FERRET LEGALIZATION IN CALIFORNIA

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The Case for Legalizing Domestic Ferrets in California

EXECUTIVE SUMMARY

THE DOMESTIC FERRET, Mustela putorius furo, IS A DOMESTICATED ANIMAL.

Except for California, the domestic ferret is legal in every state on the continent (48). In 40 of these it never was illegal. These states understood from the beginning the true nature of this animal, which has been domesticated since early Greek and Roman times. It is mentioned in the Bible in the book of Leviticus as early as 1490 BC.

Several other mainland states made the same mistake as California in classifying it as a wild animal. All of these have now corrected their error and legalized domestic ferrets in their states, generally with the full support of their wildlife agencies, leaving California as the only state on the continent to restrict domestic ferrets, a tame family pet.

Refer to:	70 NT.	Tarkibit No	Dogo No
Exhibit No.	Page No.	Exhibit No.	Page No.
1	22	29	232
1A	23	31	239
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THE DOMESTIC FERRET IS NOT A THREAT TO AGRICULTURE OR TO NATIVE WILDLIFE.

Repeated surveys have shown no indication that domestic ferrets have ever escaped and established feral populations anywhere in this country (Exhibits 2, 42, and 50). This, despite a history of being here for over 200 years and despite a current population in the millions.

This animal, after 30 centuries of domestication, has lost both hunting instincts and fear of predators. Consequently, life expectancy of domestic ferrets that wander off is estimated at three to five days (Exhibits 39, 42 and 44).

Domestic ferrets do not and cannot exist in the wild. Therefore they cannot be a threat to wildlife.

Refer to: Exhibit No.	Pogo No	Exhibit No.	Paga Na
EXHIBIT NO.	Page No.	EXHIBIT NO.	Page No.
2	39	38	255
3	71	39	273
3A	100	41	276
3B	101	42	291
6	106	44	302
7	107	45	304
10	127	46	308
12	134	47	313
13	139	48	316
16	146	50	321
27	206	52	332
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THE DOMESTIC FERRET IS ONE OF THE SAFEST COMPANION ANIMALS AROUND.

Domestic ferrets are fairly small animals, about 12-16" long and weighing from 2-5 pounds. They sleep 15-20 hours a day and are described as "docile and catlike" (Exhibit 5, US Department of Health).

Serious bite injuries by dogs are 200 times more likely than by ferrets, after giving effect to differences in population sizes: 44,000 serious bites per year for dogs, 12 per year for ferrets (Exhibit 17, *Journal of the American Veterinary Medical Association*).

Since domestic ferrets are housebound and largely cagebound, their exposure to rabies vectors is minimal. This shows up in the *Annual Summaries of Rabies Surveillance* 1984-1990 by the Centers for Disease Control: 2,240 rabid dogs, 2,310 rabid cats, 10 rabid ferrets (only 12 ever recorded in the USA) (Exhibit 21).

Since the development of a ferret rabies vaccine and the issuance of a new *Compendium of Animal Rabies Control* in 1998, in which ferrets receive the same treatment as cats and dogs, rabies is no longer an issue.

"Ferrets . . . are considered to be easily handled and relatively nondangerous."

—Department of Agriculture, Federal Register, March 31, 1987

Refer to: Exhibit No.	Page No.	Exhibit No.	Page No.
11	132	20	170
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17A	155	41	276
18	157	52	332
19	163		

THE IMPACT OF DOMESTIC FERRETS ON ANIMAL CONTROL AGENCIES IS MINIMAL.

The almost negligible impact on animal control agencies stems from the nature of the animal. Domestic ferrets do not bond to a house and, as a result, almost never are allowed to run loose like a cat or a dog. The few ferrets that do show up in animal control are usually the result of an oversight on the part of the owner which allows a ferret to wander off.

A survey made a few years ago of 48 animal control agencies in 29 states revealed that they received an average of 7 ferrets out of from 5,000-60,000 total animals received each year. These were usually quickly adopted out through ferret clubs and shelters.

Refer to:	
Exhibit No.	Page No.
25	190
28	207
43	300

IN CONCLUSION.

In 1997 Proclamations by the governors of New Hampshire and Massachusetts resulted in Ferret Appreciation Day and Ferret Freedom Day, respectively. Excerpts:

"Whereas, ferrets have earned and won a place in the hearts and minds of the citizens of New Hampshire by bringing them unlimited joy and happiness; . . ."

-Jeanne Shaheen, Governor of New Hampshire

"Whereas: This bill dispelled the ignorance, prejudice, and misinformation surrounding ferrets, allowing these animals to serve their owners as sources of joy and companionship, and . . ."

-William F. Weld, Governor of Massachusetts

This is the same animal (Mustela putorius furo) that the California Department of Fish and Game has been fighting for over a decade to prevent legalizing. What is different is the wildlife agency. In Massachusetts the Division of Fisheries and Wildlife co-sponsored the bill that legalized domestic ferrets in that state.

In 1997, AB 363, a bill to legalize domestic ferrets in California, passed the Assembly by a landslide vote of 64 to 8. Although the author was a Republican, 30 of the 64 votes were from Democrats, indicating broad bipartisan support. Unfortunately, the bill died in the Senate Appropriations Committee without being voted on after the chairman put it in "suspense."

"Thrice armed is he who fights with just cause."

Presentation by Floyd L. Carley California Domestic Ferret Association

CALIFORNIA FISH & GAME MEETING August 3-4, 1995 Santa Rosa, California

I would like to thank the California Fish and Game Commission for this opportunity to present the case for legalizing ferrets here in California. When I say "ferrets" I am referring to Domestic Ferrets and not the wild Black-footed Ferret, which is nearly extinct.

The principal overriding issue is, I believe, "Are domestic ferrets wild animals," or, are they likely to "go wild"; i.e., establish feral populations that could be a threat to California wildlife?

Two questions are tied together - If wild, where are they wild?

I regard to the first part, "Are they wild?" I would like to call attention to a letter (Exhibit 1) dated May 3, 1994 from the U.S. Department of Agriculture stating that they do not consider the ferret to be a wild animal, but rather a domestic pet. This is also the opinion of the American Museum of Natural History, the Zoological Society of San Diego, the New York Zoological Society, the American Veterinary Medical Association, and practically every reputable expert in the field, all of whom state that the Domestic Ferret is a domesticated animal. (Exhibit 1A, B [this is particularly instructive in that the USDA lists the Domestic Ferret as a "non-dangerous" pet-type animal] and C - 23 experts and authoritative references). This is a fact that is generally regarded as being beyond dispute.

Regarding the second point: "Do these tame animals 'go wild' and establish feral populations?" I would like to call attention to letters of reply (Exhibit 2) from Departments of Fish & Game (or equivalent) from all 50 states. We wrote to each state asking if they were aware of any wild ferret populations in their states. The replies were negative, and they were unanimous--not one agency in any state in the country knew of any feral ferret population in their state.

I suggest that these findings should be considered in the context of the following facts:

- A. Domestic ferrets were first introduced into the United States over 200 years ago;
- B. They are now legal in 48 states;

C. There are estimated to be approximately 7-8 million domestic ferrets in the country at this time.

So, despite the long timeframe of their presence in this country, and despite the large numbers in existence here today, there is not a single instance where domestic ferrets have become established in the wild. This indicates, I believe, the extreme unlikelihood of this ever becoming a problem.

This assertion is further supported by a report from the U.S. Congress, Office of Technology Assessment (Exhibit 10), entitled Harmful Non-Indigenous Species in the U.S. which lists 9 domestic animals that have gone feral: burros, cats, dogs, European pigs, goats, hogs, horses and sheep--but no feral ferrets --they are not listed. They have not gone feral. (Exhibit 10, U.S. Congress Office of Technology Assessment).

We also wrote to the Departments of Agriculture in each state asking if agricultural interests had been adversely affected by ferrets in their state. Again, the answer was unanimous--no agricultural problems of any kind in any state due to ferrets. Copies of letters of reply (Exhibit 3) from all 50 states attest to this fact. This also includes letters from the poultry industry in California (Exhibits 3A and 3B). Plus letters from 11 other poultry associations.

There are two important reasons for this absence of feral ferret populations:

- 1. The first is that 95% of the ferrets in the pet trade have been spayed or neutered. Females in heat die of anemia if not bred, and un-neutered males emit an unpleasant odor. Spaying and neutering solves both problems and also prevents unwanted pregnancies which lead to overpopulations--such as we have with dogs and cats. SB 55, up for reconsideration next January, has a spay and neuter clause.
- 2. The second, and probably primary, reason for the lack of feral populations is that the life expectancy of ferrets that are deliberately released into the wild or that accidentally wander off is from 3 to 5 days.

This latter fact is indicated in an advisory letter (Exhibit 4) to ferret owners from the State of New Jersey Department of Environmental Protection which states "Lost ferrets are rarely found and usually die soon after they escape." The operative word here is soon.

Also, from U.S. Public Health Service Centers for Disease Control, Atlanta, Georgia - Veterinary Public Health Notes, October 1980, "Pet Ferrets and Rabies" (Exhibit 5), which says: "Escaped ferrets are not capable of establishing themselves in the wild - they are not capable of long-term survival."

Also: Black-Footed Ferret Recovery Project (Exhibit 6); Wild Siberian Polecat Experiment (Exhibit 7). The good news: Captive breeding program was successful. The bad news: Releases are failing to survive. Dozens have been released - but have been all killed by predators. It is preposterous to suggest that tame Domestic animals would do any better.

There are several reasons for this short life expectancy of stray ferrets:

- a. One is starvation. They have been domesticated for over 2,000 years (early Greek and Roman writers indicate ferrets preceded cats as domestic pets). As a result, they do not know how to hunt. From an early age, they expect to be fed processed food. If they are not fed, and they don't know how to hunt, they simply starve to death.
- b. Also as a result of centuries of domestication, they are unafraid and therefore have no idea of how to avoid predation by foxes, bobcats, coyotes, hawks, owls, and feral dogs and cats.
- c. Finally, they cannot survive extreme temperatures. They generally die at temperatures below freezing or above 90 degrees. Ambient temperatures in all parts of California.

Thus, for all these reasons, feral populations of domestic ferrets simply do not occur. Letters from all 50 states attest to this fact.

Domestic ferrets can now be legally owned in 48 states, and a bill legalizing ferrets in Massachusetts is going forward with the support and sponsorship of the Department of Fish & Game in that state, which would make it the 48th state, leaving California as the only state on the mainland banning ferrets. This bill has already passed the House of Representatives by a unanimous voice vote.

The most recent state to overturn their ban on ferrets was Michigan, where the bill legalizing ferrets was signed into law last December 22 (1994). Incidentally, the vote in the Michigan Senate to legalize ferrets was unanimous.

In addition to nearly all the states in this country, ferrets can also be legally owned in all Canadian provinces and territories, in all of the British Isles, in all countries in Europe (as far as we know), and in Australia, New Zealand, Mexico, South America and Japan.

I would now like to turn to the policy of the California Department of Fish & Game in regard to domestic ferrets here in California.

In 1933, this domestic animal was mistakenly placed under the control of the Department of Fish & Game, whose mandate is restricted solely to wild animals. To illustrate

the point, the 1933 enabling statute was entitled: "The Importation and Transportation of Live Wild Animals." Furthermore, an independent legislative history done by the Legislative Intent Service in Sacramento indicates that it was never the intention of the Legislature to place this or any other domestic animal under the control of the Department of Fish & Game whose mandate by law is restricted solely to wild animals. See Exhibit 15.

Ferrets at this time were not widespread in California as family pets, and their nature was not well understood. A few other states made the same mistake. However, most of the others have corrected, or are correcting, their error. Some, through administrative action (see City of Baltimore and State of Maine news release - Exhibit 8B - New Hampshire, Utah, Vermont did the same thing.

Others did it through legislative action. The bills legalizing domestic ferrets in Michigan and Massachusetts had the full support of their Department of Fish & Game. The California Department of Fish & Game, on the other hand, has continued to ignore a massive and ever-increasing mountain of evidence in order to maintain their claim to jurisdiction over what is basically a tame family pet. In addition, they have conducted a continuing campaign of misinformation regarding the domestic ferret.

A prime example of this is a letter from Boyd Gibbons (former Director of Fish & Game) (Exhibit 9) and accompanying fact sheet sent to Speaker Willie Brown when a bill to legalize ferrets in California was before the California Assembly last year. This letter, which states Fish & Game's position on this matter, and which was sent to all Assemblymen, has a great many distortions, half-truths, and statements that are simply not true at all.

For example, Gibbons makes the statement in his letter that there is "no effective ferret rabies" vaccine. This statement is contradicted by a letter from the USDA (August 27, 1992), "Imrab was tested in ferrets and found satisfactory for purity, safety, potency and efficacy in accordance with the above standards."

Also: Please refer to the letter from Rhone Merieux (Exhibit 11), manufacturer of Imrab, the ferret rabies vaccine, indicating that it exceeds the efficiency level required for cats and dogs.

Thus, these letters stand in direct contradiction to the statement in the Gibbons' letter that there is no effective ferret rabies vaccine.

Gibbons' letter cites New Zealand as an example of domestic ferrets "escaping into the wild" and establishing a feral population.

Let me tell you the truth about what really happened. These ferrets did not "escape" in New Zealand. They were deliberately and systematically introduced into New Zealand by the thousands over a period of 10 - 15 years in order to try to control a wild population of exotic European hares. In 1884 alone, 3,000 ferrets were released for this purpose

in New Zealand.

They failed to do the job, and as a result real wild animals (weasels, stoats and polecats) were brought in. The ferrets there today are hybrids (Fitch Ferrets), a result of interbreeding with its wild counterpart, the polecat. Thus, even when systematically pumped into the wild by the thousands, they were unable to control the European hares and had to be replaced by real wild animals.

This is all documented in a book entitled "Immigrant Killers" by Carolyn King. Dr. King is Scientific Editor of the Royal Society of New Zealand and one of the world's leading experts on Mustelids (weasel-like animals).

New Zealand is an area cited by Mr. Gibbons as an example of potential problems that could occur in California. Apparently, New Zealanders, who have had the most direct experience with domestic ferrets, do not consider them as being much of a problem--they are legal today through all of New Zealand.

Did you note that date -- 1884? Mr. Gibbons' letter states in the first paragraph that their position is based upon the "best and most current information available." Yet, what he neglects to mention is that the New Zealand episode to which he refers occurred over 110 years ago. Since ferrets have been in the United States so long and are legal in so many states, and there are so many, why did the California Department of Fish & Game find it necessary to go back over a century, to an island 7,000 miles away and then to mis-state the crucial points that the ferrets were: (1) not escapees, they were deliberately introduced by the thousands; and (2) these supposedly vicious wild animals could not control the rabbit population and had to be replaced with weasels, stoats and polecats, which are real wild animals.

Why couldn't the California Department of Fish & Game simply have asked other states for their experience? This is exactly what the State of New Hampshire did. They sent a questionnaire to all other states (Exhibit 12). Based upon the answers received from all the other states, New Hampshire promptly lifted the ban on ferrets -- which is what most other states did.

This is such a simple and logical thing to do that it begs the question -- why didn't the California Department of Fish & Game do the same and ask other states for their experience? It makes you think that they probably did but didn't like the answers they got so, instead, in their search for support, they were reduced to going back in history over a century, to an island a third of the way around the world and then mis-stating the facts concerning that episode.

Similarly, the same letter to Willie Brown says that there was a feral population of domestic ferrets on the San Juan Islands in the State of Washington. There were no details given, other than to say that the climate was similar to that of the north coast of California.

Well, here are the details that were left out. Once more, the ferrets were not

"escapees" but were deliberately introduced to try to control a colony of European rabbits. Mr. Gibbons neglected to mention that -- a rather significant omission, since the question is "Do Domestic Ferrets escape and establish feral populations in the wild? Or not?

In a letter (Exhibit 13) dated April 14, 1988, Thomas C. Juelson (Non-Game Program Manager) of the State of Washington Department of Wildlife, said: "There are no ferrets living in Washington that prey upon native wildlife... the rabbit population (on San Juan Islands) dramatically decreased a few years ago, and I have been unable to find anyone who has observed a ferret there since."

This letter was written in 1988, and states that ferrets had disappeared a few years previously -- presumably in 1984 or 1985. Boyd Gibbons' letter was written in 1994. Thus, the population of ferrets to which he referred as evidence of feral populations had already disappeared some nine or ten years prior to the time he wrote the letter to Willie Brown.

There are many other distortions in this letter and accompanying fact sheet. I counted some 15-20 statements that were either false or highly questionable. I have provided a copy (Exhibit 9) of it for your examination and would be glad to answer any questions in that regard. Basically, you would have to categorize this letter as being very economical with the truth.

Now I would like to turn to the social impact of the ban on domestic ferrets in California. Since domestic ferrets are legal in nearly every other state in the union, many people moving here unwittingly bring them, along with their dog or cat, and are shocked when their pet ferrets are seized at the boarder.

The amount of unhappiness and heartbreak that causes cannot be over-estimated. The loss of a beloved family pet is a trauma not quickly or easily forgotten.

The bonds of trust between a society and its government are weakened by this kind of behavior -- it casts a shadow of suspicion over all other government agencies.

A very great wrong is being done to over 100,000 California ferret owners. They have been criminalized and made fearful merely because they chose a pet that was legal in 48 other states. The Department of Fish & Game policy regarding domestic ferrets has accomplished nothing -- except to cause needless and useless work throughout the whole apparatus of their administrative and enforcement machinery - and to cause dismay and anguish among innocent people who are denied a pet of their choice.

We respectfully request that the Commission follow the lead of the other states - ask the Department of Fish & Game to stop opposing legislation -- and declare domestic ferrets to be a domestic animal, which they unquestionably are, and therefore outside the jurisdiction of the Department of Fish & Game and not subject to their control.

The jailing of young Brent Utley, who is jailed in Blythe, California today, is a monstrous example of what is wrong with the Department of Fish & Game's policy regarding pet ferrets. We hope very much that the Commission will see fit to change it.

Thank you.

Presentation by Floyd L. Carley California Domestic Ferret Association

CALIFORNIA FISH & GAME COMMISSION MEETING November 2, 1995 San Diego, California

Mr. Chairman and Commission Members:

Although the Department of Fish & Game has responded to some of the issues which were raised at the August meeting of the Commission, it has not refuted them. The stubborn facts remain: That all 50 states, including California, have reported, in writing:

- 1. That domestic ferrets are not a threat to agriculture in their state.
- 2. That there are no feral populations of domestic ferrets in their state and, consequently, no threat to wildlife.

Copies of all these letters were submitted at the August meeting as Exhibits 2 and 3. We have extra copies on hand.

Now I would like to direct your attention to Exhibit 26, which consists of two letters. These letters are already included as parts of other exhibits, but have been separated out as Exhibit 26 for your convenience.

The first of these is one of the letters of reply from the 50 states - to which we have just referred.

It is from the State of California - from the Department of Food & Agriculture - from the Director. See Exhibit 26 - letter from H. J. Voss, Director of the Department of Food and Agriculture dated June 26, 1989.

The domestic ferret is as much like a polecat as a black lab or a German shepherd is like a timberwolf.

This is explained in the second letter - from the American Museum of Natural History. (Exhibit 26 - letter dated September 25, 1995.

Well, it's easy to understand what happened. He has

confused the two species.

This is just what happened in 1933 when the domestic ferret, a domestic animal, was mistakenly included in a list of wild animals to be controlled by the Department of Fish & Game.

Now, a word about strays - we have shown that there are no feral populations of domestic ferrets and the principal reason for this is that the occasional stray ferret lasts only a few days in the wild, and at the last meeting we gave the reasons for this. If you recall, at the August meeting we provided advisory reports from the New Jersey Department of Environmental Protection and from the U.S. Public Health Service - Centers for Disease Control, which confirmed the very short life expectancy of domestic ferrets in the wild. Today, we provide, additionally, an extract from the Encyclopedia Americana in which Robert Ellarson of the University of Wisconsin says, "The domestic ferret seldom survives in the wild more than a few days". (Item 10, Exhibit 1E)

With regard to public health and safety, figures from the Journal of the American Veterinary Medical Association (JAVMA), shown in Exhibit 17, indicate that dogs are over 200 times more likely to bite than ferrets. The bite incidence rate for dogs using JAVMA data works out to 8.8 bites per year per 10,000 dogs, and .04 bites per year per 10,000 ferrets. As you can see, bites from ferrets are statistically insignificant.

For what are regarded as "serious" ("serious" is not defined) bite injuries, the numbers are 44,000 per year for dogs and 12 (not 12,000) per year for ferrets. For even more serious injuries - requiring plastic surgery - the numbers are 16,000 per year for dogs and 12 per year for ferrets. Even allowing for differences in population (45-50mm dogs and 3mm ferrets, 1988), the ferret numbers are inconsequential. This from the American Veterinary Medical Association. (Exhibit 17)

With regard to rabies, at the August meeting it was pointed out that an effective rabies vaccine for ferrets has been approved by the U.S. Department of Agriculture, contrary to the statements by the then Director of the Department of Fish & Game, Boyd Gibbons. It should also be noted that studies at the French National Center for the Study of Rabies have shown that ferrets do not shed the rabies virus in their saliva, making the transmission of rabies from a ferret bite virtually impossible. (Blancou & Artois, 1982)

And not coincidentally, no one in the USA has ever acquired rabies from a rabid ferret - which does seem to confirm the French report that the rabies virus is not secreted in the saliva of domestic ferrets.

The CDC Annual Summary of Rabies Surveillance from 1984-1990 listed the following cases of rabies in animals:

Horses	701						
Dogs	2240						
Cats	2310						
Cattle	3395						
Ferrets	10	_	Only 1:	2 ever	recorded	in th	ne USA

The remarkably small number of ferret cases is best explained in a letter from the ASPCA. (Exhibit 38, page 267)

C & K REPORT

At the August meeting, we did not bring up the report entitled "Pet European Ferrets" by Drs. Constantine and Kizer - although we were well aware of it.

Nor were we planning to bring up this report today. But, since it has been brought up by the Department of Health Services, we are prepared to offer a rebuttal.

Exhibits 18 and 19 are critiques by qualified experts of this advocacy piece. The review by Dr. Wellstead (Exhibit 18) is particularly instructive, since one of his books is referenced in this piece and he is cited several times. Dr. Wellstead, who holds a Ph.D. in Zoology, is a published author and guest lecturer on the subject of ferrets, with some 40 years experience in the field. He is a world expert and is used as a reference by the authors.

