serinus flaviventris*;
- 21 [(xli)] **(OO) White-rumped seedeater** [~~*Gray singing finch*~~] -- Fringillidae -- *Serinus leucopygius*;
- 22 [(xlii)] **(PP)** Yellow-fronted canary -- Fringillidae -- *Serinus mozambicus*;
- 23 [(xliii)] **(OQ) European serin** [~~*Serin*~~] -- Fringillidae -- *Serinus serinus*;
- 24 [(xliv)] **(RR)** Long-tailed rosefinch -- Fringillidae -- *Uragus sibiricus*;
- 25 [(xlv)] **(SS) Troupials and Allies** [~~*Icterids*~~] -- Icteridae -- All nonnative species;
- 26 [(xlvi)] **(TT)** Leafbirds and fairy bluebirds -- Irenidae -- All species;
- 27 [(xlvii)] **(UU)** Honeyeaters -- Meliphagidae -- All species;
- 28 [(xlviii)] **(VV) Old World Flycatchers** [~~*Shamas*~~] -- Muscicapidae -- *Copsychus* All species;
- 29 [(xlix)] **(WW)** Sunbirds -- Nectariniidae -- All species;
- 30 [(l)] **(XX) Sudan** [~~*Golden*~~] sparrow -- Passeridae -- *Passer luteus*;
- 31 [(li)] **(YY)** Red-headed weaver -- Ploceidae -- *Anaplectes rubriceps*;
- 32 [(lii)] **(ZZ)** Yellow-crowned bishop -- Ploceidae -- *Euplectes afer*;
- 33 [(liii)] **(AAA)** Red-collared widowbird -- Ploceidae -- *Euplectes ardens*;

- 1 [(4iv)] (**BBB**) Black-winged [~~red~~] bishop -- Ploceidae -- *Euplectes hordeaceus*;
- 2 [(4v)] (**CCC**) Jackson's **widowbird** [~~Whydah~~] -- Ploceidae -- *Euplectes jacksoni*;
- 3 [(4vi)] (**DDD**) Yellow-**shouldered** [~~mantled~~] **widowbird** -- Ploceidae -- *Euplectes macrourus*;
- 4 [(4vii)] (**EEE**) Red bishop -- Ploceidae -- *Euplectes orix*;
- 5 [(4viii)] (**FFF**) Long-tailed **widowbird** -- Ploceidae -- *Euplectes progne*;
- 6 [(4ix)] (**GGG**) Red fody -- Ploceidae -- *Foudia madagascariensis*;
- 7 [(4x)] (**HHH**) Orange weaver -- Ploceidae -- *Ploceus aurantius*;
- 8 [(4xi)] (**III**) **Village** [~~Black-headed~~] weaver -- Ploceidae -- *Ploceus cucullatus*;
- 9 [(4xii)] (**JJJ**) **Lesser masked** weaver -- Ploceidae -- *Ploceus intermedius*;
- 10 [(4xiii)] (**KKK**) Little weaver -- Ploceidae -- *Ploceus luteolus*;
- 11 [(4xiv)] (**LLL**) Baya weaver -- Ploceidae -- *Ploceus philippinus*;
- 12 [(4xv)] (**MMM**) Vitelline-**masked** weaver -- Ploceidae -- *Ploceus vitellinus*;
- 13 [(4xvi)] (**NNN**) Speckle-fronted weaver -- Ploceidae -- *Sporopipes frontalis*;
- 14 [(4xvii)] (**OOO**) Scaly weaver -- Ploceidae -- *Sporopipes squamifrons*;
- 15 [(4xviii)] (**PPP**) Sugarbirds -- Promeropidae -- All species;
- 16 [(4xix)] (**QQQ**) Golden-crested myna -- Sturnidae -- *Ampeliceps coronatus*;
- 17 [(4xx)] (**RRR**) Violet-backed starling -- Sturnidae -- *Cinnyricinclus leucogaster*;
- 18 [(4xxi)] (**SSS**) [~~Iris-glossy starling~~] **Emerald starling** -- Sturnidae -- [~~Coccyzeolius~~] ***Lamprotornis iris***;
- 19 [(4xxii)] (**TTT**) Golden-breasted starling -- Sturnidae -- ***Lamprotornis*** [~~Cosmopsarus~~] *regius*;
- 20 [(4xxiii)] (**UUU**) **Common** hill myna -- Sturnidae -- *Gracula religiosa*;
- 21 [(4xxiv)] (**VVV**) Long-tailed glossy-starling -- Sturnidae -- *Lamprotornis caudatus*;
- 22 [(4xxv)] (**WWW**) Bronze-tailed glossy-starling -- Sturnidae -- *Lamprotornis chalcurus*;
- 23 [(4xxvi)] (**XXX**) Greater blue-eared glossy-starling -- Sturnidae -- *Lamprotornis chalybaeus*;
- 24 [(4xxvii)] (**YYY**) Lesser blue-eared glossy-starling -- Sturnidae -- *Lamprotornis chloropterus*;
- 25 [(4xxviii)] (**ZZZ**) Hildebrandt's starling -- Sturnidae -- *Lamprotornis hildebrandti*;
- 26 [(4xxix)] (**AAAA**) Chestnut-bellied starling -- Sturnidae -- *Lamprotornis pulcher*;
- 27 [(4xxx)] (**BBBB**) Purple-headed glossy-starling -- Sturnidae -- *Lamprotornis purpureiceps*;
- 28 [(4xxxi)] (**CCCC**) Purple glossy-starling -- Sturnidae -- *Lamprotornis purpureus*;
- 29 [(4xxxii)] (**DDDD**) Rueppell's glossy-starling -- Sturnidae -- *Lamprotornis **purpuroptera*** [~~purpuropterus~~];
- 30 [(4xxxiii)] (**EEEE**) Splendid glossy-starling -- Sturnidae -- *Lamprotornis splendidus*;
- 31 [(4xxxiv)] (**FFFF**) Superb starling -- Sturnidae -- *Lamprotornis superbus*;
- 32 [(4xxxv)] (**GGGG**) Bali myna -- Sturnidae -- *Leucopsar rothschildi*;
- 33 [(4xxxvi)] (**HHHH**) Golden myna -- Sturnidae -- *Mino anais*;

