AWA Standards for Birds

Last Modified:



On February 21, 2023, APHIS published a final rule in the Federal Register establishing new welfare standards for birds. These regulations ensure the humane handling, care, treatment, and transportation of birds regulated under the Animal Welfare Act (AWA).

APHIS phased in the avian regulations for current and new licensees and registrants:

- August 21, 2023: Currently licensed or registered facilities must become compliant.
- February 21, 2024: New licensees or registrants must become compliant.

This page provides a general overview of the welfare standards for birds and includes resources to help current and new licensees and registrants be compliant.

View New AWA Standards for Birds

Preparing Your Avian Environmental Enhancement Plan (401.42 KB)

Overview of Welfare Standards for Birds

Standards for Birds Not Bred for Use in Research Under the Animal Welfare Act

Watch this video to learn more about the new welfare standards for birds

USDA Animal Care Welfare Inspection Procedures for Birds: Frequently Asked Questions

View questions frequently asked about USDA's procedures for inspecting avian species at licensed or registered facilities.

Licensing, Registration, and Inspection

Unsure if you need a license or registration? This video can help you determine if you need a USDA license or registration for the type of avian activity you conduct. You can also use our Licensing and Registration Assistant to determine whether you need a license or registration.

Applying for a License or Registration

Ready to apply for a license or registration? Watch the following video for step-by-step instructions and then visit our application page to apply.

How to Complete A License Application

Preparing for Inspection

Now that you have applied for a license or registration or are currently licensed and/or registered, let’s review the avian welfare standards for the initial inspection.

Birds Under the AWA

Understanding how different avian species are covered under the AWA can be challenging. Use the resources below to learn more about how birds may be regulated under the Animal Welfare Act.

Expand All

Common Pet Bird Species as Defined by the Animal Welfare Regulations

The Animal Welfare Regulations defines a pet animal as "Any animal that has commonly been kept as a pet in family households in the United States, such as dogs, cats, guinea pigs, rabbits, hamsters, and birds. This term also includes but is not limited to such birds as canaries, cockatiels, lovebirds, and budgerigar parakeets. This term excludes exotic animals and wild animals."

This list defines specifically what avian species are considered pet bird species and categorizes what pet bird species are small or large size. The designation of a pet species and size is used in determining thresholds for licensure. For Class A licenses, which are required when selling birds for use as pets or for exhibition that were hatched on your premises, if you sell more than 200 pet bird species having an average body weight of 250 grams or less, annually, or if you sell more than 8 pet bird species having an average body weight of more than 250 grams, annually, a

license is required. For these purposes, body weights are those of the average adult for that species.

Additionally, a Class C license is required if you are exhibiting more than 8 pet bird species, or any non-pet bird, with the exemption of 4 or fewer raptors.

Birds protected under the Migratory Bird Treaty Act (MBTA) 50 CFR § 10.13 are excluded from the definition of a pet bird species as defined by the Animal Welfare Act and Regulations.

Small Pet Bird Species

The following groups and species are considered to be **small pet bird species** (250 grams or less as determined by average adult weight of the species):

- Finches and finch-like birds from the infraorder Passerida*
- Cockatiels
- Parrotlets
- Lovebirds
- Caiques
- Senegals and other *Poicephalus* parrots
- Mini-macaws, 250 grams or less by average adult weight of species
- Conures
- Pionus
- Lories and lorikeets
- Parakeets and other parakeet-like birds, such as but not limited to ringnecks, monks, lineolated, kakarikis, and rosellas
- Mynas and starlings
- Jays, magpies, and other small corvid species

Large Pet Bird Species

The following groups and species are considered to be **large pet bird species** (more than 250 grams as determined by average adult weight of the species):

- Cockatoos

- African greys
- Eclectus
- Macaws
- Amazons
- Toucans
- Hornbills
- Turacos
- Kookaburras
- Crows and other larger corvid species

**MBTA species are excluded from the definition of a pet bird species*

Defining Poultry under the Animal Welfare Regulations

The Animal Welfare Regulations define *poultry* as any species of chickens, turkeys, swans, partridges, guinea fowl and peafowl; ducks, geese, pigeons, and doves; grouse, pheasants, and quail. Under the AWR, poultry are further defined as either a *farm animal* or as a *wild animal* or *exotic animal*. All birds that are bred in captivity and used in research are exempt under the animal welfare regulations, including those species listed in the regulatory definition of *poultry*, regardless of further classification as a *farm animal*, *wild animal*, or *exotic animal* under the regulations.

Poultry as Farm Animals under the Animal Welfare Act

Birds that meet the regulatory definition of both *poultry* and *farm animal* ("farm-type poultry") are any domestic species of poultry that are normally and have historically been raised on farms in the United States and are used or intended for use as food or fiber (feather), or for improving animal nutrition, breeding, management, or production efficiency, or for improving the quality of food or fiber (feather). This also includes birds raised for hunting purposes. Farm-type poultry are exempt from the regulations when used, sold, or transported solely for such agricultural purposes. When used, sold, or transported for non-agricultural purposes, farm-type poultry are covered under the Animal Welfare Act and subject to the Animal Welfare Regulations. If it is not clear at the time of an inspection that farm-type poultry are being used, sold, or transported for agricultural purposes, then the birds are subject

to the Animal Welfare Regulations.