If ferrets could sue for libel they would have a very strong case. I think it suffices to say that this ugly piece of taxpayer financed propaganda was politically motivated, it was designed specifically to discredit domestic ferrets, and was done at the request of the Department of Fish & Game, as the authors admit in the report. It is laced with falsehoods and distortions, of which I will offer some examples:

Exhibit 22 is a list dated March 6, 1986 compiled by Dr. Constantine, and shows Ohio, Washington and Massachusetts as states with "Reproducing Feral Ferret Populations". Here is what the states themselves have to say about this matter: (See Exhibit 22)

Exhibit 23 shows three excerpts, all of them warning against the threat of feral populations of domestic ferrets, particularly to poultry. I would like to comment on these, as follows:

First, as we know from advice from all 50 states, there are no feral populations of domestic ferrets.

Secondly, with regard to the threat to poultry, let me read letters from the California Poultry Industry (Exhibits 3A and 3B). In addition, Exhibit 24 consists of letters from 10 other poultry associations in different parts of the country.

This report is not a serious document with it's reckless disregard for the truth.

The critiques by Drs. Wellstead and Hoffman have put this propaganda piece in its proper perspective but, to indicate the low regard which other states have for it, the following states have lifted their ban on ferrets since it first came out:

- 1988 "Pet European Ferrets" published
- 1990 Georgia lifted the ban on ferrets
- 1991 Vermont lifted the ban on ferrets
- 1992 New Hampshire lifted the ban on ferrets
- 1993 Utah lifted the ban on ferrets
- 1994 Michigan lifted the ban on ferrets
- 1996 Massachusetts lifted the ban on ferrets

Interesting footnote: This Report states that 3 people in California were attacked by rabid ferrets. Yet only 1 rabid ferret was ever reported in California. The same ferret would have had to attack all 3 people.

This is not a document worthy of any serious consideration - in fact, it's an embarrassment to California, and it was requested by the Department of Fish & Game.

Mr. Treanor asked me to provide copies of any additional information which we intended to provide the Commission. We sent several additional exhibits on September 29 and asked to be provided with copies of any written information that the Department of Fish & Game was planning to submit. Mr. Treanor said he would supply us with a copy of the Department's information as it became available.

Apparently, it never became available because we never received any written information.

What we did receive were two letters, one each, from the Department of Fish & Game and Department of Health Services stating their position and their concerns. I counted the word "concerns" 9 times in the 2 letters. They seem to be very long on "concerns" but pretty short on facts. There was nothing substantive in their letters.

Please refer to the letter to Mr. Treanor from Mr. Kevin Reilly of DHS dated October 2, 1995. Refer to third paragraph.

I can only conclude that Mr. Reilly's universe must be pretty small - probably not much bigger than Sacramento. It certainly does not include Atlanta, Georgia, where the CDC has an entirely different opinion of what to do about ferret bites - See Exhibit 5A. (middle of second page.)

This is a far cry from Mr. Reilly's prescription - which is "Kill them and test whether or not they have been completely housebound; kill them and test whether or not they have been vaccinated."

The ASPCA letter from Mr. Caras shows just how ludicrous Mr. Reilly's suggestion really is.

I have already addressed the concerns expressed by Mr. Reilly in regard to ferret bite injuries and rabies in ferrets, but he also worries about stray and abandoned ferret populations. Early on, we pointed out that pet ferrets are usually spayed and neutered - and that they have a very short life expectancy in the wild. But, to put Mr. Reilly's mind at ease, I'll send him a copy of Exhibit 25, which consists of our 11-page survey with names, addresses and telephone numbers of 46 animal control agencies - in 29 states - all of them where ferrets are already legal.

The total number of animals received by these agencies ranged from a low of about 5,000 per year up to 60,000 per year.

The average number of ferrets per year received was less than 7. Anyone who spends time worrying about that obviously doesn't have much to do.

* * * *

Aside from threats to wildlife and agriculture, which are virtually non-existent, and to public health and safety where the threat, if there is any at all, is statistically insignificant, I believe that the central issue, really, in all this is one of jurisdiction. This is a subject that was brought up in August, but has not been addressed by the Fish & Game speaker today.

Briefly, the domestic ferret, a tame family pet, was, in 1933, mistakenly included in a list of wild animals to be controlled by the Department of Fish & Game. But the inconvenient fact is: scientific literature is today, and has long been, unanimous in stating that the domestic ferret is just that - a domestic species. Exhibits 1A, 1B and 1C submitted at the August meeting, list 23 experts and authoritative sources that state, unequivocally, that this is a domestic animal. Today we submit

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Exhibits 1D and 1E listing 32 additional experts and reference works, for a total of 55 authorities, attesting to the fact that the domestic ferret is not a wild animal, but rather a domestic animal.

The scope of authority of the Department of Fish & Game is clearly limited to wild animals, and the Legislative Intent Service confirms this as shown in the original 1933 statute (SB 493). (Exhibit 15) The status of the domestic ferret as a domestic animal means that it is clearly outside and beyond the authority of F&G, a wildlife agency.

To summarize then, it has been shown not only that the domestic ferret is not a threat to wildlife, agriculture or public health and safety - but, in addition, it is clearly outside the jurisdiction of the Department of Fish & Game, whose mandate is restricted to wild animals.

The irony in all this is that the domestic ferret is easily the safest and most problem-free of all the companion animals, especially when compared with dogs and cats.

The house cat (which does go feral) can be devastating to wildlife. A report in Great Britain a few years ago estimated that 5mm cats kill 70mm birds and small mammals annually.

The dog is over 200 times more likely to bite than the domestic ferret - and several thousand times more likely to cause serious injury (data from JAVMA).

The figures from the CDC Annual Summaries of Rabies Surveillance indicate that both dogs and cats average 350 to 400 cases of rabies each year, whereas there have only been 12 cases of rabid ferrets ever recorded. And, there is no problem with large numbers of stray or abandoned ferrets.

In short, domestic ferrets have none of the above problems usually associated with other pet animals, such as dogs and cats.

This issue is not going to go away. And, the reason it is not going to go away is because people will continue to bring their family pets into California - not wilfully, mind you - but many of them unwittingly, unknowingly - unaware of the anachronistic regulation that forbids domestic ferrets in California.

Those that are seized at the border will cause heartbreak and resentment. Those that get in will continue to swell the number of ferrets and ferret owners in California. In a special press release by the Department of Fish & Game in March, 1989, the Department of Food & Agriculture was quoted as estimating that the

number of ferrets in California at that time was between 250,000 and 500,000. The F&G officials believed that the numbers were even higher - and that was 6 years ago. This probably translates into a figure of at least 200,000 - 300,000 ferret owners today - probably more.

The Bill lifting the ban on ferrets in Massachusetts will eventually become law. It passed the House of Representatives unanimously - and now goes to the Senate where it has no opposition. It has the co-sponsored support of the Massachusetts Department of Fish & Game and Massachusetts SPCA. When it passes, Massachusetts will become the 48th state to recognize that domestic ferrets are tame family pets, and will leave California the only state on the mainland that does not do so.

This regulation banning ferrets, which clearly is the result of an error in classification over 60 years ago, serves no useful purpose.

As a taxpayer, I am appalled that the Department of Fish & Game expends any time, any money, or any effort whatsoever on this minuscule, non-problem, and as a citizen I resent that I cannot have as a pet a domestic animal which I am entitled to own as a private property right, a right which is codified in both the State and Federal Constitutions.

Mr. Chairman, lady and gentlemen Commissioners, we have heard a great deal of testimony - much of it consisting of hearsay, conjecture and scare tactics.

However, with hundreds of data and references, we have submitted some 36 factual exhibits at the August and November meetings and we hope that the Commission will decide the issue based on the facts - undeniable, unshakable hard facts.

Facts are stubborn things - and the facts are that 48 other states (soon to be 48) did their research, reviewed the evidence, surveyed their sister states and have all legalized or maintained the legality of the domestic ferret in their states - and not one has ever reversed its decision. That is an incontrovertible fact that is hard to ignore.

And now I'd like to ask a rhetorical question. In a letter to Mr. Treanor dated October 24, Mr. Raysbrook, interim Director of Fish & Game, says in effect, "Well, yes. Some of the information we put out previously and some of the letters we wrote earlier DID have potentially misleading information." Actually, as I reported at the August meeting, Mr. Gibbons' letter and fact sheet to Speaker Willie Brown had 15 - 20 statements that were either false or highly questionable, and I described several.

And today, again, we've seen a great number of statements from the Department of Health Services that range from highly questionable to outright falsehoods. My question is this: How many times can an agency make statements of deliberate misinformation before it loses all credibility?

We strongly urge the Commission to do the right thing and repeal this regulation which is both unfair and mistaken, and which criminalizes so many thousands of innocent citizens in California who have done nothing wrong.

FERRET LEGALIZATION IN CALIFORNIA

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Extension Service

Agriculture

Ag Box 0910 Washington, DC 20250-0910

May 3, 1994

EXHIBIT 1

Ms. Pamela Grant P.O. Box 1714 Springfield, Virginia 22151

Dear Ms. Grant:

You recently requested information regarding the designation of ferrets by the US Department of Agriculture. I could not determine if the Extension Service has a designation, but it is very doubtful there is a designation as there is no need for this type information for any of our activities.

I checked with the Animal and Plant Health Inspection Service (APHIS) and found that they do not cover ferrets in their regulations. The APHIS uses the state regulations regarding these designations to take precedence in any of their regulatory functions. However, under the APHIS animal care regulations, they do not consider the ferret to be wild, and do not consider the ferret to be exotic. Therefore, they must consider the ferret to be a pet, or domestic.

This is the best information available to me. I hope it is beneficial to your organization. Please contact me (202/720-4087) if you require further assistance.

Sincerely,

Richard Reynnells

National Program Leader.

Robert D. Reymell

Poultry Science and Fur-bearing Animals

Who Says the Ferret Is A Domestic Animal?

The ferret is one of the domesticated species the history of which is not evidenced by fossil remains...

Frederick E. Zeuner A History of Domesticated Animals Harper & Rowe, 1963 page 401

The domestic ferret, sometimes given the name *M. putorius furo*, is thought to be a descendent ...

Ronald M. Novak and John L. Paradiso Walker's Mammals of the World
Johns Hopkins University Press, 1983

The European Ferret, Mustela putorius furo, has been domesticated for over 2,000 years, although confusion exists as to its exact origin and early use ...

James G. Fox, D.V.M.
(Director, Division of Comparative Medicine, Massachusetts Institute of Technology)
Biology and Diseases of the Ferret
Lea and Febiger, 1988, pp. vii

Three lines of investigation used in studying domestication are archaelogical, zoological, and historical.

In studying the ferret, only the second two have been pursued...

Clifford Owen
The Domestication and
Exploitation of Plants and
Animals, Aldine Co. 1969
p. 489

FERRET, a weasel-like, meat-eating animal, long used in Europe for hunting rabbits and rats. The ferret, Mustela putorius furo, is a domesticated variety...

Collier's Encyclopedia Volume 9, London, 1984

The domestic ferret, (Mustela putorius furo), is a fun-loving, gregarious member of the family Mustelid that has become increasingly popular as a household pet...

R. Wayne Randolph
"Preventive Medical Care for the Pet Ferret."

Current Veterinary Therapy IX
Saunders Co, 1983 p. 772

The ferret, Mustela putorius furo, is a carnivore belonging to the family Mustelidae. The domestic ferret is believed to have been derived from the wild (European) polecat...

Moody, Bowman and Lang
"Laboratory Management of the Ferret for Biomedical Research."

Laboratory Animal Science, 35(3):227 1985

Discovery of the susceptibility of ferrets to canine distemper in the 1930s...initiated a series of events that changed the principle use of the domestic ferret from a hunting companion to a valuable model...

Anon. "Ferrets in Biomedical Research." Laboratory Animal Science, 35(3):199 1985 ferret, or FTTCHET; (Musicla seputorius furo) a domesticated form of the wild polecat, which see it resembles in size = 1

Encyclopedia Brittanica 15th Edition, Vol IV EXHIBIT 1B

fer'ret, n. A weasel-like or musteline carnivore, a domesticated naualbinistic variety of the European polecat...

Funk & Wagnalls' New Standard Dictionary 1965

It represents a truly remarkable feat for man to have bred the domesticated type of polecat that we call the ferret

New Book of Popular Science Volume 5 Grollier, 1979

Domestic Animals

Among domestic animals employed to kill rats

are the dog, cat and ferret

Bureau of Biological Survey, United States Department of Agriculture U.S. Government Printing Office 1915

Ferrets:

Another domesticated permission becomes popular in the callaboratory.

Anon, New England Anti-Vivisection Society April 1985 p. 8

(i) Retail Pet stores which sell non-dangerous, per type animals such as dogs, cats, birds, rabbits hamsters, guinea pigs, goplers, domestic ferrets.

United States Department of Agriculture Federal Register
Volume 51 Nº 49, March 15 1989
page 10,833

The ferret (Fig 7.1) belongs to the order Carnivora and the family Musichdae, It has been domesticated in Europe for over 2,000 years and its origins are therefore as obscure.

C.S.F. Williams A Practical Guide to Laboratory Animals C.V. Mosby, 1976 page 65

THE FERRET (Mustela putorius furo), a carnivore of the lamily Mustelidae, was domesticated from the wild European polecat.

Lennox M. Ryland & John R. Gorman "The Ferret And Its Diseases."

Journal of the American Veterinary

Medical Association
173(9):1154

Ferrets have been domesticated to hunt rabbits since Roman times...

Daniel and Baker, Handbook of New Zealand Mammals 1986 page 81

The ferret is the domesticated version of the wild polecat.

Carol King
Immigrant Killers
Oxford University Press
Aukland, 1984
page 84

FERRET (Mustela furo.)

Where Found—Domesticated.

George Jennison,
Natural History: Animals
A & E Black Ltd. London, 1929
page 106

Ferret (Mustela furo).

Domestic form of the polecat, used especially for catching rabbits...

Gordon Corbet, The Mammals of Britain and Europe Collins Ltd., London, 1980 page 68

Ferret Mustela furo...
Taxonomic status: a
domesticated form ...

H. N. Southern
The Handbook of British Mammals
Second Edition
Blackwell Scientific Publications
Oxford, 1977 page 352

FERRET ...many regard it as a meer domesticated form...

New International Encyclopedia Cambridge, University Press 1917 page 484

ferret, also called micher ...a domesticated form of the wild polecat...

New Encyclopedia Brittanica Volume 4 1986

Additional references can be found in Ferrets and the New Inquisition, the rebuttal to the CDHS 1988 Report, in Section 9 of this Manual. The Authors were unable to find any zoological or other scientific reference in which Mustela furo Mustela putorius furo was considered anything but domesticated.

26

by: Madeline Lowery, R.N., O.N.C.; Freddie Ann Hoffman, M.D., and Randy S. Sellers [the American Ferret Association, Inc., P.O. Box 3986 Frederick, MD 21705-3986.]

[NB: For the purposes of this paper, the term DOMESTICATED will be used. The term domestic is often used by the layman to mean domesticated, i.e., "tamed and brought into use by man." Domestic refers to "indigenous" or "in close relationship with the household."]

- Administrative classification of the domesticated European ferret (M. putorius furo) ("FERRET"), which occurred prior to a USDA licensed rabies vaccine for ferrets, has led to confusion.
- Laws, ordinances and policies labeling the ferret as "wild" or "exotic" has prohibited the sale, ownership, and in many jurisdictions, proper medical care of ferrets.
- The USDA licensed a killed rabies vaccine for use in ferrets, on February 7, 1990.

SCIENTIFIC LITERATURE

There is consensus in all of the scientific literature that the ferret (M. putorius furo) is a domesticated species.

"The ferret was a domesticated animal in Roman times for Strabo mentions it in his Geography of the 1st Century A.D. Probably it was domesticated in even earlier times, for according to Zeuner (1963), Aristotle (350 B.C.) described a polecat which 'becomes very mild and tame.' [Poole, 1972]

"The ferret, Mustela putorius furo, is the domesticated cousin, and perhaps a descendant of the European fitch or polecat, Mustela putorius. The ferret has been in man's custody for centuries, which proves the assertion that the ferret is a wild animal to be erroneous." [Besch-Williford, 1987]

Linneaus classified the ferret as *Martes furo*, and the wild polecat as *Mustela putorius*, considering them to be two distinct species. The ferret "appears to be more nearly related to the Asiatic [Steppe polecat] *M[ustela] eversmanni* Lesson." [Pitt, 1921]

♦ Distinct anatomical, physical, physiological, and behavioral differences exist between the ferret, the wild polecat (*M. putorius*), and their F1 and F2 hybrids.[Pitt,1921; Ashton & Thomson,1955; Rempe,1970; Poole,1972; Lavers]

The gene for albinoism is common in ferrets, but quite rare in wild polecats.

Ferrets appear to be more resistant to certain illnesses, such as pneumonia and canine distemper virus, than their wild counterparts.

Ferrets are docile and trainable, less ready to emit defensive odor from their scent glands; polecats are "untameable" if caught as adults, and ferret-polecat hybrids are also less docile, and require constant handling.

"The [ferret's skull has a] more narrow constricted post-orbital region, averaging in the male only 13 mm. in breadth, against 18 mm. of the male polecat, which gives the skull a 'small-waisted'

appearance; the more inflated and less triangular auditory bullae; and the smaller carnassia: teeth..... [E]very ferret's skull I have seen has differed in one respect from both[the Steppe polecat] M. eversmanni, and from every polecat's ... this character being the shortness of the ridges that proceed from the post-orbital processes towards the brain case, which converge at a much blunter angle than they do in the polecat.... This seems to indicate a character in the ferret that is not possessed by either of the other species." [Pitt, 1921]

"Ferrets sold as pets in the United States are derived from European ferret stock which have been domesticated for centuries and selectively bred for productivity and desirable behavior traits." [CDC Veterinary Public Health Notes, 1980]

"Differences were found [between the ferret, polecat and F1 hybrids] in exploratory behaviour, fear of man and the frequency of occurrence of the 'attention response.' [Poole, 1972]

- ♦ The selective breeding and use of ferrets by humans has been very similar to that of the domesticated dog and the domesticated cat: ferrets were used to hunt rabbits for food, and to rid homes, farms and ships of rats and other unwarranted rodents. [Lantz, 1915; Owen, 1969; Zeuner, 1963]
- Ferrets cannot survive on their own for more than a few days. They do not exist in the wild in the United States. In two surveys conducted of the 50 states, no feral colonies existed.
- Ferrets are no more "exotic" than dogs or cats: Except for the husky and other arctic dog breeds, no pet dogs or cats would be considered domestic breeds to the United States, since they did not originate on American soil. Therefore, they too should be considered "exotic."

CONCLUSION

The scientific evidence, both historical, archeological, and genetic overwhelmingly support the domesticated nature of the ferret.

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Exhibit 1E (a. b. and c.)

AUTHORITATIVE SOURCES WHICH STATE THAT THE DOMESTIC FERRET (MUSTELA PUTORIUS FURO) IS A DOMESTICATED SPECIES:

(a)	Books and Encyclopedias	33
(b)	Government Entities and Agencies	41
(c)	Biologists, Zoologists, Mammalogists, Veterinarians, University Researchers, and Private Individuals and Organizations	81
	Total	155

Exhibit 1E(a)

BOOKS AND ENCYCLOPEDIAS Which state that Mustela Putorius Furo (The Domestic Ferret) is a Domesticated Species (* - Letters or Page Extracts Attached)

- 1. <u>A History of Domesticated Animals</u>, F.E. Zeuner, Harper & Rowe 1965 p.401
- 2. <u>A Practical Guide to Laboratory Animals</u>, C.V. Mosby, 1976, p.65
- 3. <u>Biology and Diseases of the Ferret</u>, J.G. Fox, Lea & FeBiger 1988 pp.vii, p.489
- 4. Century Dictionary, '04 *
- 5. Collier's Encyclopedia, Vol 9, London 1984 *
- 6. <u>Compton's Encyclopedia & Fact Index</u>, Vol 26, Univ. Chicago '83 *
- 7. <u>Cowles Encyclopedia of Animals and Plants</u>, Cowles Educational Corp, '68 *
- 8. <u>Encyclopedia Americana</u>, Grolier 85 *
- 9. <u>Encyclopedia Brittanica</u>, 15th Edition, Volume IV *
- 10. Encyclopedia of Mammals, Equinox (Oxford) Ltd., '84 *
- 11. <u>Ferrets and Ferreting</u>, Graham Wellstead, T.F.H. Publications, N.H. 1982
- 12. <u>Ferrets in Biomedical Research</u>, Lab.Animal Science, 35(3):199 1985
- 13. Funk & Wagnalls New Standard Dictionary, 1965 *
- 14. <u>Handbook of New Zealand Mammals</u>, 1986, p.81
- 15. <u>Immigrant Killers</u>, Carolyn King, Oxford University Press 1984, p. 84
- 16. <u>Laboratory Habit of the Ferret for Biomedical Research Lab</u>, Animal Science 1985

- 17. Natural History: Animals, Geo. Jennison, A&E Black Ltd, London 1979, p.106
- 18. New Book of Popular Science, Vol. 5, Grolier 1979
- 19. New Columbia Encyclopedia, Columbia University Press, '75 *
- 20. New Encyclopedia Brittanica, Vol 4, 1986 *
- 21. <u>New International Encyclopedia</u>, Cambridge University Press, 1917, p. 484 *
- 22. <u>Preventive Medical Care for the Pet Ferret</u>, Saunders Co., 1983, p. 772; R. Wayne Randolph; Moody, Bowman & Crug
- 23. The Domestication and Exploitation of Plants and Animals, Albine Co. 1969
- 24. The Handbook of British Mammals, H.N. Southern, Oxford 1977 p. 352
- 25. The Mammals of Britain and Europe, G. Corbet Collins Ltd., London 1980, p.68; Blackwell Scientific Pub.
- 26. <u>Walker's Mammals of the World</u>, Johns Hopkins University Press, 1983
- 27. <u>Animal Life Encyclopedia</u> Dr. Bernard Grzimek, Van Nostrand Reinhold Company, p. 52-53.
- 28. <u>Encyclopedia of Mammals</u>, Vol. 3, p. 404, Bernard Grzimek, McGraw-Hill, 1990
- 29. <u>Evolution of Domesticated Animals</u> Clifford Owen, (Leicestershire Museums England) I.L. Mason (Ed). Longman, N.Y. 1984, p. 225-228
- 30. <u>Ferrets As A New Pet</u> G. Ovechka, p. 55, T.F.H. Publications, Inc., 1995, Neptune City, N.J.
- 31. <u>Biology and Medicine of the Domestic Ferret: An Overview Carpenter</u>, J.W. et al Small Exotic Animals Medicine 2(4):151-162, 1994
- 32. <u>Domestic Ferret (Mustela Putorius Furo) Courtship Activity</u>, Miller, B.J., Zoo Biology; 9(3):201-210, 1990
- 33. A Review of Domestic Ferret Reproduction, Conservation Biology and the Black Footed Ferret, U.S. Seal et al (Ed) p. 190-198, 1989