- 1 [~~(Ixxvii)~~] **(III)** Yellow-faced myna -- Sturnidae -- *Mino dumontii*;
- 2 [~~(Ixxxiii)~~] **(JJJJ)** Tanagers **and Allies** -- Thraupidae [~~Clements 1981~~] -- All nonnative species;
- 3 [~~(Ixxxix)~~] **(KKKK)** Babblers -- Timaliidae -- All species;
- 4 [~~(xe)~~] **(LLLL)** White-eyes -- Zosteropidae -- All species;
- 5 ~~(e) Noncontrolled Fish: Common Name — Family — Genus/species: Aquaria fish and Live Foodfish —~~
- 6 ~~All species.~~
- 7 [~~(d)~~] **(3)** Noncontrolled Amphibians: Common Name -- Family -- Genus/species:
- 8 [~~(A)~~] **(a)** Order Caudata:
- 9 [(i)] **(A)** Axolotl -- Ambystomatidae -- *Ambystoma mexicanum*;
- 10 [(ii)] **(B)** Gold-striped salamander -- Salamandridae -- *Chioglossa lusitanica*;
- 11 [(iii)] **(C)** Black-spotted and striped newts -- Salamandridae -- *Notophthalmus meridionalis* and *N.*
- 12 *perstriatus*;
- 13 [(iv)] **(D)** Spectacled salamander -- Salamandridae -- *Salamandrina terdigitata*;
- 14 [~~(B)~~] **(b)** Order Gymnophiona: Caecilians -- All species.
- 15 [(C)] **(c)** Order Anura:
- 16 [(i)] **(A)** Allophrynid tree frog -- Allophrynidae -- *Allophryne* All species;
- 17 [(ii)] **(B)** Hairy frogs -- Arthroleptidae -- *Trichobatrachus* All species;
- 18 [(iii)] **(C)** Cane toad -- Bufonidae -- *Bufo marinus*;
- 19 [(iv)] **(D)** African tree toads -- Bufonidae -- *Nectophryne* All species;
- 20 [(v)] **(E)** Live-bearing toads -- Bufonidae -- *Nectophrynoides* All species;
- 21 [(vi)] **(F)** Glass frogs -- Centrolenidae -- All species;
- 22 [(vii)] **(G)** Poison arrow frogs -- Dendrobatidae -- All species;
- 23 [(viii)] **(H)** Ghost frogs -- Heleophrynidae -- *Heleophryne* All species;
- 24 [(ix)] **(I)** Shovel-nosed frogs -- Hemisotidae -- *Hemisus* All species;
- 25 [~~(x)~~] **(J)** Leaf frogs -- Hylidae -- *Agalychnis* All species;
- 26 [~~(xi)~~] **(K)** Casque-headed frogs -- Hylidae -- *Aparashpenodon* All species;
- 27 [~~(xii)~~] **(L)** Water-holding frogs -- Hylidae -- *Cyclorana* All species;
- 28 [~~(xiii)~~] **(M)** Marsupial frogs -- Hylidae -- *Gastrotheca* All species;
- 29 [~~(xiv)~~] **(N)** Australian giant tree frogs -- Hylidae -- *Litoria chlorus* and *L. infrafrenata*;
- 30 [~~(xv)~~] **(O)** Slender-legged tree frogs -- Hylidae -- *Osteocephalus* All species;
- 31 [~~(xvi)~~] **(P)** Cuban tree frogs -- Hylidae -- *Osteopilus* All species;
- 32 [~~(xvii)~~] **(Q)** White's tree frog -- Hylidae -- *Pelodryas caerulea*;
- 33 [~~(xviii)~~] **(R)** Golden-eyed tree frogs -- Hylidae -- *Phrynohyas* All species;

- 1 [~~(xix)~~] **(S)** Monkey frogs -- Hylidae -- *Phyllomedusa* All species;
- 2 [~~(xx)~~] **(T)** Burrowing frogs -- Hylidae -- *Pternohyla* All species;
- 3 [~~(xxi)~~] **(U)** Casque-headed tree frogs -- Hylidae -- *Trachycephalus* All species;
- 4 [~~(xxii)~~] **(V)** Shovel-headed tree frogs -- Hylidae -- *Triprrion* All species;
- 5 [~~(xxiii)~~] **(W)** Banana frogs -- Hyperoliidae -- *Africalas* All species;
- 6 [~~(xxiv)~~] **(X)** Reed frogs -- Hyperoliidae -- *Hyperolius* All species;
- 7 [~~(xxv)~~] **(Y)** Running frogs -- Hyperoliidae -- *Kassina* All species;
- 8 [~~(xxvi)~~] **(Z)** Forest tree frogs -- Hyperoliidae -- *Leptopelis* All species;
- 9 [~~(xxvii)~~] **(AA)** New Zealand frogs -- Leiopelmatidae -- *Leiopelma* All species;
- 10 [~~(xxviii)~~] **(BB)** Common horned frogs -- Leptodactylidae -- *Ceratophrys* All species;
- 11 [~~(xxix)~~] **(CC)** Rain or robber frogs -- Leptodactylidae -- *Eleutherodactylus* All species;
- 12 [~~(xxx)~~] **(DD)** Paraguay horned toads -- Leptodactylidae -- *Lepidobatrachus* All species
- 13 [~~(xxxi)~~] **(EE)** Asian horned toad -- Megophryidae -- *Megophrys montana (nasuta)*;
- 14 [~~(xxxii)~~] **(FF)** Tomato frogs -- Microhylidae -- *Dyscophus* All species;
- 15 [~~(xxxiii)~~] **(GG)** Narrow-mouthed frogs -- Microhylidae -- *Gastrophryne* All species;
- 16 [~~(xxxiv)~~] **(HH)** Sheep frogs -- Microhylidae -- *Hypopachus* All species;
- 17 [~~(xxxv)~~] **(II) Malaysian** [~~Asian~~] narrowmouth toad -- Microhylidae -- *Kaloula pulchra*;
- 18 [~~(xxxvi)~~] **(JJ)** Tusked frog -- Myobatrachidae -- *Adelotus brevis*;
- 19 [~~(xxxvii)~~] **(KK)** Pouched frog -- Myobatrachidae -- *Assa darlingtoni*;
- 20 [~~(xxxviii)~~] **(LL)** Giant burrowing frogs -- Myobatrachidae -- *Heleioporus* All species;
- 21 [~~(xxxix)~~] **(MM)** Cannibal frogs -- Myobatrachidae -- *Lechriodus* All species;
- 22 [~~(xl)~~] **(NN)** Turtle frog -- Myobatrachidae -- *Myobatrachus gouldii*;
- 23 [~~(xli)~~] **(OO)** Australian spadefoot toads -- Myobatrachidae -- *Notaden* All species;
- 24 [~~(xlii)~~] **(PP)** Crowned toadlets -- Myobatrachidae -- *Pseudophryne* All species;
- 25 [~~(xliii)~~] **(QQ)** Gastric brooding frog -- Myobatrachidae -- *Rheobatrachus* All species;
- 26 [~~(xliiv)~~] **(RR)** Torrent frogs -- Myobatrachidae -- *Taudactylus* All species;
- 27 [~~(xlv)~~] **(SS)** Australian toadlets -- Myobatrachidae -- *Uperoleia* All species;
- 28 [~~(xlvi)~~] **(TT)** Parsley frogs -- Pelodytidae -- *Pelodytes* All species;
- 29 [~~(xlvii)~~] **(UU)** Dwarf clawed frogs -- Pipidae -- *Hymenochirus* All species;
- 30 [~~(xlviii)~~] **(VV)** Surinam frogs -- Pipidae -- *Pipa* All species;
- 31 [~~(xlix)~~] **(WW)** Mantella frogs -- Ranidae -- *Mantella* All species;
- 32 [(4)] **(XX)** Foam nest tree frogs -- Rhacophoridae -- *Chiromantis* All species;
- 33 [(4)] **(YY)** Gliding or flying frogs -- Rhacophoridae -- *Rhacophorus* All species;

