

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



Fifteenth meeting of the Conference of the Parties
Doha (Qatar), 13-25 March 2010

Interpretation and implementation of the Convention

Exemptions and special trade provisions

Applications to register operations that breed Appendix-I animal species in captivity for commercial purposes

REQUEST FROM THE UNITED STATES OF AMERICA REGARDING FRANK METALLO

1. This document has been prepared by the United States of America.*
2. Resolution Conf. 12.10 (Rev. CoP14) has established a procedure to register operations that breed Appendix-I animal species for commercial purposes; once registered, such operations qualify for the exemption contained in Article VII, paragraph 4, of CITES, which allows specimens bred at such operations to be treated as if they are specimens of a species listed in Appendix II. In addition to providing guidelines on the information that a Management Authority should provide to the Secretariat to obtain and maintain the registration of a captive-breeding operation (Annex 1 of the Resolution), the Resolution establishes the mechanism under which the Secretariat should handle registration requests and the role the Parties have in the registration of an operation (Annex 2 of the Resolution).
3. In accordance with Resolution Conf. 12.10 (Rev. CoP14), a Management Authority that wishes to register a breeding operation submits an application to the Secretariat for consideration. Once the Secretariat can verify that the application meets the requirements of the Resolution, a Notification to the Parties is published announcing the proposed registration. The Parties have 90 days to respond to the Notification by submitting comments on the proposed registration of the operation. If any Party objects to the registration, the Secretariat will refer the documentation on the operation to the Animals Committee, which will respond to the objections within 60 days. The Secretariat would then facilitate a dialogue between the Management Authority that submitted the registration request and the objecting Party and provide an additional 60 days to resolve the objections. If the objections are not withdrawn or the identified problem(s) not resolved, the application would be postponed until it is decided by a two-thirds majority vote at the following meeting of the Conference of the Parties, or by postal procedures equivalent to those set forth in Article XV.
4. The United States supports the registration process established in Resolution Conf. 12.10 (Rev. CoP14). The proposed registration contained in Annex 1 was transmitted to the Secretariat on October 13, 2009, for consideration. Unfortunately, given the timing of the submission and the work that the Secretariat must carry out in preparation for the 15th meeting of the Conference of the Parties (CoP15), the Secretariat was unable to issue a Notification to the Parties on this registration request prior to the submission deadline for documents to be discussed at CoP15. Agenda items that have not been submitted by this date cannot be discussed at the upcoming meeting. The United States is concerned that if an objection were to be raised to the registration of this operation, and no resolution could be found to the objection, a final decision on the registration could be delayed until the next meeting of the Conference of the Parties (CoP16 in 2012 or 2013).
5. Therefore, on the recommendation of the Secretariat, the United States is submitting the attached registration directly to the Parties for consideration at CoP15.

* The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat or the United Nations Environment Programme concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.

6. Annex 1 of this document contains the information regarding the registration of Frank Metallo, Belvidere, Illinois, United States of America, for *Falco rusticolus*. Annex 2 and 3 contain supporting documentation for this proposed registration. This is the same information that was submitted to the Secretariat on October 13, 2009, in the language in which it was submitted.
7. The Conference of the Parties is requested to take a decision regarding this registration.

COMMENTS FROM THE SECRETARIAT

At the time of writing (late October 2009), the Secretariat had not had time to review the full application sent to it by the United States, which includes supporting documentation not attached to the present document. It is therefore in no position to assess the compliance of this application with Resolution Conf. 12.10 (Rev. CoP14) and, therefore, to make a recommendation to the Conference of the Parties. The Secretariat will provide its assessment of the application orally at the present meeting.

APPLICATION TO REGISTER THE BREEDING OPERATION OF FRANK METALLO, AN OPERATION
BREEDING APPENDIX-I ANIMAL SPECIES FOR COMMERCIAL PURPOSES: GYRFALCON
(*FALCO RUSTICOLUS*)

1. Name and address of the owner and manager of the captive breeding operation:

Frank Metallo
4342 Stone Quarry Road
Belvidere, Illinois 61008

2. Date of establishment: 1998
3. Species bred: Gyrfalcon (*Falco rusticolus*).
4. Description of parental breeding stock: Current breeding stock consists of 6.5 *Falco rusticolus*. The current breeding stock was bred in captivity in the United States between 1995 and 2007 and was purchased by, transferred to, or bred by the applicant. Each bird has a closed U.S. Fish and Wildlife Service (USFWS) leg band in accordance with the U.S. Migratory Bird Treaty Act (MBTA), a stricter domestic measure. The list of parental breeding stock is attached (Annex 2).
5. Range State evidence that parental stock was obtained in accordance with the relevant national laws: The range of the gyrfalcon extends into the United States, being circumpolar in distribution.