Exhibit 1E(b)

GOVERNMENT ENTITIES AND AGENCIES Who have Stated that Mustela Putorius Furo (The Domestic Ferret) is a Domesticated Species (* - Letter on File)

- U.S. Dept. of Agriculture, Vol. 51, No. 49, Federal Register, March 15, 1989, p. 10833; Veterinary Public Health Notes, October, 1980
- U.S. Public Health Service (Centers for Disease Control), press release 7/24/85
- Smithsonian Institution. National Zoological Park, Washington,
 D.C. (Exhibit 1E letters)
- 4. Bureau of Biological Survey, USDA, USA Government Printing Office, 1915
- 5. City of Baltimore, Health Department Letter 7/5/94 (Exhibit 8B)
- 6. Canadian Department of Agriculture, letter 9/28/89
- 7. State of Alaska *
- 8. State of Arizona Department of Wildlife
- 9. State of Colorado, Division of Wildlife (Exhibit 2)
- 10. State **Connecticut**, Department of Environmental Protection (Exhibit 2)
- 11. State of **Delaware**, Department of Natural Resources & Environmental Control (Exhibit 2)
- 12. State of Idaho, Department of Fish & Game (Exhibit 2)
- 13. State of Illinois, Department of Conservation (Exhibit 2)
- 14. State of Indiana, Department of Natural Resources (Exhibit 2)
- 15. State of Iowa *
- 16. State of Kansas, Department of Wildlife & Parks (Exhibit 2)
- 17. State of **Kentucky**, Department of Fish & Wildlife Resource (Exhibit 2)

- 18. State of Louisiana, Department of Wildlife & Fisheries (Exhibit 2)
- 19. State of Maine, Department of Inland Fisheries & Wildlife (Exhibit 8A)
- 20. State of Michigan, Department of Natural Resources (Exhibit 2)
- 21. State of **Minnesota**, Department of Natural Resources (Exhibit 2)
- 22. State of Missouri, Department of Conservation (Exhibit 2)
- 23. State of Montana, Department of Fish, Wildlife & Parks (Exhibit 2)
- 24. State of Nebraska, Game & Parks Commission (Exhibit 2)
- 25. State of New Hampshire *
- 26. State of New Mexico *
- 27. State of North Carolina, Wildlife Resources Commission *
- 28. State of North Dakota, Game & Fish Department (Exhibit 2)
- 29. State of Ohio, Department of Natural Resources (Exhibit 2)
- 30. State of **Oklahoma**, Department of Wildlife Conservation (Exhibit 2)
- 31. State of Pennsylvania, Game Commission (Exhibit 2)
- 32. State of **Rhode Island**, Department of Environmental Management (Exhibit 2)
- 33. State of South Carolina *
- 34. State of **South Dakota**, Department of Game, Fish & Parks (Exhibit 2)
- 35. State of Texas, Parks and Wildlife Department
- 36. State of Utah, Department of Natural Resources (Exhibit 2)
- 37. State of Vermont *
- 38. State of **Virginia**, Commission of Game & Inland Fisheries (Exhibit 2)
- 39. State of **West Virginia**, Department of Natural Resources (Exhibit 2)

- 40. State of **Wisconsin**, Department of Natural Resources (Exhibit 2)
- 41. State of Wyoming, Game & Fish Department (Exhibit 2)

Exhibit 1E(c)

BIOLOGISTS, ZOOLOGISTS, MAMMALOGISTS, VETERINARIANS,
UNIVERSITY RESEARCHERS AND PRIVATE INDIVIDUALS AND ORGANIZATIONS
Who state that Mustela Putorius Furo
(The Domestic Ferret) is a Domesticated Species
(* - Letter Attached)

- 1. American Museum of Natural History *
- 2. American Society for the Prevention of Cruelty to Animals *
- 3. Humane Society of the U.S. (See HSUS definition of "wild animal")
 - Humane Society of the United States Its definition of a wild animal: "We define wild animals
 as any animal not genetically controlled over a very long
 period of time and, specifically, thereby, adapted to the
 human environment". This is a perfect description of
 what a domestic ferret is NOT. Ipso facto, the Domestic
 Ferret is not a wild animal.
- 4. American Veterinary Medical Assn Journal 173(9); 1154 Ryland & Gorman
- 5. London Journal of Zoology, 166:25-35 1972
- 6. Mammalian Taxonomic Directory International Species Information System (ISIS), Apple Valley, Minnesota *
- 7. A.M. Eastment, Queen's University, Belfast, Ireland 1968
- 8. A.P. Florczyc, Bristol Laboratories 1981
- 9. C. Birnbaum, Karl Marx University, Germany 1969
- 10. C.H.R. Joffre Centre d'Etude du Biologie Des Animaux Sauvages, Beauvoire, France
- 11. Prof. M.E. Fowler, D.V.M., University of California, Davis *
- 12. J.S. Pollard, University of Canterbury and Christ Church New Zealand 1969
- 13. K.D. Ryand, Women's Hospital Pittsburg 1984
- 14. M. Biben, National Institute of Health 1982
- 15. M.J.G. Appel, Cornell University 1988

- 16. M.S. Erskine, Massachusetts Institute of Technology 1982
- 17. M.S. Hoover, Oregon State University College of Veterinary Medicine 1988
- 18. New England Anti-Vivisection Society April 1985 p. 8
- 19. P.A. Thorp, University of Cambridge, England 1983
- 20. Dr. Trevor Poole, University of Wales
- 21. P.T. Curry, University of Wyoming, 1988
- 22. "The Domestic Ferret As A Threat To Wildlife" V.J. Fitzgerald, Ph.D., Dept. of Biology, University of Iowa (From Books & Encyclopedias, etc.)
- 23. Graham Wellstead, BA, BS, Ph.D., Published Author and Lecturer on ferrets. "The Ferret And Ferreting Guide"; "Ferrets and Ferreting"
- 24. The Wildlife Conservation Society New York, N.Y. (letter on file)
- 25. Dr. Thomas W. French Assistant Director, Natural Heritage and Endangered Species, Massachusetts Division of Fisheries and Wildlife. *

ZOOS (* - Communication on file) (** - Letter Attached)

- 26. San Antonio Zoological Gardens, San Antonio, Texas *
- 27. Topeka Zoological Park, Topeka, Kansas *
- 28. Cincinnati Zoo, Cincinnati, Ohio *
- 29. Potawatomi Zoo, South Bend, Indiana *
- 30. Como Zoo, St. Paul, Minnesota *
- 31. Houston Zoological Gardens, Houston, Texas *
- 32. Saint Louis Zoo, Saint Louis, Missouri *
- 33. Seneca Park Zoo, Rochester, New York *
- 34. Fort Worth Zoo, Fort Worth, Texas *

- 35. Gulf Breeze Zoo, Gulf Breeze, Florida *
- 36. The Living Desert, Palm Desert, California *
- 37. Gladys Porter Zoo, Brownsville, Texas *
- 38. Pittsburgh Zoo, Pittsburgh, PA *
- 39. Montgomery Zoo, Montgomery, Alabama *
- 40. Henry Doorly Zoo, Omaha, Nebraska *
- 41. Marine World, Vallejo, California *
- 42. Cheyenne Mountain Zoo, Cheyenne, Wyoming *
- 43. Roger Williams Park Zoo, Providence, Rhode Island *
- 44. Jackson Zoological Park, Jackson, Mississippi *
- 45. Miller Park Zoo, Bloomington, Illinois *
- 46. Charles Paddock Zoo, Atascadero, California *
- 47. San Diego Wild Animal Park, San Diego, California *
- 48. Baton Rouge Zoo, Baton Rouge, Louisiana *
- 49. Oakland Zoo, Oakland, California *
- 50. Phoenix Zoo, Phoenix, Arizona *
- 51. Oglebay, Wheeling, West Virginia *
- 52. Dakota Zoo, Bismark, North Dakota *
- 53. Woodland Park Zoological Gardens, Seattle, Washington *
- 54. International Crane Foundation, Baraboo, Wisconsin *
- 55. Cameron Park Zoo, Waldo, Texas *
- 56. Caldwell Zoo, Tyler, Texas *
- 57. Audubon Zoological Garden, New Orleans, LA *
- 58. Santa Ana Zoo, Santa Ana, California *
- 59. Riverbanks Zoological Park, *
- 60. Metropolitan Toronto Zoo, Scarborough, Ontario, Columbia *

- 61. Discovery Island, Lake Buena Vista, Florida **
- 62. Zoo America, Hershey, Pennsylvania *
- 63. Arizona-Sonora Desert Museum, Tucson, Arizona *
- 64. Kansas City Zoological Gardens, Kansas City, Missouri *
- 65. Los Angeles Zoo, Los Angeles, California *
- 66. Knoxville Zoological Gardens, Knoxville, Tennessee *
- 67. Indianapolis Zoo, Indianapolis, Indiana *
- 68. Blank Park, Des Moines, Iowa *
- 69. Wildlife Safari, Winston, Oregon *
- 70. Trevor Zoo, Millbrook, New York *

ZOOLOGICAL SOCIETIES (* - Communication on file) (** - Letter Attached)

- 71. The Zoological Society of London proceedings, 1955, Ashton, E.H.; Vol. 125; 807-9; 317-33
- 72. The New York Zoological Society **
- 73. The Zoological Society of San Diego **
- 74. The Staten Island Zoological Society **
- 75. The Calgary Zoological Society *
- 76. The Chicago Zoological Society **
- 77. The Pueblo Zoological Society *
- 78. The Toleda Zoological Society *
- 79. Societe Zoologique De Granby Inc. *
- 80. The Zoological Society of Philadelphia *
- 81. The Sacramento Zoological Society *

EXHIBIT 2

Letters of reply from Departments of Fish and Game (or equivalent)	
Replies from State Departments of Fish and Game	46
Replies from State Departments of Agriculture regarding inquiry sent to Department of Fish and Game in their State (California, Texas, and New Hampshire)	
Reply by telephone (Mississippi)	1
Total	50

All replies state that there are no known feral populations of domestic ferrets in any state.

40

50 State Survey on the Supposed Existence of Feral Populations of Domestic Ferrets in Each State

SUMMARY OF STATE SURVEY

REGARDING ALLEGATION OF POSSIBLE FERAL POPULATIONS

1.	Alabama	No known feral populations; no laws specifically
•	4.1lo-	addressing ferrets. No feral populations; considered domestic.
2. 3.	Alaska Arizona	No feral populations; considered domestic.
٥. 4.	Arkansas	Not aware of any feral populations; considered
		domestic.
	California	No feral populations; considered vild.
6.	Colorado	Not aware of confirmed populations; considered domestic.
7.	Connecticut	No known feral populations; considered domestic.
8.		Not aware of any feral populations; domestic.
9.		No known feral populations; classified as wildlife.
10.	Georgia	No documentation of feral populations; considered wildlife.
11.	Havaii	No known feral populations; prohibits importation.
12.	Idaho	No known feral ferret populations; domestic.
13.	Illinois	Unaware of existence of any feral populations; domestic.
14.	Indiana	No known wild populations in existence; considered domestic.
15.	Iova	No known feral populations; suspects they are unable to survive in the wild. No legal status.
16.	Kansas	No known feral populations; considered domestic.
17.	Kentucky	None known; species considered domestic.
18.	Louisiana	No known feral populations; considered domestic.
19.	Maine	No feral populations; considered domestic.
20.	Maryland	No known feral populations; considered domestic.
21.	Massachusetts	No self-sustaining wild populations of domestic ferrets.
22.	Michigan	No feral populations. Considered domestic.
23.	Minnesota	No population of domestic ferrets.
24.	Mississippi	Phone conversation w/Robin Neally (Div. of Law Enforcement). "No feral populations. Animal considered domestic."
25.	Missouri	No feral populations of domestic ferret.
26.		No feral populations of domestic ferret.
27.		Not aware of existence of any feral populations of
		domestic ferret. No feral populations. Classified as wildlife, but
28.	Nevada	could be considered domestic; permit required.
29.	N. Hampshire	No feral populations. Considered wild animal.
30.	New Jersey	No known populations; considered exotic.
31.	New Hexico	No documentation of feral population; considered
		domestic.
32.	New York	No knowledge of feral populations. Not classified as either domestic or wild; permit required.
33.	N. Carolina	No feral populations; not classified - no control over possession or sale of ferrets.
34.	North Dakota	No known feral populations of domestic ferrets.
35.	Ohio	No feral populations; considered vild.
36.		No feral populations; considered domestic.
37.		No known feral populations; considered exotic wildlife.
38.		No feral populations; considered domestic.
39.	Rhode Island	No known feral populations; considered domestic.

Page Two Summary: Possible Feral Populations

40.	S. Carolina	No known feral populations.
41.	S. Dakota	No feral populations; considered domestic.
42.	Tennessee	No known feral populations; considered wild.
43.	Texas	No feral populations. Considered domestic.
44.	Utah	No known feral populations; considered domestic.
45.	Vermont	No known feral populations; considered wild.
	Virginia	No known feral populations; considered domestic.
47.	Vashington	No known feral populations.
48.	V. Virginia	No feral populations. Considered domestic.
49.	Visconsin	No feral populations. Considered domestic.
50.	Wyoming	Unavare of any feral populations; domestic.

May 1988



DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

64 Dorth Union Street Boutocaert, Alabana 5113

September 29, 1987

Dividous of came and fight Charles & selley Desector BAN L. OFFICES

STEVE COWPER, GOVERNOR

STATE OF ALASKA

P O BOH BHE PALMER, ALABIA 19545-0349 PACIME, ERRY 745-7209 DEPARTMENT OF NATURAL RESOURCES DIVISION OF AGRICULTURE

August 22, 1989

William B. Phillips, Esq., Executive Director The California Domestic Ferret Association FP Dow 1868 Healdsburg, CA 95448

Dear Mr. Phillips:

Your letter of August 11, 1989 requested information on domestic ferrets in Alaska. We have not collected this data.

I would appractate receiving a copy of your report when it is completed.

Sincerely,

trant M

Prank Mielke Director

PH/kjh

II. E. "COOLT" PUGE SOUTANT CON HERMONE Lests & Martin Commissioner

Mr. William B. Phillipo, Roc. P. O. Bon 1866 Healdeburg, CA 95448

Dear Mr. Phillips:

Gane and Fish Director Charles D. Kalley has asked no to respond to your letter of September 41, 1987.

As of this date, no known feral populations of the Domestic Ferret, Hustels fure exist in Alabana. There are no regulations or laws opecifically addressing this ferret. There are no wild populations of this animal in Alabana, thus the wild or domestic status is most.

I'm pleased to provide this limited information.

1

ARIZONA GAME & FISH DEPARTMENT

Phone Agree \$5025 800-5000 222 Helping

Movember 18, 1987

Mr. James Clayton, Director Mational Domestio Perfet Association Post Office Box 8066 Vallejo, California 94590

Dear Mr. Claytons

on the uild existence of Mustela furo in Arizons. We have been conducting surveys for H. <u>Ingripes</u> with various levels of intensity for the past three years. We never have encountered anything that was desend to be a dosestlo ferret. This letter is in response to your request for information

I suggest that you, contact the U.S. Fish and Wildlife Service Regional Office in Denver, Colorado for their input. They have a team of isologists that currently is sorutinizing reports of M. nikries, and thus likely have the best opportunity to encounter any wild M. furc.

Sincerely,

Temple A. Reynolds, Director

hush

Richard L. Glinski Mongame Biologist

ALG: PP

Phone call 27 April 1988 with Michard Glinski. Status of Mustela furo in Arizona is <u>DOMESTIC</u>.

Arkansas Game & Fish Commission

N M M



September 30, 1987

Mr. William 6. Phillips P. O. Sox 1869 Healdsburg, California 945448

Dear Mr. Phillips:

Your letter dated September 22, 1987, addressed to Mr. Steve H. Wilson which inquires as to the existence of the domestic ferret, Mistela furo, in the State of Arkansas has been referred to me for reply.

This Agency is not aware of any feral populations of the domestic ferret in our state.

There are two relevant statutes applicable to the possession of this "domestic" ferret in Arkanass.

"Transporting Mildlife Across State Lines." Wildlife, or parts thereof, taken in violation of State laws or regulations and transported across State lines is a violation of Federal Laws. Reg. 01.00-E.

t, have shipped as of wildlife paraission or to as of wildlife of Wildlife "importing or Release of Imported Species probleted." It shall be unlawful to import, into or possess in the State any species designated as undestrable species by the Comi-release into the wild any imported species without prior appreval of the Commission. Reg. 16.12.

If you desire further information, please contact us.

in Bertley, Chief

SWE/NO

UNIVERSITY OF CALIFORNIA, DAVIS

CONTRACT TANN - British - 104 AMERICA - ANTI-ANGLE - BAS - BAS FRANCISCO

BANTA BABBARA • SANTA COUR

January 23, 1984

SCHOOL OF VETERINARY MEDICINE INCRAFFINE

Sharon A. Dant.
Anchorege Community College
2513 Providence Avenue
Anchorege, Alaska 99504

Dear Ms. Dante

Thank you for your letter requesting information on the ferret. The ferret has been used by man for huncreds of years. As you may be aware, it is derived from the Biropean polecat, thistella patorius. The references used to list it as a domestic animal are attached.

I don't know what you want on my opinion on ferrets as domestic animals. Do you mean as a pet, or do you mean does it meet the criteria that I outline in my book? As a pet, they can be quite delightful little fellors, especially if they have been hand reasted. In the State of California they are illiegal. In other states they may be legal. Ferrets adapt quite well to human handling and are not injured by proper handling so that I don't feel it detrimental to the ferret. They thrive on the food that humans can provide as long as it isn't food from their table.

Regulatory officials are fearful that ferrets will escape to the wild and become feral. I don't really think that is possible. Dozestic ferrets will hardly catch a live mouse.

There are some good articles on the health and welfare of the ferret, I've included reference to them.

Hope this helps.

Mender M.E. Fowler, DVM Sincerely,

Professor

Enclosure NEF: 3

KcKo, PJ + Dimble 63, 6.10. The Americation 4 Exploits from 19 14 in Publishing; 1969.

Camp Pendleton, California, 92035-5010 NATURAL RESOURCES OFFICE

11015 BF5 29 Apr 87

P.O. Box 1868 Healdsburg, CA 95448

Dear Nr. Phillipss

This is in response to your letter of 17 April in which you requested information on feral domestic ferret populations on Camp Pendleton. The Natural Resources Office has no knowledge of a colony of feral domestic ferrets on Camp Pendleton nor any documentation of a past colony.

As you may be aware, possession of domestic ferrats without a permit issued by the California Fish and Game Commission is prohibited under State law. Accordingly, possession of ferrets is also prohibited under Base regulations.

Occasionally, individuals residing on Base will bring ferrets into Base housing areas. These animals were either obtained as legal pets in other states or illegally burchased within canimals and dispose of these in accordance with State requistions. He have no knowledge of any resident saintaining a large colony of ferrets or any knowledge of ferrets escaping or being released to the wild and establishing a self-eustaining feral population.

Each year our Anisal Shelter and warden personnel receive several calls regarding wild "black-footed" ferrets. Each of these mightlings of a wild ferret is investigated. In all cases where visual contact has been possible, the anisal has been identified as a long-tailed wassel (Musicala frents). Long-tailed wassels are often attracted to the developed areas of Caep Pendieton by the presence of prey in these areas.

I hope this information is beneficial to you. Thank you for your interest in Gamp Pendleton.

Sincerely.

A WARTA TOWN TIMOTHY A. BURR Director

BTATE OF COLORADO Roy Romes, Governor DEPARTMENT OF NATURAL RESOURCES

DIVISION OF WILDLIFE

James B. Buch, Director 6060 Bradwey Danver, Colorado 80216 Telephone: (203) 287-1102

STATE OF COLORADO
ROY ROME, GOVERNO
DE ATTENDE OF WILDLIFE
JOHNE, CHANGE
DOOD STANDER
THE STANDER
THE

Branchae 18.

Mc. William B. Phillips P.O. Box 1868 Bealdsburg, CA 95448

Dear Mr. Phillips:

I am not aware of confirmed populations of Mustels furo in Colorado. Please keep in mind, however, that the Division of Wildlife has no legal authority to deal with domestic ferrets, as they are not native wildlife in the state.

elocarily, Shypano

Judy Sheppard Terrestrial Nongame Specialist

Sick

September 29, 1987

William B. Phillips, Esq.
President
California State Ferret Association
P.D. Box 1868
Healdsburg, CA 95448

Dear Mr. Phillips:

The domestic ferret, Mustela fure, is not a native species to the state of Colorado. The only ferret that is native to Colorado is the black-footed ferret. Mustela nigripes. By Colorado statute, "wildilife" is defined as wild native vertebrates, mollusks, and cristaceans and any spacies introduced or released by the Division, whether alive or dead, including any part, product, egg, or offspring thereof (Sec. 33-1-102 C.R.S.). Since M. fure is not native and has not been introduced or released by the Division of the Muldilife, it is not considered wildilife". Since it

I hope this responds to your questions.

is not considered wildlife, the Division of Wildlife has no jurisdiction ever this species, with the exception of its use in heading (regulation enclosed).

Sincerely,

August, Sheppard

Terrestrial Hongane Specialist

A STA

DEPARTMENT OF NATURAL RESOURCES, Cryds Q, Marit, Executive Director o WILDLEE COMMISSION, Rebecce L. Frank, Chairman George VenDenBerg, Vice Chairman o Robert L. Fresdenberger, Becretary o Eddon W. Ceoper, Member o William R. Hepberg, Member Parante 1 served William Lamber o Rate Resistant Mamber o 1 and Waters Mamber

DEFANTMENT OF MATURAL RESOUNCES, Chide Q, Maris, Emcoules Directer « Wildliff COMMESSION, Rebecce L. Frack, Chairmen George VanCondeng, Was Chairman « Robert L. Freidenberger, Becreieny « Eiden W. Cooper, Member » William R. Hopberg, Mandret



DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE OF CONNECTICUT

WILDLIFE BUREAU

SESSIONS WOODS WILDLIFE MANAGEMENT AREA F.O. BOX 1218 • BURLINGTON, CT 64615 TELEPHONE (201) 584-939

October 9, 1987

Hr. Villiam B. Phillips, Req. P.O. Box 1868 Healdsburg, California 93448

Dear Mr. Phillips:

This letter is in response to your recent request for information on ferrets in Connecticut. There are no known populations of desertic ferrets in Connecticut.

The only statute that addresses ferrets directly was one which required licensing. That particular statute has been repealed. Another statute which addresses possession of potentially dangerous animals apecifically lists Felides. Canides, and Ureides. Mustelides is not listed in this statute.