- 1 [(lii)] **(ZZ)** Mexican burrowing frog -- Rhinodermatidae -- *Rhinophrynus dorsalis*;
- 2 [(liii)] **(AAA)** Seychelles frogs -- Sooglossidae -- All species.
- 3 [(e)] **(4)** Noncontrolled Reptiles: Common Name -- Family -- Genus/species;
- 4 [(A) Order Crocodylia:
- 5 (i) Alligators — Alligatoridae — All species;
- 6 (ii) Crocodiles — Crocodylidae — All species; ———
- 7 ~~(iii) Gavials — Gavialidae — *Gavialis gangeticus*.]~~
- 8 [(B)] **(a)** Order Testudines:
- 9 [(i)] **(A)** Pig-nose turtles -- Carettochelyidae -- All species;
- 10 [(ii)] **(B)** Austro--American side--necked turtles -- Chelidae -- All species;
- 11 [(iii)] **(C)** Marine turtles -- Cheloniidae -- All species;
- 12 [(iv)] **(D)** River turtles -- Dermatemydidae -- All species;
- 13 [(v)] **(E)** Leatherback turtles -- Dermochelyidae -- All species;
- 14 [(vi)] **(F)** Pond and box turtles -- Emydidae -- All nonnative species except *Pseudemys* spp., *Trachemys*
- 15 spp., *Chinemys* spp., *Clemmys* spp., *Chrysemys* spp., *Graptemys* spp., *Emys orbicularis*, *Emydoidea*
- 16 *blandingii* and *Mauremys* spp.;
- 17 [(vii)] **(G)** American mud and musk turtles -- Kinosternidae -- All species except *Kinosternon subrubrum*
- 18 and *K. odoratum*;
- 19 [(viii)] **(H)** Afro-American side-necked turtles -- Pelomedusidae -- All species;
- 20 [(ix)] **(I)** Bighead turtles -- Platysternidae -- All species;
- 21 [(x)] **(J)** Tortoises -- Testudinidae -- All species;
- 22 [(xi)] **(K)** Softshell turtles -- Trionychidae -- All species except *Apolone* spp. and *Trionyx triunguis*;
- 23 [(C)] **(b)** Order Squamata (Suborder Amphisbaenia): Worm lizards -- All species.
- 24 [(D)] **(c)** Order Squamata (Suborder Lacertilia):
- 25 [(i)] **(A)** Pricklenapes -- Agamidae -- *Acanthosaura* All species;
- 26 [(ii)] **(B)** Common or rainbow agama -- Agamidae -- *Agama agama*;
- 27 [(iii)] **(C)** Frilled dragon -- Agamidae -- *Chlamydosaurus kingii*;
- 28 [(iv)] **(D)** Humphead forest dragons -- Agamidae -- *Gonocephalus* All species;
- 29 [(v)] **(E)** Sailfin lizards -- Agamidae -- *Hydrosaurus* All species;
- 30 [(vi)] **(F)** Anglehead forest dragons -- Agamidae -- *Hypsilurus* All species;
- 31 [(vii)] **(G)** Water dragons -- Agamidae -- *Lophognathus* All species;
- 32 [(viii)] **(H)** Water dragons -- Agamidae -- *Physignathus* All species;
- 33 [(ix)] **(I)** Bearded dragons -- Agamidae -- *Pogona* All species;

- 1 [~~(x)~~] **(J)** Mastigures -- Agamidae -- *Uromastyx* All species;
- 2 [~~(xi)~~] **(K)** Chameleons -- Chamaeleonidae -- All species;
- 3 [~~(xii)~~] **(L)** Plated lizards -- Cordylidae -- *Gerrhosaurus* All species;
- 4 [~~(xiii)~~] **(M)** Flat lizards -- Cordylidae -- *Platysaurus* All species;
- 5 [~~(xiv)~~] **(N)** Geckos -- Gekkonidae -- All species;
- 6 [~~(xv)~~] **(O)** Gila monster, beaded lizard -- Helodermatidae -- All species;
- 7 [~~(xvi)~~] **(P)** Iguanid lizards -- Iguanidae -- All nonnative species except: *Crotaphytus* spp., *Gambelia*
- 8 spp., *Sceloporus* spp., *Uta* spp., *Phrynosoma* spp.;
- 9 [~~(xvii)~~] **(Q)** Skinks -- Scincidae -- All nonnative species except *Eumeces* spp.;
- 10 [~~(xviii)~~] **(R)** Ameivas -- Teiidae -- *Ameiva* All species;
- 11 [~~(xix)~~] **(S)** Tegus -- Teiidae -- *Tupinambis* All species;
- 12 [~~(xx)~~] **(T)** Monitor lizards -- Varanidae -- All species except *Varanus griseus*;
- 13 [~~(xxi)~~] **(U)** Night lizards -- Xantusiidae -- All species;
- 14 [~~(xxii)~~] **(V)** American knob-scaled lizards -- Xenosauridae -- *Xenosaurus* All species.
- 15 [~~(E)~~] **(d)** Order Squamata (Suborder Serpentes)
- 16 [~~(i)~~] **(A)** File snakes -- Acrochordidae -- All species;
- 17 [~~(ii)~~] **(B)** Pythons and Boas -- Boidae -- All nonnative species;
- 18 [~~(iii)~~] **(C)** Milk, Pine, Corn, Rat, Garter snakes -- Colubridae -- All nonnative species except *Boiga*
- 19 *irregularis*, *Lampropeltis getula*, *L.zonata*, and *Pituophis catenifer*;
- 20 [~~(iv)~~] **(D)** Kingsnakes and gopher (bull) snakes -- Colubridae -- Individuals of *Lampropeltis getula*, *L.*
- 21 *zonata* and *Pituophis catenifer* that are morphologically distinct from native species.
- 22 [~~(v)~~] **(E)** Egyptian cobra -- Elapidae -- *Naja haje*;
- 23 [~~(vi)~~] **(F)** Black & white cobra -- Elapidae -- *Naja melanoleuca*;
- 24 [~~(vii)~~] **(G)** Indian cobra -- Elapidae -- *Naja naja*;
- 25 [~~(viii)~~] **(H)** Red spitting cobra -- Elapidae -- *Naja pallida*;
- 26 [~~(ix)~~] **(I)** King cobra -- Elapidae -- *Ophiophagus hannah*;
- 27 [~~(x)~~] **(J)** Bush vipers -- Viperidae -- *Atheris* All species;
- 28 [~~(xi)~~] **(K)** Gaboon viper -- Viperidae -- *Bitis gabonica*;
- 29 [~~(xii)~~] **(L)** Rhinoceros viper -- Viperidae -- *Bitis nasicornis*;
- 30 [~~(xiii)~~] **(M)** Horned vipers -- Viperidae -- *Cerastes* All species;
- 31 [~~(xiv)~~] **(N)** Rattlesnakes -- Viperidae -- *Crotalus aquilus*, *C. basiliscus*, *C. durissus*, *C. intermedius*, *C.*
- 32 *polystictus*, *C. pusillus*, *C. tortugensis*, *C. triseriatus*, *C. unicolor*, and *C. vegrandis*;
- 33 [~~(xv)~~] **(O)** Saw-scaled vipers -- Viperidae -- *Echis* All species;