The applicants has been licensed by the USFWS as a breeder of raptors since 1998 (license number: MB831806-0, as well as being licensed as a master falconer (license number: MB751384-0. Ownership and breeding of all U.S.-native raptors is regulated under the MBTA, which requires annual propagation reports and notification to the USFWS of any transfer or sale of birds. The applicant is in complete compliant with the MBTA and all other State and U.S. Federal Government regulations.

Under the MBTA, anyone who sells, donates, or otherwise transfers a raptor must report that activity to the USFWS by submitting a Form 3-186A¹, "Migratory Bird Acquisition and Disposition Report." In addition to providing a copy of this report to the USFWS, copies are maintained by both parties of the transaction (i.e., the breeder and purchaser), and copies may be provided to the State wildlife agency(s) that regulates raptor propagation or falconry within the state(s) in which the buyer and seller reside.

The applicant's parental stock was acquired from other USFWS-licensed raptor breeders in the United States or bred by the applicant. All parental specimens are captive bred in the United States. For each of his parental stock, the applicant has provided the U.S. Management Authority with his copies of Migratory Bird Acquisition and Disposition Reports (USFWS Form 3-186A), which indicates legal acquisition for those specimens obtained from other breeders/falconers. These reports, which document the legal acquisition of specimens from other U.S. breeders/falconers, are submitted to the USFWS Migratory Bird Permit Office. Both parties to the transfer maintain copies of the reports. The applicant has also provided the U.S. Management Authority signed breeder's statements for the birds he bred, and copies of Forms 3-186A showing retention of these specimens for propagation purposes, as well as USFWS raptor propagation annual reports.

It should be noted that, under the MBTA, stock held under a falconry permit and stock held under a propagation permit must be maintained separately. Any transfer of birds from one stock to the other must be documented to the USFWS through the submission of a Form 3-186A. All of the applicant's stock of *F. rusticolus* is maintained under his propagation license. Copies of Form 3-186A, as well as breeder's statements, are available from the CITES Secretariat or U.S. Management Authority.

¹ Form 3-186A is a reporting requirement; it is not a permit, and there is no requirement for the USFWS to authorize a transfer prior to the transfer occurring. Since copies of the report go to individuals or government agencies besides the USFWS, the USFWS would not have the ability to stamp all copies of the Form 3-186A, nor is it a requirement that any copies of the form be stamped or otherwise validated by a USFWS official, including the copy maintained by the USFWS. In addition, the USFWS did not require institutions requesting registration as a commercial breeding operation to obtain stamped copies for inclusion with their registration application.

6. Criteria for operations located in non-range States: Not applicable.
7. Current stock held in addition to parental breeding stock:

All the birds listed in Annex 2 are breeders or potential breeders.
8. **Information on the percentage of mortalities:** From 1998 through the present, there have been a total of 4 mortalities at the applicant's facility. The deaths consist of two males, one female, and one juvenile gyrfalcon. Mortalities were due to a variety of causes (e.g., accidents, disease) and were spread across all age groups. One death was caused by West Nile Virus, two were caused by *Aspergillus*, and one was due to trauma caused by hitting the chamber wall. Mortalities have been few, limited to 7.0% of the operation over the last 10 years. This percentage is based on young birds produced, adult birds held as breeders and the four birds that died (sixty bird's total). From 2003 through 2008, there have been 45 gyrfalcons hatched and reared at this facility.
9. Documentation that the species has been bred to second-generation offspring (F2) at the facility and a description of the method used: All of the breeding stock of gyrfalcons in the facility was acquired as at least F1 as indicated by the USFWS acquisition forms provided with the application. From the 6.5 founders, the applicant has produced 45 offspring since 2003. For the 2008 breeding season, four F1 or beyond specimens successfully produced four chicks, documenting breeding to the first generation at this facility (Annex 3 consists of a sample pedigree chart of birds bred by the applicant). Breeding techniques are methods that have been commonly and successfully used by falcon breeders throughout the world. Breeding pairs copulate naturally and natural incubation is encouraged. Where necessary, artificially insemination and supplemental incubation are used. Mr. Metallo has been a U.S. licensed falcon propagator since 1998 and has been very successful with using these standard techniques.
10. If the operation has only bred the species to the first generation, documentation showing that the husbandry methods used are the same as, or similar to, those that have resulted in second-generation offspring elsewhere: Not applicable.
11. **Past, current, and expected annual production of offspring:** The applicants operation has produced 45 gyrfalcons between 2003 and 2008. In 2008, 4 offspring were produced and in 2007, 6 offspring were produced. Eight chicks were produced in 2006, 14 in 2005, 8 in 2004, and 5 in 2003. The applicant has four natural pairs, each pair potentially producing 8 to 9 young per year. The applicant realistically expects to produce about 15 offspring per year.