Classification of forrers is art specifically described in our statutes, but the species is not considered native vildiife and generally considered to demostic.

Feel free to contact me if you require additional information.

Sincerely,

Jack R.

Paul W. Rego Wildlife Biologiat

DEPARTMENT OF NATURAL RESOURCES

& Europeanserial Control.

DIVISION OF FISH AND WILDLIFE

80 News Newwort

70 East 10011

BOURS BELIAME 19901 STATE OF DELAW

DIFFICE OF THE DISTRICTION

October 15, 1987

Mr. William B. Phillips, Esq. President, California State Perter Association P. O. Box 1866 Healdsburg, CA 95448

Dear Mr. Phillips:

I am not aware of any feral populations of the domestic ferret, Mustela fute, in Delaware. In our state we consider the ferret a domestic animal, therefore it is not covered by our wildlife code.

I hope this information will be useful.

H. Lloyd Alexander, Jr. Manager/Mildife Sincerely yours

FLORIDA GAME AND FRESH WATER FISH COMMISSION

DON WRIGHT *HOLASE HIRES SE. MES. CLEERT W. HUNFHREY WILLIAM Q. BOSTICK, JR. C. TOM EARHEY, D.V.A. Mann, List Wise House House House House

ROBERT M. BEANTLY, Ensures Desert ALLAN L. BODERT, Pl.D., Antonia Location Di

PARIS BRYANT BUILDSHO 430 famb Marken Sense Takkana, Paris 1400 (1901) 484-1940

October 9, 1987

Post Office Box 1868 Healdsburg, California 95448 Villiam B. Phillips, Esq. President, California State Ferret Association

Dear Mr. Phillips:

This is in reference to your request for information on ferrets in Florida. There are no known feral populations of ferrate in Florida at this time. The ferret is classified as wildlife in Florida and is regulated by Chapter 19-6 of the Florida Administrative Code.

If further information is needed, please let us know.

Sincerely,

Colenel Brantley Goodson Director, Elvision of Law Enforcement

Enclosure cc: Dr. Allan L. Egbert

Georgia Department of Natural Resources

Less Ichhard, Drawer, Game and Pich Dobben 2150 Dawsonville Hay. Gainesville, GA 30501

October 29, 1987

Mr. William B. Phillips P.O. Box 1868 Healdsburg, CA 95448

Dear Mr. Phillips:

This is in reply to your inquiry of September 22 to Director Kirkland concerning the status of the European ferret in Georgia (which was forwarded to me for response). While there have been a number of documented instances of ferrets escaping and being released into the wild in this state, it has not yet been documented that the animal has established feral populations. The ferret is considered a wild animal by the Department of Natural Resources and is listed under Official Code of Georgia Annotated 27-5-5 (1)(A) as requiring a license or permit. Under Code Section 27-5-4 only bona fide wild animal dealers or exhibitors holding an annual \$200 wild animal license or persons engaged in educational or scientific pursuits and possessing a wild animal permit, may transport, transfer, sell, purchase or possess wild animals listed in Code Sections 27-5-4 and 27-5-5. A copy of the entire Chapter 27-5 and the appropriate definitions are enclosed for your use.

Jim Scharnagel Senior.Wildlife Biologist Special Permit Unit Dirk Dirk Sincerely

> Col. Wayne Mutcheson Terry Kile :;

STATE OF HAWAS

October 29, 1987

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A LAND HATTERA AND HATTERA A BENEAR AND WATERAND OF CONTENT AND STREET S

DTLAND II. PATT, COLADORA Serie of Line and unfare, name LIPERT B. LANDGALA America Tues others

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600 South Walnet • Box 15 Boter, Liabs 83707

October 15, 1987

VIIIIam Phillips, Esq.
California State Ferret Association
P.O. Box 1868
Healdsburg, CA 99448

Dear Mr. Phillips:

This letter is in response to your questions concerning domestic ferrets. Mustels furo is not classified as a wildlife species in idaho. There are no statutes concerning this species in idaho and to the best of out knowledge there are no known fersi ferres populations. However, there are undoubtedly some domestic ferres individuals which escape captivity and become fersi.

We hope this information is helpful to you.

Craig Groves Natural Haritege Progress Bureau of Wildlife Scart

Hr. William B. Phillips P. O. Box 1868 Realdsburg, CA 95448

Dear Mr. Phillips:

The State of Hawaii has no known feral populations of ferrets (Mustela furo) and furthermore prohibits their importation (regulations enclosed).

For more information on this subject I suggest you contact the Department of Agriculture (address enclosed).

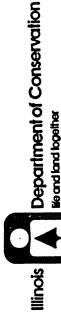
Sincerely.

TOD N. LUM Wildlife Biologist

THEIBNB

Enclosure

Department of Agriculture 1428 S. King Street Ronolulu, Mavail 96814



LINCOLN TOWER PLAZA • 124 BOUTH BEDOND STREET • SPHWOFFELD 62701-1797 CHICAGO OFFIZE • ROOM 4-300 • 100 WEST NANDOLPH 60801 MANK FRECH, DIRECTOR

October 1, 1987

Mr. William B. Phillips P.O. Box 1868 Healdsburg, CA 95448

Dear Mr. Phillips:

Your letter to Mike Coniin regarding domestic ferrets in Illinois has been forwarded to me for reply.

I am unaware of the existence of any feral populations of domestic ferrets in [lilinois. Ferrets are not considered to be "wild" animals in [lilinois. I have included photocopies of the rules regulating possession of ferrets by citizens in our state.

Sincerely.

Hammal Ecology Program Division of Natural Heritage Vines D. Carret

NOIANA DEPARTMENT OF NATURAL RESOURCES

JAMES M. PROENOUR, DIRECTOR

16 October 1987

William B. Phillips President, California State Ferret Association P.O. Box 1868 Hesidaburg, California 95448

Dear Mr. Phillips,

Your request for information pertaining to domestic ferret (<u>Mustels furo</u>) populations and regulations in Indiana was forwarded to me for reply. The species is considered domestic by the Indiana Department of Metural Resources, and no permit is required for their possession. At this time, there are no known wild populations of <u>H. Euro</u> in existence in Indiana.

Please contact me if you should require any further information.

Sincerely,

Nongame Biologist
Division of Fish & Middife
300 West First Street
Blocemington, IN 47401
(812) 334-1137 Johnson Scott A.

DEPARTMENT OF NATURAL RESOURCES
LARRY & WILDON, CONTROL

DURCES TEAM E. BRANSTAD, 00

DEPARTMENT OF NATURAL RESOURCES

December 2, 1987

Mr. Villiam B. Phillips, Fresident California State Ferret Association P.O. Doz 1866 Besideburg, CA 93448

Dear Mr. Phillips:

I know of no feral population of ferrets in lous. The ferret has no legal status in lous.

Sincerely yours,

aller L. Far

ALLEH L. FARRIS, ADMINISTRATOR FISH AND WILDLIFE DIVISION

bkp/FW335F03.01

Hovenber 3, 1987

Mr. James Clayton, Director McCoast Domestic Farret Association P. O. Dox 8066 Vallejo, California 94590

Dear Mr. Claytons

Un are not avare of any feral colonies of domestic ferrets in lows. Occasionally we do get reports of single animals being pichked around the state. We are not adopt any research order criticers. Our contention concurs with you in the we do not believe they can survive an the welld. I am curious and would be attented in hearing from you if you get any responses of where yields populations might exist.

I hope my response to adequate for love.

Siscorely,

Roald D. Address
Roald D. Address
Itona Days. of Hatural Resources
1123 Morth Shore Prive
Clear Lake, Iown 50428
Rikish

WILLIAM B. PHILLIPS

P.O. BOX 1848 HEALDSBURG, CA 95448 (707) 431-2277

STATE OF KANSAS



MacHadon, Governe

Widdle Operations

Park Operations 900 Justines Street, Subs 602 Topola, Kenasa 66613-1220 913-296-2281

Office Of The Secretary
BOO Juction Service Subs 602
Topola, Konson 66612-1220
813-236-2281 Department of Widfile & Parks

Bas 644 Pair, Kantu 67124-819 316-672-8911

October 2, 1987

William B. Phillips P. O. Box 1868 Healdsburg, CA 95448 Dear Mr. Phillips:

We do not know of any feral population of the domestic ferret in Kansas nor do we have any specific statutes concerning this creature. These ferrets can be, and are, sold through pet stores, and since they are unregulated by our agency, we consider them to be domestic.

Sincerely,

ATTORNEY

September 22, 1987

Carl E. Kays, Commissioner
Dept. of Fish and Mildisc Resource
Tourism Cabinst
Arnold E. Mitchell Bidg.

Frankfort, KY 40601

 $\mathcal{X}_{\hat{\mathbf{i}}}$

BUS. (343) 344-4456 RES. (343) 223-1346 LAUREN E. SCHAAF
DIRECTOR - WILDLIF DWISON
DEPARTMENT OF THIS AND WILDLIF REI
O GAME TAIN GOAD
FRANCICK, KENTUCKY 6000

ROUTE 3, BOX 336 FILAMERORT, KY 4464

Dear Sir/Mas

I am requesting confirmation in writing as to the existance or non-existance of any known feral populations of the bonestic.Ferret; Mustela furo, in your state.

I would also appreciate receiving photocopies of any relevant statutes concerning the Domestic Ferret that are applicable in your state.

Thank you in advance for your cooperation and assistance in this matter. I will be utilizing the information requested in judicual and legislative proceedings in California. Finally, I need to know if M. furo is considered to be wild or domestic by your department.

Milliam B. Phillips, Esq. President, California State Perret Association. Phone Conference with Lan Garrison 27 April. 1988. Species is considered Mar 8 Chief. DONESTIC. gincerely,

RECEIVED SEP 28 1987 **DEPT. FISH & WILDLIFF**

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE Talephone (201) 189-1171

September 19, 1987

October 13, 1967

William B. Phillips, Enq.
Pres., Chifornia State Furret Assoc.
P. O. Box 1856
Bealdburg, Ca. 65448

Dear Siri

There are no known feral poyulations of dementia ferrets in Louisiana. There certainly are escaped individuals, because we occusionally get missace complaints about them in metropolita areas.

E. R. Hall (1961) in his bork The Marmals of North America, states the Black-footed ferret is the only ferret milite to North America. In Louisians the farret you referred to is considered dementic.

Sincerely,

Mich

Orthon I Mg

otherd throm Larry 8. Commings Deputy Chief Warden Sincerely,

This department does not consider the domestic ferret to be

We know of me feral populations of demostic ferrats in the

Dear Attorney Phillips:

State of Mains.

a wild animal.

Mr. William B. Phillipo, Eeq. President, California State Ferret Association P. O. Bom 1868 Healdabury, CA 95448

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Maryland Department of Natural Resources
Forest, Park and Wildlife Service
Tawn Sast Office Building
Anangolis, Maryland 21401

Willes Doubl Schooler Orwany

Terrey C. Brown, M.D. Lorator

September 10, 1987

Donald B. MacLauchles Diverse

William S. Phillips P. O. Box 1868 Healdsburg, CA 95448

Dear Mr. Phillips:

Thank you for your recent inquiry regarding the Domestic Forret in Maryland. While we know of instances where individual ferrate have escaped from capilyity, we know of no fersi, yiable population which has become established hare. We cannot, however, ensure that this has not happened.

Currently, the Department of Metural Resources exarcises no requistory authority over the poresesion of Serrets in Maryland. Monever, we are also in the process of reviewing all statutes and regulations governing the possession of wildlife in captivity. Our intention is declarated as the section of wildlife in captivity. We have not made a declaration of whether the Domestic Perret is considered to be wild or domestic here.

Sincerely,

D. W. Ruce

Donald E. MacLauchlan Director

CC: E. Bodil R. Beyer

DEM/CJT/pel

The Commonwealth of Massachuselts

Division of Fishowies and Wildlife Fill Hadgeartone, Worthers 01581

May 11, 1987

William B. Phillips P.O. Box 1868 Mealdsburg, CA 95448

Dear Mr. Phillipsi

With respect to your latter of 28 April to Wayne MacCallum and our telecon of 11 Mays

There are no self-esstaining wild populations of domestic ferrat is Messchkeatte at the present time, now on I owere if any existed in the

You may wish to contact Dr. Thomas V. French (NA Division of Fisheries and Wildilfs, 100 Cambridge Street, Lowerstt Saltometall Building, Boston, MA 02202) for further information eaths status of the ferret in the mortheastern states.

d Bildlife Biologiet Sincerely yours, game C. Conlege

JECIE

1316-121 1119

Tdeplose: 301-974-3776



The Commonocalib of Massachusetis Division of Fishories and Wildlifs

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Growth Schnishol Building, Grammand Couler

100 Cambridge Shart Barton 02202

Octooer 8, 1987

Mr. William B. Phillips, Esq. President, California State Ferret Assoc. P.O. Dox 1968 Healdsburg, CA 95448

Dear Mr. Phillips:

I am responding to your letter of 22 September 1987 concerning the biological and legal status of the domestic ferret, <u>Mustela furo</u>, in Massachusetts.

At this time domestic ferrets may be lawfully kept in Masschusetts only under the authority of a permit issued annually by the Division of Fisheries and Mildife. Permits are issued for boni fide educational and research purposes and not 10° ferrets held as pets. The policy of not allowing ferrets to be held as pets is currently under review at this time. During this review process, however, the Division's existing policy remains enclosed. Copies of the relevant statute and the written policy are

To our knowledge there are not now, nor have ever been, any known feral populations of domestic ferrets in Massachusetts.

Massachusetts law does not make the distinction between the wild or domestic status of Mustele furo. The taxonomic status of this animal is not legally relevant since the statute clearly names the animal for which the regulations were intended. If control of this animal were based on generic wildlife regulations the taxonomic status of this animal would have greater relevance to this spency.

I trust that the enclosed information will fulfill your needs.

Enclosure

DEPARTMENT OF NATURAL RESOURCES
OF THE PARTMENT OF THE PARTMEN

October 7, 1987

COMBON & CONTRA De-

Mr. Milliam B. Phillips P.O. Box 1868 Healdsburg, CA 95448

Dear Mr. Phillips:

I was asked to respond to your questions regarding the Ferret <u>Mustela furo</u> in Michigan.

There are no feral populations extant in Michigan. It is not considered as a wild animal in Michigan.

The enclosed statute, Public Act 277 of 1927, MCL 317.151 is the applicable legislation.

Thomas F. Welse Endangered Species Coordinator Wildlife Division 517-373-1263 Thomas F. Hera Sincerely,

MINDESOTA

DEPARTMENT OF NATURAL RESOURCES BOX , 500 LAGAYETTE ROAD + 81, PAUL, MINNESOTA + 85155-40_20

GHE INFORMATION (412) 294-4157

October 14, 1967

50 YEARS of CONSERVATION 1937 • 1947

MISSOURI DEPARTMENT OF CONSERVATION

MAILING ADDRIAG P.O. Box 100 Jefferson City, Minorel 63102-6199

STREET LOCATION. 3901 West Trumon Boder Jefferen City, Misseud

Tologicos 314/751-4115 LARRY E. CALE, Dévotor

October 6, 1987

Hr. William B. Phillips P.O. Box 1868 Bealdsburg, California, 95448

Dear Mr. Phillips:

We have no population of domestic ferrets in Minnesota. They are improtected by law and are considered domestic species.

Sincerely,

Larry R. Shavnon, M.D. Director Physics of Fish and Wildille

MC/d1

In response to your recent request I would like to inform you that there are no feral populations of the domestic ferret known to exist in Missouri. Sincerely, Mr. William B. Phillips
President, California State
Profet Association
P.O. Dox 1868
Resideburg, California 95448 Thank you for your interest. Dear Mr. Phillips:

Morb Glessman Supervisor Special Programs

COMMISSION



MISSOURI DEPARTMENT OF CONSERVATION

MAILING ADDRESS: P.O. Ber 180 Jellemen Chy, Missend 65162-8160

STREET LOCATION: 2501 West Truman Loukra-Jelleman Chy, Missouri

L-1150 Jefferen Cky, Minos Telephonn 314/731-1115 JERRY J. PRESLEY, Disector

April 20, 1960

Fish, Wildlife @ Parks

Montana Department

Middife Research Bureau Fish, Wildlife and Parks Bidg. MSD Campus Boseman, MT 59717-0001

October 20, 1987

Hr. William B. Phillipo, Roq. P.O. Box 1660 Roaldeburg, CA 95446

Dear Mr. Phillips:

The demestic ferret eccurs in the wild in Mentana only to a limited extent. Reports ever the years generally suggest that released animals do not ever-winter successfully. Thus a population does not exist. Demestic ferrets in the wild eccur only as current year feral animals. The species is considered densetic by our department.

A copy of the statute regulating introduction of wild animals in Honton is enclosed.

Blackfoly.

1.7/10

Hr. William Phillips California Domestic Association P. O. Box 1868 Healesburg, CA 95446

Dear Mr. Phillips:

Our law enforcement staff advised me that ferrets (except the wild black-footed ferret) are considered to be domestic animals, not regulated by the Department of Conservation. Inter-state transport of ferrets may be regulated by the Department of Agriculture as are other domestic animals. You should check with them at 314/751-4359.

If I may be of further service, please call on me again.

Sincerely,

George P. Dellinger Ass't Wildlife Division Chief Administrative Section

000.000

COMMISSION



Nebraska Game and Parks Commission . 2200 North 33rd Street / P.O. Box 30379 / Lincoln, Nebraska 68503

Movember 6, 1987

William B. Phillips P.O. Box 1868 Mealdsburg CA 95448

Dear Mr. Phillips:

I am sorry for the delay in responding to your letter regarding the domestic ferret;

We are not aware of the axistence of any feral populations of the domestic ferrat in Mebranks. We have had a few domestic ferrate found in the wild in the past but we do not believe that any self-sustaining populations exist.

I have anclosed copies of a couple of statutes that pertain to the domestic ferret.

Our Agency considers the domestic ferrat to be a domestic snimel in Nebreska.

If you have dny other questions, please let me know.

Sincerely.

Frank andet the

Frank Andelt Wongama Wildlife Biologist

Enclosures



STATE OF NEVADA
DEPARTMENT OF WILDLIFE 1106 Valley Road

P.O. Box 10678 Rene, Nevada 88536-0022 (702) 788-0500

MCHAND H. BAYAH Genemer

MELLAM A. MOLIN Director

October 21, 1987

Hr. Willam B. Philips, Esq. President, California State Perret Association

P. O. Box 1865 Healdsburg, CA 95468

Dear Mr. Phillips

In response to your letter of September 21, 1887, requesting information regarding the status of the common ferret, $\underline{\text{Munical}}$ fure in Newsda.

First, we have no feral populations of the common ferret in Nevada.

The ferret is cleased as wildlife in Newads whereby an importation permit is required to bring them into Newads. The term "domestic ferret" is not defined in Newads statutes.

However, the program of enimals hald under captive conditions have probably adapted to live and breed in association with many therefore, they could be considered "domestic" ferrets. Title 45 of the Newda Reviewd Statutes and the Newada Administrative Codes relative to wildlife are enclosed for your review.

I spolugize for the lateness of this reply.

Bincerely,

WILLIAM A. MOLINI, DIRECTOR

Terry B. Crawforth Chel Game Norten

TRC/DDHigm enclosures

ca DeWayne Johnston California Pish & Game

1

STATE OF NEW HAMPSHIRE

ALLEN F. CRABTREE, IN EXECUTIVE DIRECTOR



FISH AND GAME DEPARTMENT

34 Bridge Served Concord, N.H. 03301 picty 271-3421

PLEASE MONY TO. ON 400 TRENTON, MEN ASNUTY 600.00

10 September 1997

William B. Phillips, End President, California State, Perret Association PO Bon 1868 Residaburg, California 20448

Door Mr. Phillips:

I will try to answer your questions relative to ferrets.

Me occasionally have ferrets trapped or road-killed in Mew Mampehire.

2) Enclosed are copies of laws of May Mampshire relative to wild asimals.

3) Mustala furo putoris es Mustala putoris fero le con-sidered a wild animal lese definitions).

4) I am forwarding a copy of your latter and my answer to the appropriate wildlife agency in your state.

Sincerely,

Mrs (Magli, Chief of Gowald C. Moseirch

State of New Irrany

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

October 19, 1987

William B. Phillips, Esq. Freeddash; Cal. State Farret Assoc. P.O. Box 1868 Resideburg, CA 94556

Dear Mr. Phillips:

Concorning your recent inquiry on ferrets, please be advised that to our knowledge there are not any foral populations of Nustella furty. May department considers the ferret to be an excite animal, rether than wild or dementic, and it is regulated as such. Enclosed please find a copy of the regulations governing the possession of ferrets and other excite animals in New Jersey, and a copy of title 23, chapter 24, under which the regulations were promugated. If you have any further questions, we will be glad to be of service in answering them.

preter Stacerely,

Paul Kaika Senior Hongane Zoologist Endangered and Hongane Species Program

enclosures



THE CALIFORNIA DOMESTIC FERRET ASSOCIATION

P.O.BOX 1868 • HEALDSBURG • CALIFORNIA 95448 (707) 431-2277

New York State Department of Environmental Conservation 50 Well Read, Albany, New York 12233-' 4752



October 7, 1987

Rosaid J. White
Division Director
New Maxico Dapt. of Agriculture
Division of Aniani Program and Resources
Box 20005, Dept. 5703.
Les Gruces, New Hexico' \$8803-9803

11 August 1969

Dear Mr. Walte:

that I falled to request information was whither trans-tha. Her lexico Dept. of (griculture had ever been add a sure of any ectentifically documented feral populations of Deserte Ferrets in your state.

Mr. Kan Wich has saked me to respond to your latter of 23 September 1987 concerning Serrets. Enclosed is a copy of Environmental Conservation Law (ECL) Section 11-0511 dealing with Serrets.

President California State Perret Association P.O. Dox 1068 Bealdsburg, CA 95448

bear Mr. Phillips:

ir. William B. Phillips, Roc.

As you can see the RCL does set differentiate between "wild" and "domestid" ferrets. Under our law a ferret is a ferret and a license is required to possess one. Also, we emaides the common ferret, found in pet stores, to be Mattala patoring. I am not familiar with

To the best of our knowledge, we do not have a feral population of Mustels putoring in New York. In addition, it is not necessary, under our law, to identify a ferret as "wild" or "demestic".

Pustela fure.

I appreciate your reference to the California Dept. of Meelth report, and have received a copy for inclusion in my

if, by chance, you have any data concerning the foregoring I would appreciate receiving copies;

Again, my report should be completed in the ment two or three months and I will be forwarding a copy to you personally for your ows data base.

Thank you sincerely for your essistance in this setter.

William B. Millipa, Eng.