- 1 [~~(xvi)~~] **(P)** Bushmaster -- Viperidae -- *Lachesis muta*;
2 [~~(xvii)~~] **(Q)** False horned vipers -- Viperidae -- *Pseudocerastes* All species;
3 [~~(xviii)~~] **(R)** Pygmy rattlesnakes -- Viperidae -- *Sistrurus miliarius* and *S. ravus*.
4 ~~(e)~~ **(5)** Noncontrolled Fish: Common Name -- Family -- Genus/species: Aquaria fish and Live Foodfish --
5 All species.
6 Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,
7 498.052, 498.222 & 498.242
8 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
9 498.029, 498.052, 498.222 & 498.242

10

11 **635-056-0070**

12 **Controlled Wildlife Species**

13 At the time the commission categorizes a species, subspecies or hybrid as Controlled, it shall also
14 establish the controls necessary to protect native wildlife.

15 (1) Controlled Mammals

16 (2) Controlled Birds

17 (a) Mute swans (*Cygnus olor*): The possession, transport, sale, purchase, exchange and offer to sell,
18 purchase or exchange is allowed provided that all males are neutered and all individuals are surgically
19 pinioned. Importation of any mute swan is prohibited.

20 (b) Hawks and falcons (families Falconidae and Accipitridae): The capture, possession, propagation,
21 transportation, release, sale, purchase, exchange and disposition of falcons is allowed only as per the
22 requirements of OAR 635 Division 44 (Holding, Propagating Protected Wildlife) and OAR 635 Division
23 55 (Falconry Licenses, Permits and Requirements).

24 (c) Game birds: (Anatidae, Columbidae, Tetranidae, Phasianidae, Meleagrididae, **Scolopacidae**, Gruidae,
25 Rallidae). The possession, propagation, sale, purchase and exchange of game birds is allowed only as per
26 the requirements of OAR 635 division 44 (Holding, Propagating Protected Wildlife).

27 (d) Unless authorized by the Department, European starling (*Sturnus vulgaris*) or House Sparrows
28 (*Passer domesticus*) may not be imported into Oregon or released into the wild. However, viable eggs,
29 nestlings, fledglings, or adults may be captured from the wild, possessed, bought or sold for any other
30 purpose (including damage control, wildlife rehabilitation or research). Except for wildlife rehabilitation,
31 no permit is required for such capture and possession. Release of these species by licensed wildlife
32 rehabilitators shall occur at a location designated by the Department.

1 (3) Controlled Amphibians: Bullfrog (*Rana catesbeiana*) including viable eggs, hatchlings, tadpoles,
2 juveniles and adults: No person may import, purchase, sell, barter or exchange, or offer to import,
3 purchase, sell, barter or exchange live bull frogs. Individual bullfrogs may be collected from the wild and
4 held indoors in an escape proof aquarium as per OAR 635-044-0035. Release is prohibited unless the
5 person first obtains a permit from the Director.

6 (4) Controlled Reptiles

7 **(a) Order Crocodylia (Crocodiles, Alligators and Gavials) are considered exotic animals pursuant**
8 **to ORS 609.305. Therefore, the keeping, breeding and sale of such animals is regulated by ORS**
9 **609.205 through 609.355 and OAR 603-011-0705 and 603-011-0706. Those statutes and rules**
10 **govern the authority of local governments and the Department of Agriculture over those activities**
11 **concerning these animals. However, the Fish and Wildlife Commission retains authority to regulate**
12 **release and transport of these animals, and their management if they are released or escape into**
13 **the wild. It is unlawful to release any member of the order Crocodylia.**

14 (5) Controlled Mollusks

15 (a) ~~Suminoe oysters (*Crassostrea ariakensis*), Pacific oysters (*C. gigas*), Kumamoto oysters (*C. sikamea*),~~
16 ~~Eastern oysters (*C. virginica*), and European flat oysters (*Ostrea edulis*) may be purchased and imported~~
17 ~~from outside Oregon (or from other estuaries within Oregon) for release into estuaries in Oregon pursuant~~
18 ~~to the terms of a permit issued by the department. Complete permit applications must be submitted to the~~
19 ~~department's Marine Resources Program Headquarters (2040 SE Marine Science Drive, Newport,~~
20 ~~Oregon 97365) at least 15 days before proposed stocking. Oysters may be commercially harvested and~~
21 ~~sold pursuant to OAR 635-005-0001 through 635-005-0035.~~

22 (b) ~~Softshell clam (*Mya arenaria*), Japanese varnish clam (*Nuttallia obscurata*), and Japanese littleneck~~
23 ~~clam (*Venerupis philippinarum*) may be harvested, possessed and sold commercially pursuant to OAR~~
24 ~~635-005-0001 through 635-005-0035 or harvested and possessed recreationally pursuant to OAR 635-~~
25 ~~039.~~

