

AMENDMENTS

1996—Pub. L. 104-332 made technical amendment to Pub. L. 101-646, §1401, which enacted this section.

CHAPTER 68—PACIFIC YEW CONSERVATION AND MANAGEMENT

§§ 4801 to 4805. Omitted

CODIFICATION

Sections 4801 to 4805 were omitted as expired pursuant to section 4807 of this title.

Section 4801, Pub. L. 102-335, §2, Aug. 7, 1992, 106 Stat. 859, related to findings, purposes, and definitions.

Section 4802, Pub. L. 102-335, §3, Aug. 7, 1992, 106 Stat. 860, related to Pacific yew conservation and management.

Section 4803, Pub. L. 102-335, §4, Aug. 7, 1992, 106 Stat. 861, related to research regarding ecology of Pacific yew, development of alternative methods of procuring taxol, and propagation of species.

Section 4804, Pub. L. 102-335, §5, Aug. 7, 1992, 106 Stat. 861, related to collection and sale of Pacific yew resources.

Section 4805, Pub. L. 102-335, §6, Aug. 7, 1992, 106 Stat. 862, related to construction of chapter with other laws.

SHORT TITLE

Pub. L. 102-335, §1(a), Aug. 7, 1992, 106 Stat. 859, provided that Pub. L. 102-335 (this chapter) could be cited as the “Pacific Yew Act”.

§ 4806. Repealed. Pub. L. 105-362, title IX, § 901(a)(1), Nov. 10, 1998, 112 Stat. 3289

Section, Pub. L. 102-335, §7, Aug. 7, 1992, 106 Stat. 862; Pub. L. 103-437, §6(d)(43), Nov. 2, 1994, 108 Stat. 4585, related to report to Congress concerning sufficiency of Pacific yew harvests to supply taxol required for medicinal purposes and concerning Pacific yew inventory required by section 4802(d) of this title.

§ 4807. Omitted

CODIFICATION

Section, Pub. L. 102-335, §7, formerly §8, Aug. 7, 1992, 106 Stat. 862; renumbered §7 and amended Pub. L. 105-362, title IX, §901(a)(2), Nov. 10, 1998, 112 Stat. 3289, provided that if the Secretary of Health and Human Services, the Secretary of Agriculture, and the Secretary of the Interior concluded that quantities of taxol sufficient to satisfy medicinal demands were available from sources other than the Pacific yew, they were to jointly notify Congress, at which time the requirements of this chapter would expire. Such a conclusion was transmitted to Congress by the Secretaries in a letter dated Jan. 26, 1998.

A prior section 7 of Pub. L. 102-335 was classified to section 4806 of this title prior to repeal by Pub. L. 105-362.

CHAPTER 69—WILD EXOTIC BIRD CONSERVATION

Sec.	
4901.	Findings.
4902.	Statement of purpose.
4903.	Definitions.
4904.	Moratoria on imports of exotic birds covered by Convention.
4905.	List of approved species.
4906.	Qualifying facilities.
4907.	Moratoria for species not covered by Convention.
4908.	Call for information.
4909.	Petitions.
4910.	Prohibited acts.
4911.	Exemptions.
4912.	Penalties and regulations.

Sec.	
4913.	Exotic bird conservation assistance.
4914.	Marking and recordkeeping.
4915.	Authorization of appropriations.
4916.	Relationship to State law.

§ 4901. Findings

The Congress finds the following:

(1) In addition to habitat loss and local use, the international pet trade in wild-caught exotic birds is contributing to the decline of species in the wild, and the mortality associated with the trade remains unacceptably high.

(2) The United States, as the world's largest importer of exotic birds and as a Party to the Convention, should play a substantial role in finding effective solutions to these problems, including assisting countries of origin in implementing programs of wild bird conservation, and ensuring that the market in the United States for exotic birds does not operate to the detriment of the survival of species in the wild.

(3) Sustainable utilization of exotic birds has the potential to create economic value in them and their habitats, which will contribute to their conservation and promote the maintenance of biological diversity generally.

(4) Utilization of exotic birds that is not sustainable should not be allowed.

(5) Broad international attention has focused on the serious conservation and welfare problems which currently exist in the trade in wild-caught animals, including exotic birds.

(6) Many countries have chosen not to export their wild birds for the pet trade. Their decisions should be respected and their efforts should be supported.

(7) Several countries that allow for the export of their wild birds often lack the means to develop or effectively implement scientifically based management plans, and these countries should be assisted in developing and implementing management plans to enable them to ensure that their wild bird trade is conducted humanely and at sustainable levels.

(8) The major exotic bird exporting countries are Parties to the Convention.

(9) The Convention recognizes that trade in species that are threatened with extinction, or that may become so, should be subject to strict regulation.

(10) The necessary population assessments, monitoring programs, and appropriate remedial measures for species listed in Appendix II of the Convention are not always being undertaken in order to maintain species at levels above which they might become eligible for inclusion in Appendix I of the Convention.

(11) Resolutions adopted pursuant to the Convention recommend that the Parties to the Convention take appropriate measures regarding trade in species of exotic birds that have significantly high mortality rates in transport, including suspension of trade for commercial purposes between Parties when appropriate.

(12) Article XIV provides that the Convention in no way affects the right of any Party to the Convention to adopt stricter domestic measures for the regulation of trade in all spe-