Places call or write if you would like additional information (318) 457-0689. Letter P. Muster Patrick P. Martin Unit Loader Special Licenses Unit

cor K. Wich PPM/pt

Box 30005 / Dept. 5702 / Las Crucse, New Maskos 88003-0005

LANGER BIT

NEW LIFTING SEBLETICH OF SOUTH WITH

⊞North Carolina Wildlife Resources Commission ⊞

512 N Salisbury Street, Rakety, North Carolina 27611, 919-733-3391 Charlet R. Fallwood, Essenthe Director

29 Suptember 67

Mr. William B. Phillips Post Office Box 1368 Healdsburg, California 95448

Dear Mr. Phillips;

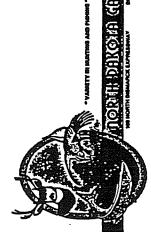
No wild feral populations of ferrets exist in North Carolina to our knowledge. The ferrat is not classified as a wild animal in our state and the Wildlife Resources Coumission does not exaculse any control over possession or sale of ferrats.

There are no statutes relating to possession or sale of ferrets in durch Carolina. A bill to prohibit keeping ferrets as puts was introduced in the 1987 General Aresmbly but did not pass.

Sia serely,

Rehard B. How Richard B. Hoston

PBH/80



April 20, 1966

William B. Phillips
Executive Director
California Domestie Ferret Amociation
P.O. Box 1868
Bealdsburg, California 95448

Dear Mr. Phillips:

This letter is in response to your request for information concerning the status of the domestic ferret is North Dakota.

There are no known feral populations of domestic ferrets in North Datota. However, occasionally there are domestic ferrets that escape their owners. These animals are of concern to our Department as they pose a threat to ground neating birds and mammals. Is addition, domestic ferrets loose in the wild are considered to be of concern from the standpoint of rabbes transmission.

We have no relevant statutes pertaining to domestic ferrets and the species in considered to be domestic.

Should you have any further questions please feel free to contact our Department.

Natural Resource Zoologist

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Charles H. Schrooder

Pountain Square Columbus, Ohio 43224 Division of Wildlife 614/265-6330 OHIO DEPARTMENT OF NATURAL RESOURCES

MAIDLE CONSTRUCTED TO CONSTRUCT CONTRACTOR Septemor Party-288 PAPOTO-8 VOA K. E. PENDAMOTON WCE CHARMAN

THE CONSERVATION

BTEVEN ALAN LEWIL DINGCTON CHARLES R. WALLACE, ASSISTANT BINGCTON

1 P.D. BOK BJANS OKLUNOMA OTT, OK 73100

September 20, 1987

October 5, :987

P.O. Box 1868 Healdsburg, CA 95448

Dear Mr. Phillips:

A copy of Section 1533.02 (Ohio Revised Code) is attached, which refers to the use of ferrets. No feral populations are known in Ohio, and they are not providered to be wild enimals.

Attachment

PHR/1dc

This reponds to your inquiry regarding the Oklahosa. Department of Wildlife Conservation's position on the status of European ferrats. Mr. Iouis J. Armau, State Director International Ferret Association P.O. Box 44 Kingfisher, Oklahoma 73750 Dear Mr. Arnaut

The Department has, for many years, regarded European gearets as domestic species. We have not required breaders and dealers to be licensed by the Department nor have we required import or export permits for animals moving across the state line. We do not presently see any reason to change our position, and probably the only thing that would prompt our position, and probably the only thing that would prompt us to reconsider would be new evidence that escaped ferrets are capable of surviving and breading in the wild in an obligane. So far this has not occurred and we do not expect that it will, however, a successful wild population could have serious implications, both from a public health standpoint (rables) and as a mortality factor on resident exall wildlife species.

Let me know if you have further questions.

Sincerely,

Church R. Weller

fer-steven Alan Lauls

gal: Benidt

Department of Fish and Wildlife

608 SW MILL STREET, P.O. BOX 68, POSTLAND, OREGON 97207

February 17, 1988

Milliem B. Phillips P.O. Box 1668 Healdsburg, CA 95449

Dear Mr. Millips:

Oregon has no known for al populations. Our field biologists do pick up an occasional farret and are concerned about any potential population becoming established.

Ferrets are considered exotic wildlife in Oregon. The only Fish and Wildlife statute pertifing to ferrets concerns their release. A copy is enclosed.

Sincerely.

John Hubber
Staff Biologist
Furbearer Rangement

COCAMILES OF THE CHANGE CONTINUES OF THE ASSOCIATION OF THE ASSOCIATIO

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Area Code (717) Movember 12, 1967

> William B. Phillips P.O. Box 1868 Healdsburg, Ca. 95468

Dear Mr. Phillips:

Pennsylvania has no feral populations of feral ferrets to the best of our knowledge. Our winter's, apparently, are too severe for the ferret to survive.

The Game and Wildlife Code does not have any laws covering the ferret.

Thank you for taking the time to write.

Wery truly yours,

Affagen
J. R. Ragan, Director
Bursau of Law Enforcement

Phone conference with Mr. Pagan 27 April 1988. Species is considered DOMESTIC.

93



STATE OF BHODE ISLAND AND PROVIDENCE FLANTATIONS

Department of Environmental Management DIVISION OF FISH AND WILDLIFE Government Center Tower Hill Road Waterleid, R.I. 2027 Tel. 401-789-2094

October 1, 1987

William B. Phillips, Eeq., President California Ente Peret Association P.O. Box 1868 Resideburg, CA 95448

Dear Mr. Phillips;

To the best of our knowledge we do not have a feral population of the Domestic Ferret in Rhode Island. We do have regulations which prevent the possession of these animals vittout a special permit.

For a number of years we did not issue permits, but recently due to a number of gresswires, we have desude permits providing the applicant can provide documents that show the animal has been manimal has been an entered and also timt the applicant does not have any youngeters less than two years of age in his/her bousehold.

John W. Cronson Chief Hacerely,

Phone convexation May 2, 1998 with James Chadwick of Shode Island Fish and Wildlifu. Wille no official status, they would have to classify it as DOMESTIC.

Game, Fish and Parks Department of South Dakota

Plerre, South Dakota 57501-3165 Sigurd Anderson Building Division of Wildlife 445 East Capitol 1605) 773-3381

7 October 1987

William B. Phillips, Esq. President, California State Ferret Association P.O. Box Box:1868 Hesideburg, California 86498

Dear Mr. Phillipsi

In response to your request of 23 September 1987:

To the best of my imposingly there are no fersi population of Domestic ferrat (sither thatels further M. Ediscius) is fouth Dahots. I have beard reports of demostic Gerrots being released in the wild after cutilving their use as pets but survival in the wild has sever been documented.

South Bakota has no loss or regulations dealing with domestic ferrate.

I was mable to locate any information concerning Mariels fury in my near meanis cource (Rell, E.R. 1981, The meanis of North America Zed ed. Vol. 18 and II. John Wiley and Some. Hew York). Our state list of vertebrate species lists emly one ferret, the block-footed ferret (Mariel minibal) so I must assume that Haitals fury would be considered a domestic species.

Please let me know if you require any additional information.

Asolstant Birector, Technical Services and Besearch



Resources Department South Carolina Wildlife & Marine

James A. Termermen, Jr., Pr. D.
Emphore Director
To Breath Covered, Jr.
Director of
Wildlifts and Freshweise Publishes

Mr. Bill Phillips May 3, 1988 Page 2

As far as I know, there are no colonies of farsi ferrate in South Carolina. I hope this information answers your questions concerning farrate in South Carolins.

Sincerely,

D. Breck Carmichael, Jr. Small Came & Fur Biologist Bruk Cambal

May 3, 1960

Mr. Bill Phillips P.O. Box 1868 Mealdeburg, Ca., 95448

Dear Mr. Phillips,

Reference our recent telephone conversation requesting information on the status of ferrets. Rection 47-5-50 of Bouth Carolina Law states that: the status of ferrets. Rection 47-5-50 of Bouth Carolina Law states that: the carolina Law states and see set in the State. Such carrivors shall include animals known to be reservoirs of rables, such as recoons, forse, shuke and bobcates and such related sepcies, including but not limited to, coyotes, wolves, wessels, ferrets, civit cate, spotted shunke or limited to, coyotes, wolves, wessels, ferrets, shall not be allowed to run At large and then be returned to confinement. An ormality will animal indiscinct to this State may, if held captive for a period of time, be released in the wild. Rection 50-16-40 states: It shall be unlawful for a person to import any live wildlife into this state shall be issued only after the following evidence is submitted to the

- 1. The wildlife was lawfully taken in the jurisdiction from which it is to be imported.
- The wildlife is certified by solicaneed vaterinarian free from any communicable disease and parasites.
- 3. The importation of such wildlife shall not be reasonably expected to endanger public health and sefety.

The bottom line is that if a person wants a ferret for a pet, they will have to purchase it outside of South Carolina and provide svidence that the entast was legally taken and is free of disease. A persit will then be issued to bring the anisals into the state where they can neither be released or sold.



TENNESSEE WILDLIFE RESOURCES AGENCY

ELLINGTON AGRICULTURAL CENTER P. O. BOX 40747 NASHVILLE, TENNESSEE 37204

October 12, 1987

Mr. Villiam B. Phillips. ESQ. . President, California Etate Parret Association P. O. Box 1868... Esaldebyrs. CA 9546

Dear Mr. Phillips:

Tempesses does not have any known populations of ferrate living in the wild All species of ferrate are considered wikilife by Tempesses Codes. If we can be of further assistance please let us hear from you.

Larry C. Marcum Chief of Wildlife Sincerely. そろと

PARKS AND WILDLIFE DEPARTMENT

CONVESTS THANK

October 15, 1987

ROWOR HOMBON

Charact COR A.

NEMAN C. BECK. ISI

William B. Phillips California State Ferret Association P.O. Box 1868 Healdsburg, CA 95448 SECRET A BOLDS

Dear Mr. Phillips: TAX I. COMMAN
Amelia
DALTING CASS RECES

Your letter of September 23, 1987 concerning the dosestic ferret has been referred to me for reply.

Our most current literature refers to the domestic ferret does not requiste this species because it is not indigenous to this country. There is no legal designation of this species as wild or domestic.

Let me know if I may be of further assistance.

Sincerely,

Carrina Ollastia

Catrina Martin Wildlife Biologist

CH:34

Logive

The State of Tennessee

Darranno. : ļ

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STATE OF UTAH
NATURAL RESOURCES
WASTER RESOURCES

1896 West North Temple - Sall Lake City, Uf 84116-3184 - 601-613-9333

October 30, 1987

hr. Villian B. Phillipo P.O. Bon 1868 Boaldeburg, California 93448

Dear hr. Phillipsi

The ferret opecies h. fere is considered to be a domestic opecies. Although we have a few cases where people have live-trapped H. fere (usually in closs prominity to residences), we do not know of any feral populations of descente ferrate.

The easy applicable statutes are county laws that prohibit the ownerable or kesping of demostic ferrets in Salt Lake and Davis counties. For a copy of this information, please write to:

Aminal Control
Sait Lake County Bealth Department
610 Zeeth, 200 Keet
Sait Lake City, Utch 64111

Remeath D. Elove Manmals Program Coordinator

Noman H. Bangerter, Governor Dee C. Hansen, Esscuthe Director William H. Geer, Division Director

AGENCY OF NATURAL RESOURCES 103 South Mala Street, 10 South Waterbury, Vermont 05676 DEPARTMENT OF FISH AND WILDLIFE

State of Vermont

Department of Plat and Wilatife Department of Perrut, Fachs, and Resourties Department of Embanascant Commentes

October 8, 1987

William B: Phillips, President California State Ferret Association P.O. Box 1868

Healdsburg, California 95448

Dear Mr. Phillips:

Enclosed is a copy of our requistion governing importation of wild animals. You will note that we do not keep lists of "wild" or "domestic" animals but rely on interpretation of the definition of wild and domestic when questions arise.

Ferrets are considered wild animals in Vermont and I know of no fersi populations in the State.

STRVE E. WAIGHT Commissioner Store E. Whip

Sincerely,

SEM/svb.54 Enclosure

196311/54

MOK & WAMAND Director



STATE OF WASHINGTON

DEPARTMENT OF WILDLIFE

600 North Capital Woy, Cirll . Olympia Washigton 983040091 . (200) 753-5700

April 14, 1854

Mr. William B. Phillips P. 0. Box 1868 Healdsburg, CA 65448

Dear Mr. Phillips:

This fetter is to confirm the statements I made to you vis telephone on April 14, 1988 on the subject of feral populations of European ferrets in Mashington.

I have questioned muserous persons any the subject of fersi ferrets in Machington. From that effort, I am prepared to state that, to the best of my knowledge, there are no ferrets living in Machington that prey upon native wildlife.

I understand that there have been attempts to use ferrets to control populations of exotic European rabbits on San Juan and Hat leilands of Fuget Sound. I also understand that during the time the rabbit populations were healthy, ferrets were frequently observed in conjunction with those colonies. Those rabbit populations drawatically decreased a few years ago, and ! have been unable to find anyone who has observed a ferret there since.

i am convinced that the only way an European ferret can eurvive in the wild in Washington is in conjunction with the concentration of an exotic colonial species, such as the European rabbit.

if you have additional questions, please call.

Sincerely.

THE DEPARTMENT OF WILDLIFE

Thomas a fullow Thomas C. Juelson, Ph.D. Hongame Program Manager

12:11

cc: Bob Everitt, Region 4

WILLIAM B. PHILLIPS

September 23, 1987 ATTORNEY

Robert L. Miles, Chief Div. of Wildlife Resources Dept. of Metural Resources 812 State Office Bidg. 3 1800 Mashington St., E Charleston, WV 253nc

P.O. BOX 1868
HEALDSBURG, CA 55448
(207) 431-2277
SEP 2 • ...

Wildlife Resources

Dear Str/Me:

I am requesting confirmation in writing as to the existance or non-existance of any known feral populations of the Domestic Ferret, Mustala furo, in your state. We

I would also appreciate receiving photocopies of any relevant statutes concerning the Domestic Ferret that are applicable in your state. Attached

Finally, I need to know if M. furo is considered to be wild or domestic by your department. Domestic

Thank you in advance for your cooperation and assistance in this matter. I will be utilising the information requested in judicial and legislative proceedings in California.

William B. Phillips, Esq. President, California State Perret Association. 10. 13 hay Sincerely,

COMMONWEALTH of VIRGINIA

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| Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission of dame and presents | Commission

COMMISSION OF GAME AND INLAND FISHERES

Carrel & Besselly State of Wimmain \ DEPARTMENT OF NATURAL RESOURCES

ı

l

July 10, 1989

BAADISON, WISCONSIN \$370? Fits Red; 2300

Attorney William B. Phillips, President California State Ferret Association P. O. Box 1868 Healdsburg, CA 95448

Dear Attorney Phillips:

There are no known feral populations in Wisconsin.

The domestic ferrat is considered a domestic animal in Misconsin. No license needed to possess according to attached 29.579.

Sincerely,

Garles M.,

Charles H. Fils, Chief Wildlife & Landscape Ecology Section Bureau of Wildlife Management

12 October, 1987

dillies B. Phillips, Eq., President California State Ferret Assoc. P. O. Box 1868 Wesideburg, California 95448

tr. Phillips.

The enclosed materials are in response to your letter requesting information on feral populations of the domestic ferret in Virginia.

The ferret, flustels furo, is considered a domestic animal by the Virginia Department of Game and Inland Fisheries. No feral populations are known to exist in the state (see attached letter). Ferrets are not protected in Virginia, other than the Slack Footed ferret that is protected by the Endengered Species Act, and does not occur in Virginia. There are no other statutes relating to the domestic ferret in Virginia.

If we can be of further assistance please contact us.

Sincerely,



game and Fish Department

BALL MORRIS

September 29, 1987

William B. Phillips Attorney P.D. Box 1868 Healdsburg, CA 95448

Dear Mr. Phillips:

This letter is in response to your communication of September 23, 1987 concerning various questions on domestic ferrets, Mustela furo, and I will answer those questions in the order received.

I am unaware of any feral populations of Mustels furo in Myoming.
Weather conditions present in this state probably preclude
establishment of such populations.

Domestic ferrets are not mentioned in the Game and Fish Statutes of this state (Title 23), but are addressed by regulation of this of this partment. A copy of that regulation (Chapter X) is enclosed for your review. ~

3. Mustela furo is considered a domestic animal by this Department.

FP:cs cc: Game Division File

EXHIBIT 3

LETTERS OF REPLY FROM DEPARTMENTS OF AGRICULTURE (OR EQUIVALENT) FROM ALL 50 STATES

All replies negative to inquiry regarding damage to agriculture from domestic ferrets.

50 State Survey on the Effects of Domestic Ferrets On Agricultural Interests in Each State



DEPARTMENT OF AGRICULTURE STATE OF ALABAMA AND INDUSTRIES

April 21, 1989

A LEE ALLEY BVAC GTATE VETERMARIAN AND ENDETOR, AMMAL, INDUSTRY BV

DEPARTMENT OF NATURAL RESOURCES

STEVE COWPER, GOVERNOR

P.O. BOH BAN PALAER, ALASHA BESASON PACHEL (BOT) 745 7200

William B. Phillips, Esquire Escutive Director California Desetto Parret Association PO Dox 1964 Wesldsburg, CA 95440

Dear Mr. Phillips:

In repards to your Environmental Impact maport on the effect or non-effect of domestic farrets, fastels putorius furo (M. furo) on the environment: I have found no documented case of adverse effects on Alaska agriculture from the domestic furopean farret,

Sincerely,

Frenk St. Mille

PCV/dv/ss

Frank G. Mielke Director

STATE OF ALASKA

DIVISION OF AGRICULTURE

May 11, 1989

William B. Phillips, Esq.
Executive Director
California Domestic Perret Association
F. O. Ber 1866
Besideburg, California 95448

Dear Mr. Phillips.

Thank you for your latter requesting information on the environmental effect of Domestic Perrets. In Alabama, there is no evidence of ferrets causing resteatural damage.

We appreciate your offer and look forward to receiving a copy of the final Environmental impact Report. If we can be of further desictance, please let us know.

luotry Division



Arizona Commission of

Agriculture and Horticulture 1688 WEST ADAMS . PHOENCY, ARIZONA 65007 . (402) 542-4373

PIELD SERVICES

P.D. Bar 1989 S USts flack, Arberton 7200

Passe 235-138

June 22, 1989

District Offices Fruit & Vegetable Standardization Market Nows

The California Domestic Ferret Assoc. P.O. Box 1868 Mesideburg, CA 93448

Dear Siri

We have no record of complaints or reports associated with agricultural or borticultural demage attributed to mative black-footed ferrets or European domestic ferrets. Our pesticide staff has not been asked for any information relative to ferret control products.

Arizons Game and Fish personnel have not recorded any reports of ferret demage or predation.

The Arizona University Extension wildlife specialist has no knowledge of any agricultural problems associated with ferrets of any variety.

The Federal Animal Damage control officer also has no knowledge of ferret predation or demage related to agriculture in Arizona.

I hope this information will suffice for your report. If I can be of any further assistance, please call or write.

Sincerely,

the Cir. Dan F. Alco Quarantino Specialist

STATE PLANT ARKANSAS BOARD

April 11, 1989

Office of the State Chemist
State Agricultural Laboratory
Agricultural Chemicals and
Environmental Services Division

Hr. William B. Phillips, Attorney P.O. Box 1868 Healdsburg, California 9546

Dear Mr. Phillips:

To my knowledge, the Domestic Ferret has not caused any adverse effect on the agriculture of our state. Thanks for your inquiry.

Ghall King

Gerald King, Director

DEPARTMENT OF FOOD AND AGRICULTURE

1220 M Street, P. O. Box 942871 Sacramento, California 94271-0001

June 26, 1989

DIPARIMINT OF AGRICULTURE

STATE OF COLORAD(

1925 Sherman Street Denver, Colorado 80203 (101) 866-2819

April 14, 1989

William B. Phillips, Esq.
Executive Director
California Domestic Ferret Assn.
P. O. Box 1868
Healdsburg, California 95448

Dear Mr. Phillips:

"know of no impact (either adverse or positive) from domestic fearests upon the sgifulture of Colorado. On the other hand, there have been more than one instance where the keeping of these animals, as pets, has resulted in a child being mauled.

Sincerely,

James M. Williams, DVM Director, Animal Industry Milliams

٤

William B. Phillips, Esq. Executive Director California Domestic Perret Association Pp. 0. Box 1868 Healdsburg, California 95448

thank you for your letter concerning whether or not the domestic European ferret has had any adverse effect on the agricultural interests in the state. Dear Mr. Phillips:

All carmivores of the family Mustelidae are prohibited entry into California and this covers the specie <u>putorius</u> (Polecate). They feed on birds, rats, rabbits, and reptiles and possess a strong desire to kill. In the wilds they can be very destructive to poultry, waterfowl, game and nongame birds and manuals.

All available information to date indicates that a feral population of ferrets does not occur in California. We have not received any reports of damage to agriculture by ferrets.

If there is need for further information, please contact Lew Davis, of my staff, at (916) 445-4511.

Sincerely,

Hearty J. Voss Director (916) 445-7126



STATE OF CONNECTICUT

DEPARTMENT OF AGRICULTURE



DEPARTMENT OF AGRICULTURE 8320 South Defent Heaven's Bowle, DeLimine 19901

SPECE OF THE BECKETARY

Taumone (302) 736 - 4811

April 13, 1989

Mr. William B. Phillips, Esq. Executive Director California Domestic Ferret Association P.O. Box 1868 Healdsburg, CA 95448

Dear Mr. Phillips:

Thank you for your recent letter. In response to your questions, Delaware currently is asperiencing no adverse effects to agricultural interests from the Domestic European Ferret. However, our State interestination br. H. Wesley Towers has informed me that because of a rables outbreak in and around our state these animals are causing some concern when they are responsible for sminal bites.

I am unable to document any saverse effect from Domestic Farrate, Mustala putorius furo os agriculture in our strte.

STR 18

Sincerely.

M. Foster Mather Acting Division Director Livestock Division

KITH: 83r

Executive Director CA Domestic Perret As-oc. P. O. Dox 1868 Mesideburg, CA 95448

Dear Mr. Phillips:

William B. Phillips, Toq.

May 10, 1989

Dr. Towers has also informed me that we have not received many reports of escapes of these animals, however, if they were to become feral they might cause some concern to agricultural interests.

I hope that this information is helpful to your research. If you require further information or if you have any further questions, please feel free to contact me.