26 (6) Controlled Crustaceans:

27 (a) ~~Green crabs (*Carcinus maenas*) may be harvested recreationally pursuant to OAR 635-039. Once~~
28 ~~harvested, it is unlawful to return green crab to state waters. It is unlawful to take green crab for~~
29 ~~commercial purposes.~~

30 (b) ~~Whiteleg shrimp (*Litopenaeus vannamei*): The possession, propagation, transportation, sale, purchase,~~
31 ~~exchange and disposition of whiteleg shrimp is controlled according to the following restrictions and~~
32 ~~standards:~~

1 (i) A person must apply for and receive an approved propagation license from the Oregon Department of
2 Fish and Wildlife Fish Propagation Program prior to commencing production;

3 (ii) Propagation must occur in ponds covered with nets or screens adequate to prevent the capture or
4 transport of cultured shrimp by predators or other animals;

5 (iii) Access to production facilities must be through secure locked gates;

6 (iv) Only animals certified as disease free by the vendor may be purchased;

7 (v) Permittees must provide adequate veterinary care to identify and minimize the spread of diseases
8 originating from the animals being held;

9 (vi) No live whiteleg shrimp or their gametes, fertilized eggs, or larvae may be released into waters of
10 this State, as defined in ORS 506.006; and

11 (vii) An Oregon Department of Fish and Wildlife fish transport permit shall accompany live whiteleg
12 shrimp imported into and transported within Oregon. If transport occurs entirely on the permittee's
13 property, a transport permit is not needed.

14 (b) Giant river prawns (*Macrobrachium rosenbergii*): The possession, propagation, transportation, sale,
15 purchase, exchange and disposition of giant river prawns is controlled according to the following
16 restrictions and standards:

17 (i) A person must apply for and receive an approved propagation license from the Oregon Department of
18 Fish and Wildlife Fish Propagation Program prior to commencing production;

19 (ii) Propagation must occur in ponds covered with nets or screens adequate to prevent the capture or
20 transport of cultured prawns by predators or other animals;

21 (iii) Access to production facilities must be through secure locked gates;

22 (iv) Only animals certified as disease free by the vendor may be purchased;

23 (v) Permittees must provide adequate veterinary care to identify and minimize the spread of diseases
24 originating from the animals being held;

25 (vi) No giant river prawns or their gametes, fertilized eggs, or larvae may be released into waters of this
26 State, as defined in ORS 506.006; and

27 (vii) An Oregon Department of Fish and Wildlife fish transport permit shall accompany live giant river
28 prawns imported into and transported within Oregon. If transport occurs entirely on the permittee's
29 property, a transport permit is not needed.

30 Stat. Auth.: 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052,
31 498.222, 498.242

32 Stats. Implemented: 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,

1 498.052, 498.222, 498.242

2

3 **635-056-0075**

4 **Controlled Fish Species**

5 (1) Grass carp (*Ctenopharyngodon idella*): Grass carp may be released into water bodies within Oregon
6 only pursuant to the issuance of a permit from the Department. Complete permit applications shall be
7 submitted to Department headquarters at least 60 days before proposed stocking. A fee of \$100.00 (plus a
8 \$2.00 license agent fee) shall be charged for each Grass carp permit issued.

9 (2)~~(a)~~ The following restrictions and standards will govern the issuance of grass carp permits:

10 ~~(A)~~ **(a)** Stocking will occur only in water bodies which are:

11 ~~(i)~~ **(A)** Completely within private land; or

12 ~~(ii)~~ **(B)** On land owned or controlled by irrigation districts or drainage districts.

13 ~~(B)~~ **(b)** Stocking will occur only in the following types of water bodies:

14 ~~(i)~~ **(A)** Lakes, ponds, or reservoirs less than 10 acres; or

15 ~~(ii)~~ **(B)** Ditches and canals.

16 ~~(C)~~ **(c)** Public use of the water body must be restricted to prevent removal of grass carp (by angling or
17 otherwise) by unauthorized persons. At a minimum, the water body must be closed to angling and other
18 use by the general public.

19 ~~(D)~~ **(d)** Stocking shall not detrimentally affect any population of species listed as threatened or
20 endangered by the federal or state government.

21 ~~(E)~~ **(e)** Stocking shall occur only in water bodies with fish screens approved by the Department. Such
22 screens shall have screen openings 1 inch or less for fish 12–19 inches total length and screen openings 2
23 inches or less for fish over 19 inches total length. Screens shall be inspected and approved by the
24 Department before a permit will be issued. The applicant must comply with fish passage requirements
25 (OAR 635, division 412); given grass carp screening requirements, this entails applying for and receiving
26 a waiver or exemption from passage requirements if grass carp will be stocked into waters where native
27 migratory fish are or were historically present.

28 ~~(F)~~ **(f)** Stocking will not be allowed in water bodies within 100-year floodplains (as delineated by the
29 Federal Emergency Management Agency on federal Flood Insurance Rate Maps) during times of
30 potential flood. Times of potential flood are January 1 through July 31 in watersheds east of the Cascades
31 and October 15 through May 31 in watersheds west of the Cascades. Grass carp will be removed from
32 water bodies in a 100-year floodplain and held or disposed of during times of potential flood. If grass
33 carp will be held and not disposed of, they shall be held at a permitted site outside the 100-year

1 floodplain. Applications for sites within a 100-year floodplain shall contain a detailed removal plan
2 which shall receive Department approval.

3 ~~[(G)]~~ **(g)** Grass carp may only be purchased and imported from approved suppliers outside Oregon. Grass
4 carp may not be propagated or held for further distribution within Oregon. Department pathologists shall
5 approve suppliers. Approval will be based on ability to provide grass carp free of Asian tapeworms and
6 meet health and disease requirements according to OAR 635-007-0555 through 635-007-0585.

7 ~~[(H)]~~ **(h)** Grass carp imported into Oregon shall be:

8 ~~[(i)]~~ **(A)** Sterile triploids. Documentation from the U.S. Fish and Wildlife Service that each fish is triploid
9 must be submitted to the Department prior to release;

10 ~~[(ii)]~~ **(B)** At least 12 inches long;

11 ~~[(iii)]~~ **(C)** Tagged with a Passive Integrated Transponder (PIT) tag of frequency 134.2-kilohertz. Each tag
12 shall be programmed with a unique identification number. A list of unique tag numbers shall be
13 submitted to the Department prior to release; and

14 ~~[(iv)]~~ **(D)** Stocked at a rate not exceeding 22 per affected acre.