Poultry as Wild or Exotic Animals under the Animal Welfare Act

Poultry that do not meet the regulatory definition of *farm animal* under the Animal Welfare Regulations are birds that are not normally and historically raised on farms in the U.S., nor commonly used or intended for use for food or other agricultural purposes as defined in the Animal Welfare Regulations. These birds are considered either a *wild animal* or *exotic animal*, depending upon where the species historically originated. Such poultry species are covered under the Animal Welfare Act and subject to all applicable Animal Welfare Regulations when used, sold, or transported for regulated purposes.

Differentiating Poultry as Farm Animals or as Wild or Exotic Animals

The birds listed in **Table 1** and their hybrids represent the most common species of birds that meet the definition of both *poultry* and *farm animal* under the Animal Welfare Regulations and can be considered farm-type poultry; however, the list is not intended to be exhaustive. Less common species of domesticated upland gamebirds (pheasant, partridge, quail, grouse) not specifically listed in Table 1 may sometimes be farmed for meat or hunting purposes and be considered farm-type poultry when used, sold, or transported solely for these agricultural purposes.

The birds listed in Table 1 and their hybrids are exempt from the regulations when used, sold, or transported solely for agricultural purposes. When used, sold, or transported for non-agricultural purposes, the birds listed in Table 1 and their hybrids are covered under the Animal Welfare Act and subject to the Animal Welfare Regulations . If it is not clear at the time of an inspection that the birds listed in Table 1 and their hybrids are being used, sold, or transported for agricultural purposes, then the birds are subject to the Animal Welfare Regulations. Birds contained within the definition of *poultry* and not listed in Table 1 are *wild* or *exotic* birds under the Animal Welfare Regulations, are covered under the Animal Welfare Regulations, and subject to all applicable regulations when used, sold, or transported for regulated purposes.

Poultry as a Farm Animal

The birds listed below, and their hybrids, represent the most common species of birds that meet the definition of both poultry and farm animal under the Animal Welfare Regulations and can be considered farm-type poultry; however, the list is not intended to be exhaustive. These birds are exempt from the Animal Welfare Regulations when used, sold, or transported solely for **agricultural** purposes.

- Chicken, Domestic
- Pheasant, Ring-necked
- Pheasant, Green
- Peafowl, Indian (Common)
- Guineafowl, Helmeted
- Partridge, Chukar
- Partridge, Gray (English, Hungarian, gray-legged grouse)
- Partridge, Red-legged
- Quail, California
- Quail, Common
- Quail, Gambel’s
- Quail, Japanese
- Quail, Northern bobwhite (red quail)
- Turkey, Domestic
- Duck, Mallard
- Duck, Muscovy
- Goose, Graylag
- Goose, Swan
- Swan, Mute
- Pigeon, Rock (domestic)
- Dove, Barbary (domestic)
- Grouse, Ruffed

Less common species of domesticated upland gamebirds (pheasant, partridge, quail, grouse) may sometimes be farmed for meat or hunting purposes and be considered farm-type poultry when used, sold, or transported solely for these agricultural purposes.

Farm-Type Poultry at Auction Under the Animal Welfare Regulations

The Animal Welfare Regulations define *poultry* as any species of chickens, turkeys, swans, partridges, guinea fowl and pea fowl; ducks, geese, pigeons, and doves; grouse, pheasants, and quail. Under the Animal Welfare Regulations, poultry are further defined as either a *farm animal* or as a *wild animal* or *exotic animal*. Birds that meet the regulatory definition of both *poultry* and *farm animal* ("farm-type poultry") under the Animal Welfare Regulations can be used for either agricultural or non-agricultural purposes.

Farm-type poultry are exempt from the regulations when used, sold, or transported solely for agricultural purposes. When used, sold, or transported for non-agricultural purposes, farm-type poultry are covered under the Animal Welfare Act and subject to the Animal Welfare Regulations.

Special Considerations for Pheasant Transport under the Animal Welfare Regulations

Pheasants are birds within the Family Phasianidae, Order Galliformes. Because pheasants are subject to potential self-injury during transport, transport enclosures for pheasants covered under the Animal Welfare Regulations can be modified as provided in § 3.162(e) to limit vertical movement, allowing pheasants to be transported in a standing or semi-crouched position, and to limit full wing expansion to prevent attempted flight.

Transport enclosures for pheasants covered under the Animal Welfare Regulations and modified as noted above must fully contain all parts of the bird and allow the bird to turn freely and move easily within the transport enclosure.

An exception can be made to allow the tail of a mature male peafowl to extend outside of the transport enclosure during ground transport by the owner or his/her representative and when stationary at a licensed auction. This exception does not apply to mature male peafowl consigned to transport by a registered carrier or intermediate handler. While restricting the male peafowl's ability to turn around, the transport enclosure must allow for all other normal postural movements and there must be compliance with all other applicable regulations to ensure the safety and welfare of the bird.

A vertical-oriented exit space for the tail (rather than horizontal) would be considered best practice to permit the male peafowl a range of normal postural movements. Additional attention to the tails of mature male peafowl allowed to extend outside the transport enclosure must be provided to prevent entrapment of the tail or injury to the bird.

Summary Points

- Transport enclosures for pheasants can be modified to limit self-injury by limiting height and width but must otherwise fully contain the bird and allow for normal posture and movement.
- An exception can be made for the tail of a mature male peafowl to extend outside the transport enclosure during ground transport by the owner or his/her representatives and when stationary at auction.

Contact Us

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