Sincerely,

Michael R. Owens Executive Assistant to the Secretary

/mro . cc: Dr. H. Mesley Towers, State Veterinarian



Phone (203) 566-4268

SERVICES

Department of Agriculture AGRICULTURE BUILDING CAPITOL SOUARE ATLANTA, GEORGIA 19334

Thomas T. brita Commission

11 CONSUMER SERVICES

THE CAPTCL / TALLAHASSES 22309-4310

April 17, 1989

April 16, 1969

William B. Phillips, Esq.
Executive Director
California Downeric Ferrot Association
Fost Office Day 1868
Healdsburg, California 25446

Dear Mr. Phillips:

Thank you for your letter requesting information on the effect of Domestic European Verrete on the environment.

of Domestic European Ferrats on the saviromment. I am usable to document Lay advance affect on agriculture in the State of Florids iro, this saissi.

if further information to needed, please let no know.

Ulth kind regards, I am

Sincerely,

Hayle Const

DC/ra

Mr. Willam B. Phillipe Brecutive Director California Domestic Perret Association Post Office Box 1868 Healdsburg, California 95448

Dear Mr. Phillips

I am pleased to respond to your recent request for information relating to the impact of Domestic Perrets on agriculture.

We are not aware of any impact this species has had on agriculture in Georgia. This is, however, incoaclusive since we are actually not aware of any work that has been done to measure the population or evaluate the impact of this species on agriculture in Georgia.

I would suggest that you consult with the United States Fish and Wildlife Service of the Department of interior, which would surely have the best available information on this species.

if I may be of farther amiatance to you in any way, picase don't heiltate to let me know,

H.II

cc: Ron Conley

ACHEMBER GOVERNOR



YUKIO KITADAWA CHAIRPERSON, BOARD OF AGRICULTURE BUZANNE D. PETERSON DEPUTY TO THE CHAIRPERSON

State of Handl
DEPARTMENT OF AGRICULTURE
Plant Outstain to Street
701 Male Street
Hennelds, Handl 96112-5524 April 25, 1989

William B. Phillips, Esq.
Executive Director
California Domestic Perrat Association
P.O. Box 1868
Healdsburg, CA 95448

Dear Mr. Phillips:

This is in response to your letter deted April 7, 1989, regerding the impact of the domestic ferret, Mustala putorius furo (M. furo), on the Hewaiian environment.

For your information, ferret M. furn is prohibited entry into Hewsii. Ferrets are not known to be established in our environment; therefore, we have no documented or substantiated cases of damage to agriculture.

The members of Mustalidas have been prohibited entry into Hawaii since the inception of present-day Rules and Requistions promalgated in the 1940's. If any ferres are present in Hawaii, they were brought hare illegally and are subject to confaccation and destruction or being shipped out of state.

If you have any questions, please feel free to write or phone (808) 548-7175.

Glem Jak Sincerely,

Glenn Takahashi Maritime Supervisor

PQCORR-71

cc: Chairperson, Board of Agriculture Administrator, Plant Industry Manager, Plant Quarantine Branch





April 13, 1989

CECH D ANDRUS RICHARD R. RUSH Deveter

Mr. William B. Phillips
Executive Director
California Domestic Perret Association
P.O. Box 1868
Healdsburg, CA. 95448

Dear Mr. Phillipse

We are in receipt of your inquiry on the European Ferret within the state of Idaho.

Please be advised, we, like other western states, have made on moves to outlaw the ferret but have watched carefully the reports of attacks on children. As far as the ferret having an advarse affect on agriculture, we have had no reports or claims filed in areas where it might be expected, such as attacks on children or egg robbing.

We firmly believe, in this state, that the key to any exotic pet is responsible ownership. We encourage owners, if they want to keep exotic pets, to do so responsibly, to be ewere of any reports of problems with a species and to resember that all pets can become problems if owners are irresponsible.

From a regulatory standpoint, the above is our philosophy and we do not anticipate any changes in the near future.

I hope I have answered your questions and, if we can be of further service, please let us know.

12/17/17 P

Richard R. Rush

Idaho Department of Agriculture

. P.O. Dan 776 . Bulm, Males 83764 . (208) 334-3249 2278 Old Preincealury Read



State of Illinois

DEPARTMENT OF AGRICULTURE

Office of the Director State Faigrounds, P.O. Box 19281, Springfatd, IL 62794-9281, 217/783-2172

April 12, 1989

William B. Phillips, Esq.
Executive Director
California Domestic Ferrat Association
F.O. Box 1868
Besideburg, California 95448

The Illinois Department of Agriculture does not have any data regarding demage to agriculture attributed to Domestic Ferrete.

Dear Mr. Phillips:

Sames E. Kunkle Assistant to the Director

JEKITH

STATE OF INDIANA DEPARTMENT OF COMMERCE Li. Coversor Frank L. O'Baracos, Director

Indiana Commerce Center One North Capitol, Suite 700 Indianapolis, Indiana 46204-2218

April 20, 1989

Hr. Uilliam B. Phillips, Atty.
Executive Director
California Domestic Ferrat Association
P.O. Dox 1868
Realdaburg, CA 93448

Dear Mr. Phillips:

I received your recent letter dated April 7, 1989 addressed to Mr. Clenn M. Sullivan.

Regarding the advance environmental impact of the Dosestic Buropean Ferrer, the source of information to anver your questions should be the Indiana Department of Natural Resource, Vildlife Division. Another possible source of information may be the Indiana Animal Board of Health. These offices are listed belovi

Indiana Department of Matural Resources Viidilfe Division, Room 607 State Office Building, Senate Avenue Indianapolis, IM 46204

Indiana Animal Board of Bealth Dr. Thomas Frees 700 Mr. High School Road Indianapolis, IN 46214 317/232-1345

A copy of your letter has been forwarded to the above two agencies. If you need additional information please contact them directly at your convenience.

peerely,

David L. Mers Deputy Director of Agriculture 317/232-8770 38,8

cci Indiana Department of Natural Resources, Vildlife Division Indiana Animal Board of Health

117) 232-8800

*

FAX: 317:212-4146 TWX: BIR.141.1174

"EQUAL OPPORTUNITY EMPLOYER"

STATE

BOARD OF ANIMAL HEALTH
756 HORTH HICH SCHOOL ROAD, SUITE 356
REGARAPOLIS, MONINA 4316
TILLPHONE: 317339-1344

INDIANA

OFFICE OF STATE VETERINARIAN TELEPHONE: 317-332-346

MEDIANA DEPARTMENT OF NATURAL RESOURCES

PATRICK R. RAISTON, DIRECTOR

July 6, 1989

William B. Phillips, Esq. Executive Director CALIFORNIA DOMESTIC FERRET ASSOCIATION P.O. Box 1868 Healdsburg, CA 55448

Dear Mr. Phillips,

This letter is in response to your request for information on ferrets.

At the present time, we have had no reports of any adverse effects of farrets upon the animal agriculture interests in the state of Indiana.

Thank you for your interest in animal agriculture in our state.

Yours truly,

mihul O. Sop, our

Michael D. Kapp, D.V.M. Director, Special Diseases Division

July 10, 1989

Hr. Milliam B. Phillips Executive Director California Domestic Ferret Association P.O. Box 1868 Healdsburg, California 95448

Dear Mr. Phillips:

We are not aware of any advance impacts created by European ferrets on Indiana's epicultural interests. European ferrets are somewhat common as pets in Indiana, but we have not received any complaints regarding advance environmental impacts caused by this animal.

Respectfully,

Marid Luner David Turner, Eupervisor Environmental Unit

MDK/rje

Jown Bepartment of Agriculture und Dund Stewurdstift



DALE IS COCHEAN DECITA ANY OF ASSISTANT

SHERLEY DAVENCH WHETE BODANY SECRETARY OF ASSISTANT OF ASSISTANT

STATE OF KANSAS



STATE BOARD OF ACRICULTURE

GAM BROWNSACE, Searchery

DORALD L. JACKA, JR., Andered Secretary

April 21, 1909

HENNY A, WALLACE BUILDING DES HONES, IDMA BO3 19

William B. Phillips, Attorney P.O. Box 1868 Healdsburg, CA 95448

Dear Mr. Phillips:

This is in response to your request for any documented and substantial cases of damage to agriculture that can be factually attributed to the Domestic European Ferret.

One ferret was diagnosed positive for rables in 1917 in Term County, lows. The source of exposure was not determined, and there were no serious consequences.

Our conservation camission does not report evidence of escaped ferrets establishing feral colonies or campisints about wildlife damage from pet forrots. The keeping of domestic ferrets as household pets is generally discouraged by veterinary, public health, and agriculture officials in

Respectfully,

Malter D. Felker, D.V.M. State Veterinarian

MIP/bs

April 26, 1989

Mr. William B. Phillips, Esq., Executive Director California Domestic Ferret Association P. O. Dox 1868 Hesidsburg, CA 95446

Dear Mr. Phillips,

Response to Animal damage control complaints in the state of Kanasa is the specific amaignment of the Kanasa State University Extension Service, Wildlife Damage Control has been added historically in their amaignment by the Kanasa Department of Wildlife and the Kanasa State Board of Agriculture, Plant Health Division. Federal damage control programs are handled by the USDA, AFMIS, ADC. Citizen complaints of damage by wild or ferral animal populations may be brought to the attention of any of the above agencies.

As of this date, no reports of agricultural danage by Dosestic European Ferret has cose to the attention of the state Wildlife Danage Control section nor to any of the cooperating agencies.

Sas Brownback, Secretary Yours truly,

88:7

"An Equal Opportunity Employer"

WARD "BARCH" BUPHETTE COLAMINOSE

COMMONMENTH OF KENTUCKY
DECARTMENT OF AGRICULTURE
CAPITAL PLAZA TOWER Fruedont, Kentucky 40601 June 28, 1989

William B. Piillins, Esq. Executive Director California Domestic Ferret Assoc. P.O. Box 1868 Hemidsburg, California 9548

Dear Mr. Philithm

Orica Taumore 802-564-4696

Louisiana Department of Agriculture Office of Annal Health Services P.O. Box 1951 Baton Reuge, Louisiana

Assistant Colabsiscoen C. T. RABY, DAM

April 27, 1989

Bos Ocour Commessioner

William B. Phillips, Req. Executive Director California Desentic Perrot Association P.O. Box 1868

Healdeburg, CA 95448

Dear Mr. Phillips:

We are in receipt of your recent letter regarding any adverse effect dementic ferrate may have on the agricultural interests in Loudsine. We at the Department of Agriculture and Feresty do not have any infermetion andilable on the effect or non-affect of dementic ferrate on agriculture.

I have checked with our people in the Kentucky Department of Pariculture about any adverse effects on eqriculture from domestic ferrets and no one has any information on it. The only other people you need to check information on it. The only other people you need to check with in the state is the Kentucky Fish and Wildlife Resources, Arnold L. Witchell Wullding, 81 Game Farm Road, Frankfort, heatucky 46601. The phone number is 502/564-6508. If these people do not have any information on documentation on it. I hope this is the information you are looking for.

We are referring your letter to the Department of Wildlife and Fisheries, P.O. Box 15570, Beton Rouge, Louisians 70895 in the hope that they may be of assistance to you.

Mich kindest personal regerds, I am

S Junta gincerely,

Sincerely,

C. T. kaby, DVH Ansietant Commissioner

111

Acacuture - Kennery's Patos



DEPARTMENT OF WILDLIFE AND PRINE POST OFFICE SON SONS PACIFIC ROUGE, LA. 78068 PACIFIE (864) 785-8309

> Virginia var gechle Grootary

July 25, 1909

William Philitps California Domestic Ferret Assoc. P.O. Box 1868 Healdeburg, California 95448

Deer Stro:

BUDDY ROTHER BOYLANDA

Maine Department of Agriculture, Food and Rural Resources
Deeding Bidg. (AMH1), State House Station 23, Augusta, Maine, 04333

:

Governor
John R. McKernan, Jr.
Commis alener
Bernard W. Shaw
Tet. 207 209-3071

April 25, 1989

John P. Region For 207 209-201 Ansected Carl W. Face Tec 207 200-201 Tec 207 200-201 Tec 207 200-201 Tec 207 200-201

Executive Director California Domestic Ferret Association P.O. Dox 166 Headsburg, California 95446

Ar. William B. Phillips, Esq.

The sociation RE: Agricultural Damage Gaused by the Domestic European Perret.

Tet 201 309 2011

Dear Mr. Phillips:

I am not aware of any data concerring the effect of domestic ferrats on agriculture in Louisians. However, the absence of data does not mean there would be no effect, nor would agriculture be our only concern. We have had 3 ferrats captured in the wild and brought to our offices over the past few years that we know about.

Pur trapping is a big industry in Lowisians. Approximately 1/3 of the fure seported from the United States annually comes from Louisians. He are concerned obser sything that could interfere with that. We are aware of what happened to other trampplent species (e.g. the mongloone in Hawaii and the nutrie in Louisians). Specifically we would be concerned about the farret's potential of occupying the same niche as the mink or wessel in Louisians.

Agricultural lates our state has no documented cases of demage to agriculture by the four state has no documented cases of demage to agriculture by the forest.

The 107 265-2107

Agricultural Agricultural Department of the forest has been considered a demasticated sainal only since mid-1993.

The comparatively short time frame as noted above in terms of restrict mines and demastic mines in the forest of the introduction of the ferrest as a demastic mines in many, at some point, reflect some presently unknown factors.

His would be pleased to receive a copy of your EIR on this issue, when completed.

He would be pleased to receive a copy of your ElR on this issue, when completed.

Very fruly yours,

May stuly yours,

BWS/jok pc: Animal Welfare Board

Robert Love Blot. VII Game Biologist

> cci Greg Linscombs Dvight Lablanc

Jalica

AN EQUAL OPPORTURITY EMPLOYER

Serving Steeple and Steeplends Steenber One Industry - Syrtestime

ETATE OF MARYLAND DEPARTMENT OF AGRICULTURE

State of States

August 7, 1989

Paper L. Conty, J.

THE CALIFORNIA DOMESTIC FERRET ASSOCIATION P.O.BOX 1868 • HEALDSBURG • CALIFORNIA 95448 (707) 431- 2277

Wildlife Division Meson Building, Sixth Floor P.O. Box 30028 Leneing, Michigen 48909 Tom Mederveld

Dear Mr. Mederveld:

In response to our April 3, 1989, letter which we had directed to the Department of Agriculture for the State of Michigan, we received the attached response directing any further inquiries to you.

What we are specifically looking for is, does the Department of Agriculture for the State of Michigan have any data concerning the negative lapact of Domestic Ferrats on agriculture, apacifically agriculture, in the State of Michigan

We are in the process of formulating a 30 state aurvey to determine if there is any negative impact, that has been noted in the continental United States, that is the result of Donastic Ferrets being an agricultural peat or a problem.

Hopefully this is the information that you require. If I can be of further assistance, please do not hesitate to contact me.

In regards to your latter dated August 4, 1989, we have looked into the matter of whether or not the Domestic European Ferret has hed any advarse effect on Maryland Agriculture. We have found no evidence that would indicate that there has been any advarse effect on agriculture in Maryland.

William B. Phillips, Fsq.
Executive Director
Caclifornia Domestic Perret Assoc.
P. 0. Box 1868
Healdsburg, CA 95448

Dear Mr. Phillips:

If you do not have any data to indicate that there is a negative impact, perhaps a latter from you stating that and axplaining that thay are used by agriculture to control peets in Michigen would be very helpful to our survey.

I will be, of course, forwarding to you a copy of the complete atudy as soon as we have received a reply from every state.

Animal Health & Consumer Services

ABP: de

. Park, D.V.M.

Thank you for your anticipated cooperation .and essistance is this matter.

Very truly yours,

Can B. Pinn.

William B. Phillips, Esq. Executive Director California Donastic Ferrat Assoc.

Permit to control to persons a ferrat in Michzon excepturales. Desmit to control released in Oscalardo. Ferreto were hospicially weed to illegally take releate from the wield.

84

60 Haray b tnuman parkway, annapolis, martland 21401

(301) 841-6700 Battergy/Annapolis Ave

(301) 261-6106 Washington Medie Area

113



The Commonwealth of Massachusotts

Lorant Salvastabl Bailding, Govarnment Carbon Dopontonas of Ford and Squicollans

100 Cambridge Awal, Bullow 0.2202

August 8, 1989

William B. Phillips, Esq. The California Domestic Ferrer Ason F.O. Dox 1868 Besideburg, CA 95448

Doar Atty. Phillips:

This latter is in reply to yours, dated August 4, 1989, regarding the documented adverse effects of domesticated ferrets on agriculture.

The Division of Asimal Besith, Dopt. of Tood and Agriculture. Commonvesith of Massachusetts has received on reports of any domesticated ferret desage on agriculture.

Pleaso address such inquiries to the Dapt. of Tisheries and Wildisfe, 100 Cambridge St., Bostom, MA 02202 under whose jurisdiction ferrots come. We have fervarded prior inquiries from your association to that department.

Very truly yours,

Waled a. Owen

Mabel A. Owen Director

LAND OF GUALITY POCOS

STATE OF MINNESOTA DEPARTMENT OF AGRICULTURE

60 W. PLATO BOLAEWAD BLACT PALL, LON 65187 296-2621

October 5, 1989

William B. Phillips, Eng., Executive Director California Domestic Farret Association F.. Dox 1868 Resideburg, CA 95448

Dear Mr. Phillips:

This is in anawer to your request concerning the positive or negative environmental effect of the Domestic Ferret on Minnesota's Agricultural interests.

To the best of our knowledge, we have not heard of any adverse effects on our agriculture interests as a result of the Domestic European Farret.

We have been told that these animals are so thoroughly domenticated that they will not survive in the wild for any length of time.

Sincerely,

HINTEGOTA DEPARTMENT OF AGRICULTURE Robert E. Model

Robert E. Mochrle, Supervisor Food Inspection Division

REM: by

cc: R. Moehrla

EN JOY THE HIGH QUALITY AND INFINITE VARIETY OF MININESOTA FOODS

DEPARTMENT OF AGRICULTURE

STATE OF MISSOURI Javrancon City

JOHN ASHCROFT

CHARLES E.KRUSE

April 28, 1989

Mr. William B. Phillipa, Esq. Executive Director California Domestic Ferrat Association P. O. Box 1868 Healdaburg, California 93448

Dear Mr. Phillips:

In response to your letter, the Missouri Department of Agriculture does not have information regarding domestic farrets. You may wish to contact the following agencies for assistance:

Missouri Department of Public Health 1738 East Elm Street Jefferson City, Missouri 65:01 Telephone: (314) 751-8001

Missouri Department of Conservation 2901 West Truman Boulevard Jefferson City, Missouri 65101 Telephone: (314) 751-4115

In response to your April 7, 1989 letter, to my knowledge out State has no Domestic European Ferret.

Gord Juckl

ear Mr. Phillips:

Mr. William B. Phillips
Executive Director
California Domestic Ferret Association
PO Box 1869
Hexldcburg, CA. 96448

April 18, 1949

Thank you for the opportunity to provide input.

Charles E. Kruse Director of Agriculture

CEK:#

P.O. Box 1609 Jackson, Mississippi 39205 601-354-6563

(the Buck Ross Cormissioner

Lásphane (344) 781-3358



MISSOURI DEPARTMENT OF CONSERVATION

MAILING ADDRESS P.O. Ecu 100 Jesteroen City, Misseud 65,02,4100

Telephone: 314/751-4115 JERRY J. PRESLEY, Director

STREET LOCATION. 2981 West Treman Boulerard Jefferma City, Missouri

STAN STEPHENS Governor

STATE OF MONTANA
DEPARTMENT OF AGRICULTURE
DWWGOMBEREL MANAGEMENT GWEIGH

AGRICULTUMEA. VESTOCK BLDG. CAPITOL STATION

Everett M. Smortland Barctor Paq 444.1144 GARY CHOERY Adamestrator (ees 444 2544 PAX COS 444 ECCS

June 26, 1989

July 11, 1989

Mr. William B. Phillips Executive Director California Domestic Ferret Assoc. P. O. Box 1868 Healdsburg. CA 93448

Dear Mr. Ph

Mr. William B. Phillips Executive Director California Domestic Perret Association P. O. Box 1868 Bealdsburg, California 95448

Dear Mr. Phillips:

have been reported t be a more appropriat European Fer Dosestic Fe The Montana

Your recent letter requesting information about domestic ferrets in Massouri was referred to me and I am pleased to respond. In answer to your specific question, we are not aware of any adverse affect that the domestic Furopean ferret has had on agricultural interests in our state.

Sincerely,

Geofice Algard, Chief . Technical Services Bur

Serving Montana

Agriculture

MG: 11n

Norb Glessman Wildlife Services Supervisor

Sincerely,

Thank you for your letter and your interest.

COLIMISSION

JAY HENGES

JEFF CHURAN

JOHN POWELL

BICHARD RFFD

ALL LHUKAN



THOMAS W. BALLOW, ExPON

April 10, 1989

Hr. Milliam B. Phillips, Esq. Executive Director California Domestic Ferret Assa. P.O. Box 1868 Mealdsburg, CA 95448

Dear Mr. Phillips:

We received your letter dated April 7, 1989, regarding the Domestic European Ferret.

He are unable to document any adverse affects on agriculture in Mebraska due to the Domestic European Ferret. You may want to contact the U.S. Fish and Mildlife Service.

Sincerely.

DERARTHENT OF AGRICULTUR

Denis H. Blank Administrative Hanger

ACTIVE GOVERNO

A.L. (ROY) FREDERICK BREECTOR

NEBRASKA

О F

STATE

KAY A. ORK COVERHOR

DEPARTMENT OF AGRICULTURE

DEPARTMENT OF AGRICULTURE MALES ADMITS—P.O. BOX 11100
FUND, MEMON. 86619-1100

Me Carrot Hat Avend Pano, Nemes 89608 TRL: (742) 796-6199 FAU: (742) 796-6139

April 12, 1989

William B. Phillips, Esq.
Executive Director
Contornia Domestic Perret Assoc.
PO Box 1866
Healdsburg, California 95448

Dear Mr. Phillips:

To the best of my knowledge, Domestic European Ferrets have not been factually established as causing damage to agricultural commodities within Mavada.

Sincerely,

Jack M. Armstrong, D.y.M. State Veterinarian and Direc Division of Animal Industry

JMA/30

1:98

DEPARTMENT OF AGRICULTURE
Bernes of Annal Leader Person of Administration Person Professional Leader Agriculture and Constitution Leader Agriculture and Constitution Leader Agriculture and Constitution Leader Agriculture Agriculture Laboratorios 3103 South 14th Street Floorio, NE 18501-5379 (401) 431-3874

STATE OF NEVADA

117



Uhe Stale of New Nampshire Bepartment of Agriculture Office of Commissioner

April 13, 1989

William B. Phillips, Esq. Po Bon 1868 Resideburg, CA 95448

Dear Mr. Phillips:

Communication or 623 271 2541

Ornership and sale of ferrate (M. furo) is prohibited by lew in the state of New Hampshire.