15 ~~[(b)]~~ **(3)** In addition to documentation relating to the restrictions above, each permit application shall
16 include:

17 ~~[(A)]~~ **(a)** Applicant's name, address and daytime telephone number. All property owners of the water
18 body to which grass carp will have unrestricted access must be party to the application and permit;

19 ~~[(B)]~~ **(b)** Location of the water body, including township, range, section and quarter section, with map
20 including written directions for access;

21 ~~[(C)]~~ **(c)** Map of the water body including, vegetation present in the water body, all inlets and outlets, and
22 screen locations;

23 ~~[(D)]~~ **(d)** Description of emergency procedures for responding to fish escapes from approved sites;

24 ~~[(E)]~~ **(e)** Description of how fish will be removed and disposed of at the end of the proposed project.

25 ~~[(e)]~~ **(4)** An application becomes the management plan upon approval. Permits and management plans
26 shall be specific to particular sites and particular stocking projects. Permittees shall not deviate from
27 permit conditions and management plans without prior written approval from the Department. No person
28 may remove grass carp from one site (as identified in a management plan) and transport them to any
29 other site without prior written approval from the Department.

30 ~~[(d)]~~ **(a)** An Oregon Department of Fish and Wildlife fish transport permit shall accompany grass carp
31 imported into and transported within Oregon. If transport is required within the management plan and
32 occurs entirely on the permittee's property, a transport permit is not needed. Any other permit or

1 documentation required for fish import, transport, or stocking shall also be obtained prior to importation
2 and stocking.

3 ~~[(e)]~~ **(b)** Permittees shall, as a condition of the permit, allow employees of the Department or the Oregon
4 State Police to inspect at reasonable times the permitted water body, permit, and associated records.
5 Inspection may take place without warrant or notice, but, unless prompted by emergency or other exigent
6 circumstances, shall be limited to regular and usual business hours, including weekends. Nothing in these
7 rules is intended to authorize or allow the warrantless search or inspection of property other than the
8 water bodies or fish holding facilities on the permittee's property.

9 ~~[(f)]~~ **(c)** Permits are revocable at any time for violation of any wildlife statute or rule of the Department.
10 Upon revocation, if stocking has already occurred, the permittee shall remove all grass carp within two
11 weeks at her/his own cost.

12 ~~[(g)]~~ **(d)** Grass carp which escape a permitted water body are subject to seizure or destruction by the
13 Department at the expense of the permit holder. The permit holder shall be held liable for incidental kill
14 of any other species due to or during destruction of escaped grass carp.

15 ~~[(h)]~~ **(e)**The Commission may grant an exception to OAR 635-056-0075(2)(a)(B) or (2)(a)(F). Exception
16 requests must be submitted in writing in addition to the normal application and must address the
17 requirements in this section. Unless the Commission determines that an alternative provides equivalent
18 protection to fish and wildlife resources and their habitats, exceptions shall have the following additional
19 requirements:

20 (A) If the water body into which grass carp will be stocked is greater than or equal to 10 acres a
21 professional topographic survey by a licensed surveyor must be provided for the entire perimeter of the
22 water body showing all points of water movement in and out of the water body. A topographic survey
23 completed by a state or federal agency within five years from the date of application for the water body
24 may be used. The Department shall determine screening requirements from the survey;

25 (B) Grass carp may remain in a water body within the 100-year floodplain year-round if a professional
26 plan or drawing that is certified by a licensed engineer is provided which indicates that the entire
27 perimeter of the water body is protected from 100-year floods. In order to prevent grass carp escape,
28 screens, dikes, and devices protecting the water body must be able to remain structurally sound within
29 100-year floods and not be over-topped by a 100-year flood. The Department reserves the right to have a
30 licensed engineer retained by the agency review and approve or deny the plan or drawing submitted by
31 the applicant.

1 ~~[(3)]~~ **(5)** Tilapia (Mozambique tilapia *Oreochromis mossambicus*, Nile tilapia *O. niloticus*, and hybrids
2 thereof): The possession, propagation, transportation, sale, purchase, exchange and disposition of these
3 tilapia is controlled according to the following restrictions and standards:

4 ~~[(i)]~~ **(a)** A person must apply for and receive an approved propagation license from the Oregon
5 Department of Fish and Wildlife Fish Propagation Program prior to commencing production;

6 ~~[(ii)]~~ **(b)** Propagation must occur in ponds covered with nets or screens adequate to prevent the capture or
7 transport of cultured fish by predators or other animals;

8 ~~[(iii)]~~ **(c)** Access to production facilities must be through secure locked gates;

9 ~~[(iv)]~~ **(d)** Only animals certified as disease-free by the vendor may be purchased;

10 ~~[(v)]~~ **(e)** Permittees must provide adequate veterinary care to identify and minimize the spread of diseases
11 originating from the animals being held;

12 ~~[(vi)]~~ **(f)** No live tilapia or their gametes, fertilized eggs, or larvae may be released into waters of this
13 State, as defined in ORS 506.006; and

14 ~~[(vii)]~~ **(g)** An Oregon Department of Fish and Wildlife fish transport permit shall accompany live tilapia
15 imported into and transported within Oregon. If transport occurs entirely on the permittee's property, a
16 transport permit is not needed.

17 ~~(5)~~ **(6) Controlled Mollusks**

18 **(a) Suminoe oysters (*Crassostrea ariakensis*), Pacific oysters (*C.gigas*), Kumamoto oysters (*C.***
19 **sikamea), Eastern oysters (*C. virginica*), and European flat oysters (*Ostrea edulis*) may be**
20 **purchased and imported from outside Oregon (or from other estuaries within Oregon) for release**
21 **into estuaries in Oregon pursuant to the terms of a permit issued by the department. Complete**
22 **permit applications must be submitted to the department's Marine Resources Program**
23 **Headquarters (2040 SE Marine Science Drive, Newport, Oregon 97365) at least 15 days before**
24 **proposed stocking. Oysters may be commercially harvested and sold pursuant to OAR 635-005-**
25 **0001 through 635-005-0035.**

26 **(b) Softshell clam (*Mya arenaria*), Japanese varnish clam (*Nuttalia obscuratai*), and Japanese**
27 **littleneck clam (*Venerupis philippinarum*) may be harvested, possessed and sold commercially**
28 **pursuant to OAR 635-005-0001 through 635-005-0035 or harvested and possessed recreationally**
29 **pursuant to OAR 635-039.**