There have been no unusual fluctuations in annual production at this facility. Due to a limited domestic market, the applicant has not produced as many birds in the last two years as in previous years. The applicant made a conscience decision to limit production to avoid having birds that were redundant to the breeding program or that could not be sold.
12. **Anticipated need for, and source of, additional specimens to augment breeding stock to avoid deleterious inbreeding:** This program is not anticipating any need to broaden the gene pool currently held. The program has made great efforts over the years to purchase a widely diverse genetic pool of unrelated falcons to avoid any inbreeding. However, if birds are needed to avoid deleterious inbreeding in the future, the applicant may trade or purchase other captive-bred birds or semen. Any imported specimens would only be obtained from CITES-registered breeding operations. Breeding records are maintained to ensure outcrossing of related birds. As a result, fecundity remains high and there have been no obvious genetic abnormalities.
13. Type of product exported: Live birds.
14. Description of marking methods: Each specimen is banded with a seamless aluminum numbered leg band issued by USFWS. Leg band numbers are unique for each bird. This information is recorded for parents and offspring to facilitate husbandry decisions.
15. Description of inspection and monitoring procedures to be used by the CITES Management Authority: The applicant will apply to the U.S. CITES Management Authority for all export permits for progeny produced at the facility. He will also submit an annual report listing the total number of birds at the facility, number of offspring produced, mortalities, and other acquisition or dispositions of the birds. This will allow the U.S. Management Authority to monitor activities in the breeding facility. In addition, the applicant may receive unannounced visits from USFWS personnel (e.g., Division of Law Enforcement, Division of Management Authority, Division of Scientific Authority, Office of Migratory Birds) who will report their findings to the CITES Management Authority.

16. **Description of housing facilities:** The breeding facility is a standard pole barn construction with metal sides and open-air ceilings of heavy gauge wire. There are 6 breeding rooms (14 by 16 by 12 ft. high) and 4 weathering rooms for holding immature breeding stock (10 by 10 by 8ft. high). All falcon chambers are locked, as is the indoor access hallway. In the event of a bird escaping from a room, it would be trapped in the interior hallway. The wire ceiling allows fresh air to circulate as well as provides natural sunlight. This facility meets or exceeds all U.S. Federal and state captive propagation requirements.

The breeding operation has a very large incubation capacity. Currently, the facility maintains three Marsh Rollex incubators and one China Prairie with a capacity exceeding 100 eggs.

The facilities food source is coturnix quail, which are kept in a special freezer. These quail are readily available from a commercial producer/supplier, Roger Johnson in Minnesota. The applicant also raises chickens to provide a varied diet for the falcons. The special diets given these food birds, as well as the freezer facilities, help ensure the applicant's birds are receiving top nutrition. A skilled avian veterinarian, Dr. Pat Retig, with the Raptor Center in St. Paul, Minnesota, is readily available if any medical issues arise.

17. **Strategies used by the breeding operation to contribute towards the conservation status of wild populations of this species:** The applicant has sold falcons for the sport of falconry, breeding, and education. This breeding program will also reduce reliance on the wild population for falconry and breeding purposes. Therefore, the operation will make a meaningful contribution according to the conservation needs of this species.
18. **Assurance that the operation is humane:** There is little human interaction with paired falcons except for routine maintenance and veterinary procedures. All falcons are kept in rooms large enough to allow them to fly short distances. The facilities are well ventilated. All birds have access to natural sunlight and water for bathing and drinking. A veterinary facility/raptor rehabilitation facility is available nearby. Therefore, the operation will be conducted in a humane manner.

CURRENT PARENTAL STOCK HOUSED BY MR. METALLO AT HIS FACILITY

Falco rusticolus – Founder Stock bred by another Breeder

USFWS Band Number	Hatch Year	Sex
RX085722	2007	F
RX081985	1997	F
RX081114	2000	M
RX084763	2004	M
RW086513	1995	M
RO029549	2007	M

Falco rusticolus – Breeding Stock bred by Applicant

USFWS Band Number	Hatch Year	Sex
RX081584	2003	F
RX081585	2002	F
RX081589	2005	F
RW087538	2002	M
RW087645	2001	M

SAMPLE BREEDING PEDIGREE FOR MR. METALLO