These enimals have been determined by our Ceneral Court (legislature) less a general muisance wherever they are kept and repeated efforts to legalize sale and keeping of ferrits have been recoundingly defeated in secent years. Opposition to farrets comes from a united front of human cocieties, farm interests, environmentalists, vaterinarians, animal rights activists and fish and wildlife puople.

Thus I am unable to document any impacts upon New Hampshire agriculture arising out of the kesping of these animals.

STATE OF NEW JEESEY DEPARTMENT OF AGRICULTURE ARTHUR R. ERONNE, JR., SECRETARY TRENTON OBBES

April 26, 1989

William B. Phillips, Esq.
Executive Director
California Domestic Ferret Association
P.O. Box 1868
Realdsburg, California 95448

Dear Mr. Phillips:

This is in response to your letter of April 7, 1989 requesting information as to adverse effects on the agricultural interest of the state resulting from the domestic European ferret.

We do not believe there has been any documented datage. The Department is concerned with the potential for danger that this species poses to the livestock of the state should animals become cial and contract rabies. As you know, rabies represents a speciel danger to the farm community as farmers must be in the fields and may suffer greater exposure to rabid animals. Were rabid ferrets.

Up to this point New Jersey has been free of terrestrial rabies. However, the disease is comparatively common just across our borders in Pennsylvania and epidemiologists anticipate its appearance in the state in a matter of months. He would be concerned about any additional unvaccinated population of animals.

I hope this is useful.

HEW INDICCO DEPARTMENT OF ADMICLETURE

DAYSION OF AGRICULTURAL PROGNAME AND RESOUNCES SENDOS SOOS, DUE 47792
List Chocal, New Marios 8000 4008
Telephone (SAS) 444-2442
Telephone (SAS) 444-2442

April 13, 1969

03.10 ltr.ferret

MANO M. CUOMO General

Mr. William B. Phillipm. Equire Excutive Director California Domestie Ferret imposition F.O. Dox 1668 Realdburg, California 9548

Dear Mr. Phillips:

Iour letter to Mr. Frank A. Dubois, director/secretary of the New Mexico Department of Agriculture (Whil) requesting data decementing damage to agriculture by demestin European ferrets in New Mexico was referred to me for response. Freesatily Whole has no data regarding the effects, atther positive or megative, of domestie European ferrets on New Mexico agriculture.

However, a December 1988 publication by the California Department of Health Sarrioss (CDES) titled "Pet Ruropean Perrets: A Basard to Public Health, Samil Livestock and Wildelfe," may be useful. This document was authored by Denny G. Constantios, D.Y.M., M.P.M., and Remach W. Kiser, M.D., M.P.M., a public bealth veteriament and director, respectively of the CDES. The CDES address to 71% P. Street, Sacramente, California 9581%.

A copy of your completed stury will be appreciated.

Sincerely.

Konald J. L. Division Director

MUN/43.



I Winners Clicks - Capital Plaza e Albany, Now Yesk 12235 e (518) 457-4188 Department of Agriculture and Markets

April 17, 1989

William B. Phillips, Esq.
Executive Director
California Domestic Perret Association
P.O. Box 1868
Healdsburg, CA 95448

Dear Mr. Phillips:

Your letter dated April 7 to Mr. Gerace has been forwarded to me. Incidentally, Richard T. McGuire is our present Commissioner of Agriculture and Markets.

In New York State, the Department of Environmental Conservation is responsible for enforcing the regulations regarding the keeping of ferrets. The Department of Agriculture and Markets administers, in conjunction with local governments, the animal control laws. We have no documented evidence of demage to agriculture attributable to the Domestic European Perret.

Dwayn L. Lipinski Acting Deputy Commissioner Blucerely,



DEPARTMENT OF AGRICULTURE STATE OF NORTH DAKOTA

SIAIE OF MARIN DAROIA State Copital Bernarck, North Dakota 58505 Telephone—701-224-2231 Telex—296021 ND AG DPT BMRK Fox --701-224-4567

Len Consolusion and Carlot

James A Graham e Commissioner William G. Patham, Jr. e Deputy Commis

Ray Forest

May 17, 1989

April 11, 1989

Mr. William B. Phillips Executive Director California Domestic Perret Association P.O. Box 1868 Bealdsburg, CA 95448

Dear Mr. Phillips:

Thank you for your recent inquiry regarding any adverse effects on agriculture of the Domestic European Ferret.

We are unable to document any adverse effects on agriculture of the Domestic Perrets in our state.

I hope that this will be helpful.

Strah Voge

Sarah Vogel Commissioner

dp/ng

Hr. William B. Phillips, Esq. Executive Director California Domestic Perret Association Post Office Box 1868 Healdsburg, California 95448

Dear Mr. Phillips:

Concerning the effect of domestic ferrets on the environment. Having discussed this with several individuals in our department, the past occurrence of ferret damages does not appear to be the central issue.

Concern has been raised by our Veterinary Division, Museum of Matural Sciences and from the Department of Human Resources over the potential Sciences and from the Department of Human Resources over ferrets. The question is raised of the ability of released by escaped ferrets to establish and breed in the wild. Such an event could cause problems not only in disease transmission but in the pandenchium and smothering which might occur if such a predator enters a turkey or broller production facility.

Looking at potential establishment of a wild ferret population, it would be wise to contact the North Carolina Hiddlife Resources Commission, 512 North Salisbury Street, Raleigh, North Carolina 27611. They may be able to predict the impact on the bird and small memoral populations of the introduction of an exotic predator.

If I can provide further information please let me know.

Sincerely,

Thomas W. Ellis, III
Natural Resources Advisor

TME:bhm Phone call June 29, 1989 with Tom Ellis for clarification: No documented cases of agricultural damage from Domestic Ferrets in North Carolina. (919) 733-7125

DIE

GIIIO DEPARTMENT OF NATURAL BESOURCES

Fountain Square Divis fölfmör-Wridfiffe 614/265-6330

September 14, 1989

William B. Phillips, Director
The California Draestic Ferret Association
P.O. Box 1868
Healdsburg, CA 95448

Dear Mr. Phillips:

This is in reply to your recent inquiry regarding the European Domestic Ferret.

The Ohlo Department of Natural Resources, Division of Wildlife is not aware of domestic ferrets having an effect, in any form, on agricultural activities or agricultural products in Ohlo.

We are glad to be of service.

Sincerely

TANGE NUBLE PARICE, RANGE WINDING MARKET RESERVED WINDING MARKET & RESERVED

PFRIKE

April 17, 1989

William B. Phillips, Esq.
Executive Director
California Domestic Ferret Association
P.O. Box 1868
Healdsburg, CA 95448

Dear Mr. Phillips:

I am responding to your letter to Commissioner Jack D. Craig on April 7, 1989. I know of no affect that the domestic ferret has had on the environment of Oklahoma. We adverse affects on any agricultural interest has occurred to my knowledge. I have checked with the Animal Damage Control personnel of the U.S.D.A. and find they likewise have had no complaints regarding this species.

If I can provide any additional information please feel free to contact me at (405) 521-3864, ext. 325.

Gene Eskey, DVN Staff Veterinarian Animal Industry Division Best Hishes from Oklahomai

OKLAHOMA DEPARTMENT OF AGRICULTURE

2800 North Uncoin Bouleward Oklahoma City, Oklahoma 73105-4298 (405) 521-3864

Jock D. Croig Commissioner

Clafford LeGate Deputy Commissioner

GE: be

Richard P. Cebette, Governor



Oregon Department of Agriculture

635 CAPITOL STREET NE, SALEM, OREGON 97316-0110

April 14, 1989

William B. Phillips, Esq.
Executive Director
California Domestic Ferret Assoc.
PO Box 1866
HEALDSBURG CA 95448

This is in response to your latter of April 7, 1989 concerning the domestic ferret.

The Oregon Department of Agriculture has no information on file documenting any adverse effects on agriculture attributable to this animal. The department would be most interwated in your final environmental impact report on the ferreits

Mansay Surde State Veterinar (503) 378-4710

Singerely.

RB/dw



DEPARTMENT OF AGRICULTURE

BOYD E. WOLFF

OFFICE OF THE SECRETARY April 21, 1989

William B. Phillips, Esq.
Executive Director
California Domestic Ferret Association
P.O. Box 1868
Healdsburg, CA 95448

Dear Attorney Phillips:

I am unaware of any adverse effects on Pennsylvania agriculture known to have been caused by the Domestic European Ferret.

You may wish to contact the Pennsylvania Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, elnce they control permits to process, breed and sell ferrets.





STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Environmental Management DIVISION OF AGRICULTURE Roger Williams Building 11 hype Street Providence, R. 2008-3013

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THE REPORT OF THE PERSON OF TH

Bepartment of Agriculture

April 12, 1989

D. Leetle Tindel - Commissions

Made Hampton Office Bullery P.O. See 1129 Colombia, S.C. 2011 Telephone: ptot 734-219

June 30, 1989

William B. Phillips, Esq.
Executive Director
The California Domestic Ferret
Association
P.O. Box 1868
Healdsburg, CA 95448

Dear Mr. Phillips:

We have not had agricultural incidences concerning ferrets in this state, but we have had numerous incidences of biting which had to be investigated, and people treated with anti-rables veccine.

They are presently illegal to possess in Rhode Island, and hopefully this situation will remain.

J. C. Christof M.

A. C. Parrillo, DVM Publich Health Veterinarian

ACP/dmj

Mr. William B. Phillips. Attorney
Executive Director
Californis Domestic Ferret Association
P. O. Box 1868
Heeldsburg, California 95448

Dear Mr. Phillips: Your letter of April 7th has been forwarded to my attention. European Ferret has had on agricultural interests in our state

Yours, bey truly

- Marketing

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Department of Agriculture OFFICE OF THE SECRETARY
Anderson Bellding, 415 East Capital
Florre, South Dakon 67501-3189
Phone 606/773-3376

April 11, 1989

William B. Phillips, Esq.
Executive Director
California Domestic Ferret Assn.
Po Box 1668
Healdsburg CA 95448

Dear Mr. Phillips:

Pursuant to your latter of April 7, 1989, addressed to Marvis Hogan on the affect of Desstio Fereits on the environment, I must inform you that I find no such documentation for any effect on such a species.

Sincerely,

Jay C. Swisher secretary



TENNESSEE DEPARTMENT OF AGRICULTURE
Division of Animal Industries
Employes Agriculusi Control
Bes deta: Maries Riches
Rechmille, Tennesses 17204

July 19, 1989

Nr. William B. Phillips
Executive Director
Californian Domestic Parret Association
P.O. Box 1668
Realdsburg, CA 95448

This is in reply to your letter addressed to Comissionsr A. C. Clark of the Tennesses Department of Agriculture and dated June 19, 1989.

Dear Mr. Phillips:

Contacts were made with the Tennessee Wildlife Resources Agency, the University of Tennessee Wildlife Extension Specialist and the Daiversity of Tennessee Research Technician. The Research Technician is the charged with sessesing demage to Agriculture by wild ensale.

The information furnished by all contacts was that not a one of them was aware of any damage to agriculture caused by Domestic Perrets.

Aftred M. Crosvell, D.V.H.

AMC: tdr

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TEXAS
PARKS AND WILDLIFE DEPARTMENT
CONTACTOR AND MAKEN

August 1, 1989

CALCE MASH CALCE MASH CACCAC C TEN MEDIN Vo Comment Ear America

June 28, 1989

Mr. William B. Phillips Executive Director California Domentic Ferret Assoc. P. O. Box 1868

Healdsburg, CA 95448.

This is in response to your Jecent letter concerning feral ferrets in Texas.

JOHN WASHIRBEY
Newton
BEATHOZ CAM POUDIS
America
ALR (10m) SANONEZ, B.
Lands

Dear Mr. Phillips:

William B. Phillips, Esq.
Executive Director
California Dometic Perret Association
P.O. Box 1866
Healdsburg, CA 95448

HOWTC BECK III BECKER CABANT

LIE BASS

Dear Mr. Phillips:

This letter is to inform you there have been no documented enses of adverse effect that the Domestio Ferret has had on agriculture in the State of Utah.

Good luck with your study.

Sincerely,

Observations of ferrets in the wild have been reported in Texas, but I am not aware of any documented reproduction. Several of these animals are released or escape each year in Texas, so the potential for reproduction does exist, particularly in the neotropical duction does exist, particularly in the neotropical and escaped ferrets has not been documented, regardless of reproductive success, there is potential for negative impacts on wildlife, particularly groundnesting birds.

I would suggest that you contact Lou Hannebury with I would suggest that you contact Lou Hannebury with I would suggest that you contact Lou Hannebury with I would suggest that you contact Lou Hannebury with I would suggest that you contact Lou Hannebury with I would suggest that you contact Lou Hannebury with I would suggest that you contact Lou Hannebury with I would suggest that you contact Lou Hannebury with I would suggest that you contact is espected Server is sightings from several states. Some of these have been domestic servets. He may be able to provide you with more information.

CAMILES O. TRAVE Exercise Descript

State of U

2

Catrina Martin Biologist, Nongame Rasources

Durtho Sincerely



STATE OF VERMON?

department of Agriculture

6. MASON CARBALION COMMESSIONES



COMMONWEALTH of VIRGINIA

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES P. O. Box 1163, Richmond, Vrginia 23200 (804) 786-3501 Facelmile (804) 371-7678

April 25, 1989

William B. Phillips, Esq. Executive Director California Domestic Ferret Association Post Office Box 1868 Healdsburg, California 95448

Dear Mr. Phillips:

Information

Thank you for your letter of April 7, 1989, concerning documented, substantlated cases in Virginia of damage to agriculture caused by domestic ferrets.

Domestic Ferrets are relatively new to Virginia, too new for there to be any data on agricultural damage caused by these animals. Therefore, I would suggest you contact experts in Europe or any areas of the United States where these animals are more common to obtain a more valid, indicative history of the domestic ferret's impact on agriculture.

I am sorry that we cannot help you with your request.

J. Whem Cach S. Mason Carbaugh Commissioner Sincerely,

SMC/dle

Thank you for your letter of June 19, requesting information on damage advarse to agriculture caused by domestic ferrers. Please be advised that it is our opinion that these ferrers cannot survive in the wild in this climate. There are no documented cases. At any rate there is no evidence that ferrers have caused any advarse effects on agriculture in this state. Executive Director
Collifornia Domestic Ferrat Assoc.
P. O. Box 1868
Healdsburg, California 95448 Dear Mr. Phillips:

stilliam B. Phillips, Red.

DOMING

MCK S. WAYAND Director



STAIL UP WASHING

DEPARTMENT OF WILDLIFE

600 North Capital Way, CF11 · Olympia, Washington 9630+0091 · (204) 753-5700

April 14, 1868

Mr. William B. Phillips P. O. Box 1868 Healdsburg, CA 95446

Dear Mr. Philifps:

This letter is to confirm the statements i made to you vis telephone on April 14, 1985 on the subject of feral populations of European ferrate in Washington.

I have questioned numerous persons on the subject of fersi ferrets in Washington. From that effort, I am prepared to state that, to the best of my knowledge, there are no ferrets living in Washington that prey upon native mildlife.

I understand that there have been attempts to use ferrets to control populations of stoils (uropes rabbits on San Juan and Hat Islands of Puget Sound. I siso understand that during the lise the rabbit populations were healthy, fairets were frequently observed in conjunction with these colonies. Those rabbit populations drawatically decreased a few years ago, and I have been unable to find anyone who has observed a ferret there since.

I am convinced that the only way an European ferret can eurvive in the wild in Heanington is in conjunction with the concentration of an erotic colonial species, such as the European rabbit.

If you have additional questions, please call.

Sincerely.

Thomas a fullen THE DEPARTMENT OF WILDLIFE

Thomas C. Jueisdn, Ph.D. Nongame Program Manager

cc: Bob Everitt, Region 4



5

Hay 12, 1989

William B. Phillips P.O. Box 1868 Healdsburg, CA 95448

Dear Mr. Phillips:

Your latter to ex-Agriculture Commissioner Gue R. Douglass, concerning possible adverse effects of the domestic European ferret on agricultural interests in West Virginis, was passed to me for response. A change in administration occurred here in last year a elecation and Mr. Clave Benedict is now State Agriculture Commissioner.

I have been with the NVDA for 17 years and I was personally involved with vertebrate pest cells for six of those as part of my responsibilities. I am not easte of any complaints of desegn to agricultural interests by domestic European ferries. I have questioned several other key individuals about this matter and none of them are evere of any problems either.

We would be interested in a copy of your final RIR and appreciate you offering to send it. You may mail it directly to me.

Sincerely,

Charles C. Coffren

Director Flant Protection Programs Charles C. Coffmen

0000c

State of Wisconsin

Separtment of Agriculture, Trace & Consumer Protection

Howard C. Richards Secretary

April 12, 1989

Mr. William Phillips, Attorney Po Box 1868 Healdsburg CA 95448

Dear Attorney Phillips:

I have contacted department staff in regard to your question concerning the effect of the domestic European Ferret on the agricultural interests in the state of Misconsin.

I regret that we do not have any information that would address your concern.

Sincerely,

Howard C. Richards Secretary

HCR/nn/13



801 HYM Budger Road P.O. Box 8911 Abstract 149 5,000

Hyoming Doparlmont of Agriculluro

CHEYENNE, WYOMING 82002-6109 TELEPHONE: po7) 777-7221

April 14, 1989

DON ROLSTOR, COMMERCING

BOARD ANT MENT NO

PETER MANERAL LIAMS
PRESENTED TO THE PARTY OF THE PARTY AND THE PARTY AN

William B. Phillips
Executive Director
Califorala Domestic Ferret Association
P. O. Box 1866
Healdsburg, Califorala 95448

Dear Mr. Phillips:

la response to your letter of April 7, 1989, the Wyoming Department of Agriculture does not have any date, substantiated or otherwise, relating to domestic ferret damage.

Don Roiston Commissioner



EXHIBIT 31

February 3, 1994

The Honorable Jan Goldsmith Assemblyman, 75th District Room 2002 State Capitol Building Sacramento, CA 95814

Dear Assemblyman Goldsmith:

I am writing to inform you that our Executive Committee confirmed this week that the California Poultry Industry Federation does not oppose your legislation, AB 2497, regarding domestic ferrets.

Our board felt that allowing domestic ferrets to be owned as pets will not threaten or hurt the California poultry industry. Our board supports the requirement in your bill that says "the owner of a ferret maintains, and can produce, documentation showing that the ferret has been vaccinated against rabies with a vaccine approved for use in ferrets by the United States Department of Agriculture and administered in accordance with the recommendation of the vaccine manufacturer."

Please phone me at your convenience if you should have any questions and/or concerns.

Du M

BILL MATTOS

President

MAP 07 '94 18:08 1715 CAPITOL AVENUE, SACTO. 95814



"INDUSTRY'S VOICE OF THE WEST"

Pacific Egg & Poultry Association 1620 N. Carpenter Rd., Bulle A-4 Modesto, CA 95351-1145 209/524-9666 FAX: 209/524-3047



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PRESIDENT MARY RUBINSTEIN Norse RAND, INC Norse CA

15T VICE PRESIDENT GLORGE LAMONT Laconts Featherland Fattes Cobary, OR

THE VICE PRESIDENT SUCHARD ZACKY Zalty Farms France, CA

TREASURE R
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Valory Front Foods, Inc.
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DAN CURRINGHAM Williamen Egg Fatha Carby, Ok

VERN DILLON Phio, Inc. Franc, CA

JIM FORD Court Fachaging Co. More Lettine, CA

GARY POSTER Eggs Wess Wess Comme, CA

LAXL YRILLEN Senders Helbery Lid Charbrook BC, CH

HERBERT H. HEIL Nucholas Turkey Breeding Ferres Senera, CA

PETER OLSON Class Ferra, Inc. Daumo, CA

KON ORLOPP
Ortopp Turkey Breating Forms
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Jacki Pederson Poterior I Type Ferms Taliotta, WA

LAHAY FICATRING Smemico Ferms Turink GA

THE DELETIER
MICHAELY ENERGY
YESSEL, CA

ROBERT SPILLER Spiler Lauryrum Cubdub, CA

ATIVICAL BOARD

CHARLES CAMPBELL Facility Reach El Crony CA

. ... fanu, iss tending WA March 7, 1994

EXHIBIT 3B

The Honorable Jan Goldsmith California State Assembly Room 2002 State Capitol Sacramento, CA 95814

Dear Mr. Goldsmith:

We have polled the Pacific Egg and Poultry Association Board of Directors with regard to your bill AB 2497. Although our polling is not completed, we have found there is little to no concern about your bill placing the poultry and egg industries in jeopardy.

In light of the above we are not opposed to AB 2497 at this time and do not expect that there will be a change in that position.

Should you have any questions you may call me at (916) 441-2272.

Sincerely

Richard L. Matteis

Executive Vice President

New Jersey



EXHIBIT 4

State of New Jersey

Division of Fig. Save and widding Fissell A Cooking-an Diffector

DEPARTMENT OF ENVIRONMENTAL PROTECTION

PLEASE PEPLY TO: ON 400 TRENTON, NEVY JERSEY 086

ATTENTION

FERRET OWNERS

Please check with your veterinarian regarding inoculations for your ferrets. Ferrets can be inoculated for canine distemper, which they are susceptible to.

Ferrets should receive a balanced diet consisting of canned dog and cat food, chicken parts, milk and bones, supplemented by multivitamins and codliver oil.

Your ferret, with proper care, will live to the age of 10-15 years. It must have a cage when unsupervised to prevent accidental release. Lost ferrets are rarely found and usually die soon after they escape.



EXHIBIT 50

JAN 9 1981

CD C

STACKS

UNIVERSITY OF CALIFORNIA DAVIS

HEALTH SCI. LIB.
U.S. DEPARTMENT OF HEALTH
AND HUMAN SERVICES
PUBLIC HEALTH SERVICES

PUBLIC HEALTH SERVICES
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12

ATLANTA, GEORGI

STACKS-PAMBOX Veterinary Public Health Notes

Prepared by the Bureau of Epidemiology; CAL presently for interiors interested in problems of enimel diseases in human health. Some reports are preliminary in nature and should be so identified if quoted. Any reproduction of extracts of erticles from the literature should indicate the original published source.

GOV 1. DUCS. - LIBRARY

October 1980

VIRAL DISEASES

Pet Perrets and Rabies

The marked increase in queries received by CDC and some state health departments regarding ferrets and associated possible rables exposure suggests that the ferret is becoming an increasingly popular pet in the United States. The lack of knowledge about this animal as a potential rables vector has led us to prepare this summary of information about ferrets and rables.

Perrets belong to the family Mustelidae along with the skunk, otter, mink, and weasel. The only wild indigenous ferret in the United States is the black-footed ferret (Mustela nigripes) which is among the rarest of the endangered mammals and is rapidly approaching extinction. There have been only 2 or 3 reliable sightings of black-footed ferrets since 1973.