30 ~~(6)~~ **(7) Controlled Crustaceans:**

31 **(a) Green crabs (*Carcinus maenas*) may be harvested recreationally pursuant to OAR 635-039.**
32 **Once harvested, it is unlawful to return green crab to state waters. It is unlawful to take green crab**
33 **for commercial purposes.**

1 **(b) Whiteleg shrimp (*Litopenaeus vannamei*): The possession, propagation, transportation, sale,**
2 **purchase, exchange and disposition of whiteleg shrimp is controlled according to the following**
3 **restrictions and standards:**

4 **[(i)] (A) A person must apply for and receive an approved propagation license from the Oregon**
5 **Department of Fish and Wildlife Fish Propagation Program prior to commencing production;**

6 **[(ii)] (B) Propagation must occur in ponds covered with nets or screens adequate to prevent the**
7 **capture or transport of cultured shrimp by predators or other animals;**

8 **[(iii)] (C) Access to production facilities must be through secure locked gates;**

9 **[(iv)] (D) Only animals certified as disease-free by the vendor may be purchased;**

10 **[(v)] (E) Permittees must provide adequate veterinary care to identify and minimize the spread of**
11 **diseases originating from the animals being held;**

12 **[(vi)] (F) No live whiteleg shrimp or their gametes, fertilized eggs, or larvae may be released into**
13 **waters of this State, as defined in ORS 506.006; and**

14 **[(vii)] (G) An Oregon Department of Fish and Wildlife fish transport permit shall accompany live**
15 **whiteleg shrimp imported into and transported within Oregon. If transport occurs entirely on the**
16 **permittee's property, a transport permit is not needed.**

17 **[(b)] (c) Giant river prawns (*Macrobrachium rosenbergii*): The possession, propagation,**
18 **transportation, sale, purchase, exchange and disposition of giant river prawns is controlled**
19 **according to the following restrictions and standards:**

20 **[(i)] (A) A person must apply for and receive an approved propagation license from the Oregon**
21 **Department of Fish and Wildlife Fish Propagation Program prior to commencing production;**

22 **[(ii)] (B) Propagation must occur in ponds covered with nets or screens adequate to prevent the**
23 **capture or transport of cultured prawns by predators or other animals;**

24 **[(iii)] (C) Access to production facilities must be through secure locked gates;**

25 **[(iv)] (D) Only animals certified as disease-free by the vendor may be purchased;**

26 **[(v)] (E) Permittees must provide adequate veterinary care to identify and minimize the spread of**
27 **diseases originating from the animals being held;**

28 **[(vi)] (F) No giant river prawns or their gametes, fertilized eggs, or larvae may be released into**
29 **waters of this State, as defined in ORS 506.006; and**

30 **[(vii)] (G) an Oregon Department of Fish and Wildlife fish transport permit shall accompany live**
31 **giant river prawns imported into and transported within Oregon. If transport occurs entirely on**
32 **the permittee's property, a transport permit is not needed.**

1 Stat. Auth.: ORS 496.012, 496.138 & 496.146
2 Stats. Implemented: ORS 497.308, 497.318, 498.022, 498.052 & 498.222

3
4 **635-056-0080**

5 **Sale of Wildlife**

6 (1) Except as provided in these rules and other rules of the commission, no person shall sell, purchase,
7 exchange or offer to sell, purchase or exchange any wildlife (including game fish in the aquaria trade).

8 (2) Except as otherwise provided in this section, kingsnakes (*Lampropeltis getula* and *L. zonata*) and
9 gopher (bull) snakes (*Pituophis catenifer*) that are morphologically similar to native species may be
10 possessed, transported, sold, purchased, exchanged or offered for sale, purchase or exchange if the
11 animals were legally acquired and bred in captivity. However, nothing in these rules authorizes the:

12 (a) Capture, possession, transportation, sale, purchase, exchange, or offer of sale, purchase or exchange
13 of any wild native kingsnake or its offspring; or

14 (b) Sale, purchase, exchange, or offer of sale, purchase or exchange of any wild gopher snake or its
15 progeny.

16 **(3) When any nonnative wildlife species, is offered for sale, trade or barter, the person making the**
17 **offer, shall display (until the transaction is completed) both the species' common name(s) and**
18 **scientific taxonomic name (genus, species and subspecies (if appropriate)), as listed in the reference**
19 **material in 635-056-0000(2) of these rules. The common name(s) and scientific name shall be posted**
20 **at or on the cage, tank, or pen where the wildlife are being held or displayed.**

21
22 Stat. Auth.: ORS 496.012, ORS 496.138, ORS 496.146, ORS 497.298, ORS 497.308, ORS 497.312,
23 ORS 497.318, ORS 498.022, ORS 498.029, ORS 498.052, ORS 498.222 & ORS 498.242

24 Stats. Implemented: ORS 496.012, ORS 496.138, ORS 496.146, ORS 497.298, ORS 497.308, ORS
25 497.312, ORS 497.318, ORS 498.022, ORS 498.029, ORS 498.052, ORS 498.222 & ORS 498.242

26
27 **635-056-0130**

28 **Classification Requests**

29 [~~(1) For species listed in these rules or classified as Nonecontrolled pursuant to OAR 635-056-0140, no~~
30 ~~person may possess, import, transport, purchase, sell, exchange, or offer to purchase, sell or exchange the~~
31 ~~species in Oregon, except as provided by these rules, or otherwise provided by law.]~~

32 [(~~2~~)] **(1)** For species that are not listed in these rules, [~~or classified pursuant to OAR 635-056-0140,~~] no
33 person may possess, import, purchase, sell, exchange, or offer to purchase, sell or exchange the species in

1 Oregon, ~~[until the species is classified. This prohibition shall be effective January 1, 2000, except for~~
2 ~~zebra mussels (*Dreissena polymorpha*) and mitten crabs (*Eriocheir sinensis*), for which the prohibition~~
3 ~~shall be effective January 1, 1999.]~~

4 ~~[(3)]~~ **(2)** Species may be classified as Prohibited, Controlled or Noncontrolled. The classification may
5 vary by activity (e.g., possession allowed, but sale prohibited). If a specific nonnative species, subspecies
6 or hybrid is not classified as either Prohibited, Controlled or Noncontrolled, or is classified but not for a
7 particular activity (e.g., import, sale, possession, transport), any person may either:

8 (a) Petition the commission to classify the species or allow the particular activity pursuant to OAR 137-
9 001-0070; or

10 (b) Request the director to classify the species as Noncontrolled, pursuant to OAR 635-056-0140.

11 (c) Any person petitioning or requesting classification shall provide information illustrating that the
12 requested action will not harm, nor has the potential to harm, any native species or its habitat. The
13 information should be scientific in nature, in written form and include an appropriate literature cited
14 section.

15 ~~[(4)]~~ **(3)** In evaluating a request to classify a species, subspecies or hybrid, the commission may consider
16 the following factors, when appropriate:

17 (a) Potential to introduce disease or parasites to native wildlife populations;

18 (b) Potential for interbreeding or hybridizing with native wildlife;

19 (c) Possible competition with native wildlife for habitat, food, water, etc.;

20 (d) Impacts on the habitat of native wildlife;

21 (e) Potential predation on native wildlife;

22 (f) Feasibility and cost of capturing or eradicating escaped animals; or

23 (g) Any other factor or consideration the commission considers necessary to protect and maintain native
24 wildlife.

25 ~~[(5)]~~ **(4)** The director may appoint a Wildlife Integrity Review Panel to consider the information
26 presented by the petitioner as appropriate. The director may, in appointing the panel, consider scientific
27 expertise, professional background, and other qualifications needed to make sound decisions. The
28 director may seek commission recommendations in making Wildlife Integrity Review Panel
29 appointments. If convened, the panel shall make a recommendation to the commission on the
30 classification of the species, subspecies or hybrid and what conditions, if any, should apply to the
31 proposed activity (e.g., import, sale, possession, transfer).

32 ~~[(6)]~~ **(5)** The director may call for scientific based studies or other verifiable information useful in placing
33 the requested species in the appropriate classification category.

1 Stat. Auth.: ORS 496.012, ORS 496.138, ORS 496.146, ORS 497.298, ORS 497.308, ORS 497.312,
2 ORS 497.318, ORS 498.022, ORS 498.029, ORS 498.052, ORS 498.222 & ORS 498.242
3 Stats. Implemented: ORS 496.012, ORS 496.138, ORS 496.146, ORS 497.298, ORS 497.308, ORS
4 497.312, ORS 497.318, ORS 498.022, ORS 498.029, ORS 498.052, ORS 498.222 & ORS 498.242

6 DIVISION 057

7 DEFINITION OF WILD BIRDS AND WILD MAMMALS

9 **635-057-0000**

10 **Definition of "Wild Birds" and "Wild Mammals"**

11 This rule governs all Commission Rules using the terms "wild birds" or "wild mammals," pursuant to SB
12 804, (Oregon Laws 2007). The purpose of this rule is to clarify the scope of the term "wildlife," which
13 according to statute includes (among other things) "wild mammals" and "wild birds." "Wildlife" is the
14 term used in many statutes describing the regulatory authority of the Fish and Wildlife Commission. The
15 intent of this rule is to include as "wild mammals" and "wild birds" all species which, if viewed globally,
16 typically exist in a wild state. Note that other statutes governing the authority of other agencies may use
17 terms that (in some circumstances) may overlap with the Commission's authority over "wildlife." For
18 example, the Department of Agriculture has the authority to regulate the private holding of "exotic"
19 animals, some of which otherwise qualify as "wildlife" (and which the Commission otherwise is in
20 charge of regulating). Therefore, the reader is cautioned to note distinctions in how Oregon law uses
21 different terms regarding wild animals.

22 (1) "Wild mammals" means all mammals except:

23 (a) Alpaca, **Guanaco, Llama** -- *Lama glama* [pæəs].

24 (b) Ass, Burro, Donkey -- *Equus asinus*.

25 (c) Bison -- *Bison bison*.

26 (d) Camel -- *Camelus bactrianus* and *C. dromedarius*.

27 (e) Cat (all domestic breeds) -- *Felis catus*.

28 (f) Cattle and Yak -- *Bos species*.

29 (g) Chinchilla -- *Chinchilla laniger*.

30 (h) Dog (all domestic breeds) -- *Canis familiaris*.

31 (i) European Rabbit -- *Oryctolagus cuniculus*.

32 (j) Ferret (**European polecat**) -- *Mustela putorius*.

33 (k) Gerbil (**Mongolian Jird**) -- *Meriones unguiculatus*.

- 1 (l) Goat -- *Capra hircus*.
- 2 [~~(m)~~] Gaunaco -- ~~Lama guanicoe~~.]
- 3 [~~(n)~~] **(m)** Guinea pig -- *Cavia porcellus*.
- 4 [~~(o)~~] **(n) Common** Hamster -- *Cricetus cricetus* [~~Mesoericetus auratus~~].
- 5 [~~(p)~~] **(o)** Horse -- *Equus caballus*.
- 6 [~~(q)~~] Llama -- ~~Lama glama~~.]
- 7 [~~(r)~~] **(p)** Mouse (House mouse) -- *Mus musculus*.
- 8 [~~(s)~~] **(q)** Mule and Hinny -- *Equus asinus* x *E. caballus*.
- 9 [~~(t)~~] **(r)** Rat -- *Rattus norvegicus* and *R. rattus*.
- 10 [~~(u)~~] **(s)** Sheep -- *Ovis aries* and hybrids of *O. aries* with *O. aires orientalis* [~~musimon~~], hybrids of *O.*
- 11 *aries* with *Ammotragus lervia*, and hybrids of *O. aries* with *Pseudois nayaur*.
- 12 [~~(v)~~] **(t)** Swine -- *Sus scrofa domestica* (includes pot-bellied pigs)
- 13 [~~(w)~~] **(u)** Vicuña -- *Vicugna vicugna*.
- 14 (2) "Wild birds" means all birds except:
- 15 (a) Cassowary *Casuarius* species;
- 16 (b) Chicken *Gallus gallus*;
- 17 (c) Ducks and Geese (morphologically distinct from wild waterfowl; except (Egyptian geese and Mute
- 18 swans);
- 19 (d) Emu -- *Dromaius novaehollandiae*;
- 20 (e) Guinea fowl -- *Numida meleagris*;
- 21 (f) Ostrich -- *Struthio camelus*;
- 22 (g) Parrots, Parakeets, Lories, and Cockatoos Psittaciformes (All species);
- 23 (h) Peafowl -- *Pavo cristatus*;
- 24 (i) Pigeon or Rock dove -- *Columba livia*;
- 25 (j) Rhea -- *Rhea americana* and *R. pennata*;
- 26 (k) Turkey (morphologically distinct from wild turkey) -- *Meleagris gallopavo*.
- 27 Stat. Auth.: ORS: 496.004, 496.012, 496.138, 496.146, 496.162
- 28 Stats Implemented: ORS 496.004(19), 496.004; 496.012, 496.138, 496.146, 496.162, SB 804 (OL 2007,
- 29 ch. 523)