Ferrets sold as pets in the United States are derived from European ferret stock which have been domesticated for centuries and selectively bred for productivity and desirable behavior traits. According to 1 major producer, about 12,000 ferrets are sold each year in this country, half to the pet trade and half for research; ferrets are not used in the commercial fur industry. Most are marketed at 8-12 weeks of age. There has been about a 5-fold increase in the sale of ferrets in this country in the past 5 years with an equal increase in both pet and laboratory animal markets.

As pets, ferrets are similar to domestic cats in many ways. Like cats, they are fastidious in their toilet, self-training easily to a litter box or paper. Their behavior is docile end cat-like, unlike that which would be expected of a normal wild mustalid. As pets, ferrets are usually kept in cages except when actually being handled. They are inquisitive and if left to room free and unattended about the home are apt to get into trouble. They are not normally released

outside—as a car might be—and if they escape it is often difficult to recover them. Escaped ferrets rapidly develop the cunning, speed, and stealth for which their wild counterparts are noted; even so, escaped ferrets do not appear capable of reproducing and establishing themselves in the wild. Rare reports of young European ferrets in the wild are believed to have resulted from escaped pregnant females and are probably not capable of long—term survival.

Although studies on susceptibility of ferrets to rabies have been reported, as a mustelid the ferret is assumed to be highly susceptible and capable of transmitting rabies if infected. Two cases of ferret rabies have been reported in the United States, 1 in 1954 and 1 in 1978. No data are available on the first case; the second case was in a pet for which an exposure could not be determined, although there was a recognized possibility that the animal might have received live rabies vaccine.

It appears that the ferret, while a potential source of rabies exposure for man, is much less likely to be exposed to rabies than are pet skunks, raccoons, or foxes which are often trapped in the wild and then sold as pets. If, in the investigation of a ferret bite, the investigator can be reasonably assured that the animal has had no contact with indigenous rabies vectors and was not vaccinated with MLV rabies vaccine then the liklihood of the ferret's having rabies seems extremely remote, and antirables treatment of the bite victim would not seem warranted. If, on the other hand, the ferret has possibly been in contact with wildlife, then rabies should be considered.

We would appreciate receiving any information relative to ferrets and rables which readers may have so that this information can be disseminated to others who have questions about ferrets and rables.

Source: Viral Diseases Division, Bureau of Epidemiology.

Rabies in Canada

Rabies in humans is rare in Canada. In the period 1925-1979, 21 human rabies deaths were recorded. In the last decade there were only 2 deaths: 1 in 1970 and 1 in which rabies was suspected in 1977.

About half (10) of the deaths were reported from Quebec. The last death in Quebec Province was in 1964 in a 14-year-old girl who was bitten by a skunk. Six of the 21 deaths occurred in Ontario, with the last in 1967 in a 4-year-old girl who died I month after exposure to a rabid cat.

Alberta and Saskatchewan reported 4 deaths, with the last in a 15-year-old boy in Saskatchewan in 1970 who was bitten by a bat 2 weeks before onset.

Since 1947, rables in Canada has been predominately a disease of wildlife. Nevertheless, human exposure to rables is still more frequently associated with domestic animals. Undoubtedly, the low incidence in humans is largely due to prompt postexposure prophymlaxis. In 1979 about 1,300 persons received postexposure treatment.

LVE VIKUS

EXHIBIT 5A

U.S. PUBLIC HEALTH SERVICE Centers for Disease Control, Atlanta, Georgia Veterinary Public Health Notes, October 1980 "Pet Ferrets and Rabies"

"... escaped ferrets do not appear capable of reproducing and establishing themselves in the wild.... young European ferrets in the wild... are probably not capable of long-term survival."

EXHIBIT 6

THE BLACK-FOOTED FERRET PROJECT U.S. Fish and Wildlife Service Denver Wildlife Research Center Fort Collins, Colorado

Project Manager Jerry Godbey (303/226-9460)

Talking with Mr. Godbey he related that a small colony of Black-Footed Ferrets were known to be in South Dakota, but died out in the mid 70's, and were thought to be extinct.

In 1981, a dog killed a Black-Footed Ferret in Meeteetse, Wyoming, and brought it to the ranch owner.

This small colony was protected and observed until 1984, when the remainder of 18 of a decreasing number of Black-Footed Ferrets were trapped and put into a captive breeding program.

In 1991 a re-introduction in Shirley Basin, Wyoming, failed.

In 1994, 40 ferrets were released in the C.M. Russell Wildlife Reserve in Montana. This small colony is now down to 8. At the same time another 40 were released in the Badlands Wildlife Reserve in South Dakota, and they are also down to 8.

Mr. Godbey stated that there are several reasons for their inability to maintain a sustained population in the wild. Principal among these is predation by other wild animals and loss of hunting instinct after 10 years in captivity. Those in captivity are fed mink food and are carefully separated from any human being imprint, but they still seem to be losing their hunting instinct and don't know that they are supposed to hunt prairie dogs when they are released, according to Mr. Godbey.

RESCUING OUR RAREST PRAIRIE PREDATOR

by Douglas H. Chadwick



Thanks to captive breeding and intensive research, biologists believe we can soon start returning black-footed ferrets to the wild

EAR THE TINY town of Veteran. Wyoming, not far from the Nebraska line, the wind is blowing hard. It usually is. It shouts and shoves at you, bullying its way across these shortgrass prairies that form the western portion of the Great Plains, and there isn't a thing out here to discourage it except a handful of weathered buttes. The air temperature has dropped below freezing, and the sky is growing dark. Already, covotes have begun to sing at the edge of a prairie dog town spread across a sandy flat of blue gamma grass and scattered sagebrush. It is time for the first night shift of biologists to head out and begin tracking ferrets.

One by one beneath the light of a rising full moon, members of a U.S. Fish and Wildlife Service research team make their way to several trailers stationed around the prairie dog town. Each trailer's roof sprouts a large antenna braced against the wind by stout cables. The interior looks like a spies' den-a dimly lit warren of wires, maps with coded scribblings, stained coffee mugs, walkie-talkies and, at the center, electronic receivers, ticking and beeping. They monitor both the location and activity rate of individual ferrets from signals sent forth by miniature transmitters encased in collars around the animals'

"OK, I've got Number 36 moving out on a bearing of 225. What's your reading over there?"

Steady around 168," replies the radio voice from a trailer across the flats. "Hold on. There's Number 41 on the same route. Looks like they're playing follow the leader."

Through a computer program designed by Dean Biggins, long-time ferret researcher and one of the project leaders, data from the various stations are fed into a lap-top processor that can pinpoint the whereabouts of these nocturnal animals to within a few yards. Just the same, Dean or co-leader Brian Miller. a lanky, bearded Midwesterner associated with the Smithsonian Institution's Conservation and Research Center in Front Royal, Virginia, is soon out walking through the buffeting wind with a hand-held antenna and a

Confined to a Wyoming cage, a rare black-footed ferret emerges from its nest box into an activity area.

flashlight to find and mark exactly which prairie dog hole the ferret entered.

Prairie dog burrow systems include listening chambers close to the surface, nest chambers, main tunnels and an array of escape routes and exit holes, some of them plugged off against previous invaders. Although much of the architecture lies only a few feet beneath the surface, some sections may be a dozen or more feet deep. Once a collared ferret travels below about seven feet, its radio pulse can no longer be picked up, even by someone standing directly overhead. Traipsing back and forth trying to retrieve a signal lost underground is one more task that keeps everyone busy through the wee hours. And during the day, while the ferrets are generally resting, the researchers are out looking for more sign. They also search for the remains of animals whose unvarying activity signals indicate that they have died. Sometimes a whole section of the burrow system must be excavated to get at the carcass. The one thing nobody on this project seems to be looking into is the possibility of getting a normal amount of sleep.

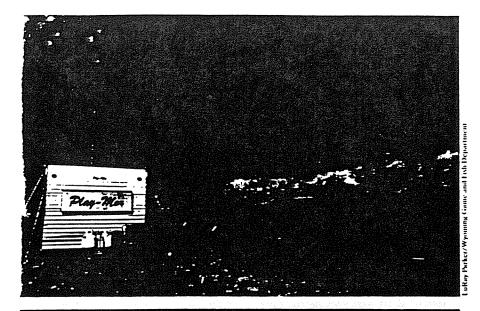
Ferrets typically exhibit a burst of activity not long after dark. One of the subjects has developed a pattern of exploring beyond the limits of the prairie dog town during this time. Like a different radioed ferret several weeks earlier, it may be on its way toward colonizing another town. This is the sort of information crucial to the study, and Brian is very anxious not to lose contact with the widewandering creature. So when a member of the tracking shift suddenly becomes ill, I find myself recruited to operate one of the stations. Even with the gale moaning like a chorus of lost souls in the meral antenna overhead and the radio squawking close to my ear, I nod off at my post and am awakened by Brian peering in the window. I probably deserve to be hauled out and shot for sleeping on duty, but he says, "Good morning. Don't worry, she's still right there where she ducked into that last burrow." He himself has been up and running around for something like 37 hours straight. If he were being radiotracked, his activity chart would probably be thrown out as too bizarre.

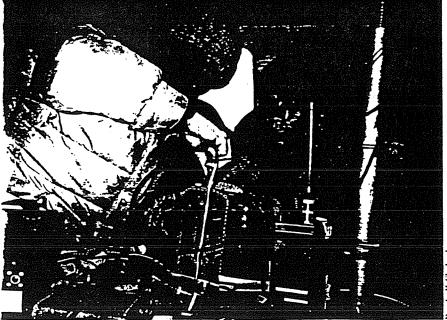
But then, the whole project is a bit unusual. The radio-collared creatures exploring this patch of Wyoming plains are not black-footed ferrets, the species native to North America, but their counterparts from the steppes of Asia. commonly called Siberian polecats. There are good reasons for this, beginning with the fact that by 1985 the black-footed ferret had become the most endangered mammal on the continent, perhaps the globe. No more than ten or 11 were known to remain in existence. A decision was made to capture those survivors in the hope that they could be bred in captivity. The last ones were rounded up in 1986, a discouraging year for North American species on the brink. That year the last California condors were also taken in from the wild for captive breeding. And the last dusky seaside sparrow vanished forever from the face of the Earth.

The good news is that the blackfooted ferret breeding program worked. Overseen by veterinarian Tom Thorne at the Wyoming Game and Fish Department's Sybille Canyon Wildlife Research and Conservation Education Unit, it has yielded a total of 180 animals as of this writing. Barring catastrophe, the rill produce enough young in the coming birth season late spring—to boost the population to upwards of 250. Experts like that number. They consider it large enough to provide a few animals for release back into the wild. Soon. The first attempt, involving an estimated 40 to 50 ferrets, is scheduled for fall of this year in southeastern Wyoming's Shirley

Naturally, the biologists want to know as much as possible about problems the animals might encounter during reintroduction. Would it be best to release them gradually with artificial feeding? Or suddenly? Should they first be given some experience in hunting live prey? In avoiding predators? Rather than risk any black-footed ferrets in experiments designed to answer such questions, the Fish and Wildlife Service chose to use a captive population of Siberian polecats as stand-ins. The animals were surgically neutered to prevent any not captured at the end of the trial releases from establishing a population in the wild.

Ferrets are common and widespread in Eurasia. West of the Urals lives Mustela putorius, known as the European polecat. From this species was bred the larger, lighter-colored do-





A trailer tracks Wyoming ferrets in 1984. As visiting Chinese biologist Zhao Zhebin looks on, Dean Biggins hooks up a trailer radio receiver.

mestic ferret. Mustela putorius furo. used since Roman times and probably earlier to catch mice and rats around households and to drive rabbits from their burrows toward waiting hunters. Today it is kept mainly as a pet. Eurasia's second species is the Siberian or steppe polecat. Mustela eversmanni. Found across the great plains of Asia. it more closely resembles the black-footed ferret. In fact, black-footed ferrets very likely arose from Siberian polecats that colonized the New World via the Bering Land

Bridge toward the latter part of the Ice Ages. The two types are still similar enough to interbreed, although blood protein analysis and certain behavioral traits confirm that they qualify as distinct species

Most of the Siberian polecats taking part in the Wyoming study are descendants of a group the Wyoming Game and Fish Department obtained from the Moscow Zoo in 1986. The rest arrived not long ago from China. So did Zhao Zhebin, a voung man who greets me at one of the tracking stations. He explains that he is here to learn the fine points of radio telemetry, the better to apply them when he returns to his own country. Dean Biggins has helped to get two different ferret studies under way there. one in Inner Mongolia and the other on the Tibetan Plateau. They are fascinating projects in their own right. but Dean's main interest in them lies, again, in uncovering any information that might have a bearing upon the survival of our own nation's ferrets. After all, our entire past experience with them has been a lesson in the perils of knowing too little, too late.

The tale is worth repeating. It began with a single sagebrush-stuffed specimen taken from Wyoming by two wandering naturalists. John Bachman and John James Audubon. who wrote in 1851: "It is with great pleasure that we introduce this handsome new species." Additional specimens trickled into collections over the years that followed. They came from throughout the Great Plains region, including the Canadian prairies, and from portions of the Rockies. They are believed to have inhabited parts of Mexico as well. In nearly every case they also came from prairie dog towns. Yet details about the life of this newest addition to the mustelid, or weasel, family remained almost nonexistent.

Some scientists still wonder whether this might not mean that the blackfooted ferret was always rare. More likely, what were rare were frontier folk who would bother trying to observe a species that is active almost exclusively at night, and then mainly underground. By the time biologists decided to look a bit harder, precious few ferrets were still around to find. Westerners had concluded that prairie dogs were a threat to agriculture and livestock grazing and embarked upon a campaign to poison them out of existence. Too late, studies would show that whereas Eurasian ferrets stalk a variety of rodents from pocket gophers to pikas, black-footed ferreis are highly specialized hunters. They rely upon prairie dogs for at least 90 percent of their diet.

Like the parallel war in the West against predators considered threats to cattle and sheep, the all-out assault on prairie dogs was subsidized by government through an array of county. state and national agencies. The exterminators' job was made easier by the fact that town after prairie dog town was also being ravaged by the same bacteria that claimed a third of Europe's human population during the 14th century - Yersina pestis. bu-



Biologist Brian Miller checks a burrow where a badger had killed a polecat.

bonic plague. It appears to have reached the New World through either sailors or shipboard rats that came ashore in San Francisco around 1898. On this continent, the toll upon people was-and still is -minuscule. But the disease, termed sylvatic plague when it occurs in animals, spread rapidly through native rodents in the Western states.

By the middle of this century, plague. systematic poisoning and conversion of prairie to farmland had combined to eliminate prairie dogs from nearly 98 percent of the millions upon millions of acres they once inhabited. And black-footed ferrets had become ecologically extinct. They died because their main source of food was all but gone. They died because when they did find prairie dogs to ear, the strychnine, 1080 and other poisons that had laced the grain used as rodent bait passed into their systems. They died when prairie dog burrows were filled with cyanide gas. They died for a reason less often discussed: Even where prairie dogs had not been poisoned, those same lethal chemicals were strewn across Western rangelands year after year in meat-based bait aimed at carnivores such as cov-

otes. We now know - again, too late that black-footed ferrets will scavenge meat in addition to hunting live prev.

Still, wasn't it possible that a few relict populations were holding on here and there? Nobody really knew until 1964, when a government predator control agent found a black-footed ferret while setting traps and poisoned bait around a prairie dog town in South Dakota. Field studies by Conrad Hillman and scientists from the Patuxent Wildlife Research Center in Maryland began soon afterward. The main thing researchers discovered was that this already tiny group was dwindling fast. In 1971, six of the animals were taken in for captive breeding. Since canine distemper was known to affect domestic and wild Eurasian ferrets, all six were vaccinated against it. Four died after accidentally being given twice the usual dose. (As it turns out. black-footed ferrets are so sensitive to the distemper virus that even a normal dose of live vaccine is fatal.) The others managed to produce offspring, raising hopes that captive breeding of ferrets might be possible. But the offspring failed to survive. their parents eventually passed away. and the free-roaming ferrets still in the prairie dog town were soon gone as well. All anyone could do was hope that yet another remnant group would be discovered.

Ferret sightings were reported now and again, and some seemed fairly reliable. But nothing ever came of follow-up surveys. Nothing year after year. The popular consensus was that the species was finally, irretrievably gone. Dean Biggins says he and a few biologist colleagues never believed this, in part because they knew how little money was made available for a proper search. They also knew of a confirmed sighting in South Dakota as late as 1979, but nothing ever came of that, either.

In any case, everything began to change one day in 1981 when rancher John Hogg's dog came back to the house near Meeteetse. Wyoming, with a strange-looking weasel-like critter in its mouth. John threw the chewed-up thing over the fence. But his wife Lucille kept wondering what kind of animal that was and eventually took

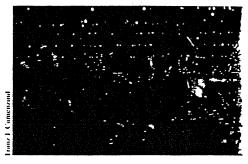
The Siberian polecat (top) closely resembles this black-footed ferret photographed in Wyoming in 1982, but they are considered distinct species.

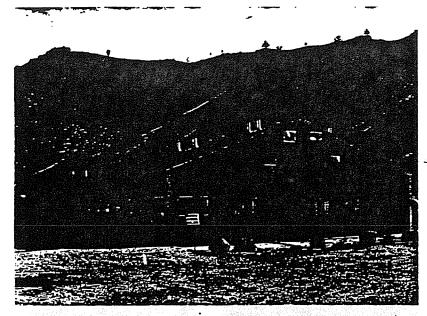
it to the local taxidermist. In short order, after a town meeting to request permission from the Hoggs and nearby landowners, two Fish and Wildlife Service biologists moved in soon trapped the first black-footed ferret seen in seven years, and equipped it with a radio transmitter.

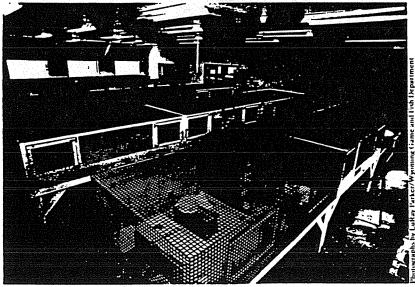
During 1982, researchers tallied 61 black-footed ferrets in the Meeteetse population. By 1984 they counted 129. But scientists were concerned that even a population of this size remained highly prone to extinction, on the basis of what had been learned about the survival of isolated populations of other species in the wild. In October, 1985, six ferrets were taken in for captive breeding, as had been done in South Dakota. This time, the ferrets didn't get canine distemper from an overdose of vaccine. Two of the captives already had it. All at once, the researchers understood why the Meeteetse population appeared to be declining sharply that year. It was too late. The infected animals passed the disease on to the other four captives. All six died. Another six ferrets were captured. They proved to be free of distemper. But most of the ferrets in the wild soon fell victim to the disease.

From tracks seen in freshly fallen snow that winter, researchers knew that no more than three or four ferrets remained out there. By sheer luck, one was a male that in late spring fathered a litter of kits by each of two breeding females still at large, whereas









Wyoming's ferret breeding facility at Sybille Canyon and one of its four rooms of ferret cages. In daytime most ferrets are asleep in their nest boxes.

the six ferrets already in captivity failed to produce any young. That summer of 1986, after heated technical debate and, as Dean describes it. a lot of dismal soul-searching in private, the Wyoming Game and Fish Department and the Fish and Wildlife Service decided to capture the last free-roaming ferrets. By the following February they had succeeded, bringing the total in captivity to 18 and the total in the wild to zero.

That spring the entire group managed to produce only seven kits. Fortunately, the researchers for some time had been using European and Siberian polecats as surrogates for their endangered relatives in an effort to work out estrous cycles and other aspects of ferret breeding biology. Lighting conditions for the captive black-footed ferrets were changed, and their diet was supplemented with key vitamins. Either the combination of new techniques did the trick or the animals simply needed a couple of years to adjust to their caged environment, or both: 1988 saw 13 new litters, totaling 34 kits, and the recovery

At the Sybille Canyon breeding facility. I have a quick look at a refrigerator full of endangered Wyo-

was under way. In captivity, anyhow.

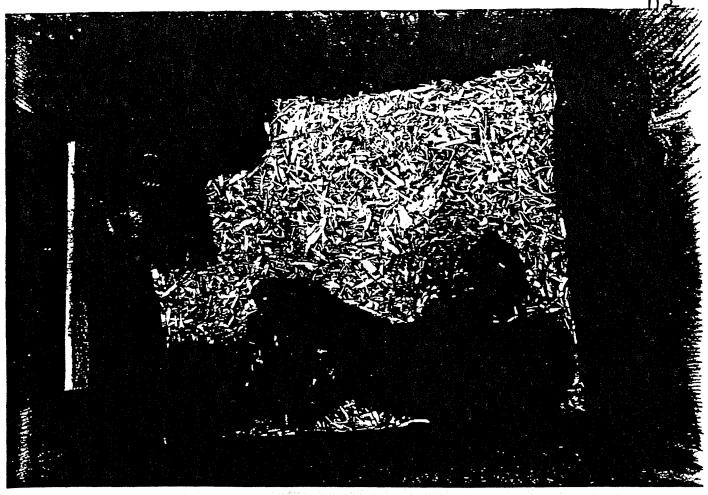
ming toads. Bufo hemiophrys baxteri. They, too, have been rounded up for captive propagation, in their case as a buffer against a crash in the last known free-ranging population, and are now being cooled down into a state of hibernation for the winter. In the main building I go through a showering and disinfectant procedure, then don a surgical mask and join Tom Thorne and his fellow veterinarian, Don Kwiatkowski, to look in on the ferrets. The first thing Don says is. "It kind of bothers me that all our extra precautions and isolation procedures add to the impression that we're dealing with a very weak and fragile species. Their situation may be fragile. but I'm telling you, black-footed ferrets are about the hardiest animals I've ever worked on and the most stoic when they do have a hurt. Even when they're suffering from a terminal illness, they hang on like nothing I've ever seen. You've got to admire them. I hope you'll go back and tell people that this is one tough, tenacious crea-

My hopes for the ferrets rise farther still when Tom opens a nest box and I find myself staring into big. night-hunter's eyes, as black and bottomiess as subterranean pools. Long vibrissae - antennae-like whiskers spray outward from the muzzle. On the elbow of each forearm grow similar specialized hairs, providing an extra sense of touch in the course of burrowing through the earthen darkness. The rest of the coat is like a strip of streaked silk. Yet it isn't the slender grace of these ferrets that strikes me so much as their wildness. The faces of the mother and kits looking back at me have bared canine teeth, and the room echos with their chattering barks of warning.

ture we're trying to save here."

Next door are some of the Siberian surrogates, in captivity for many generations. Their eyes are smaller, their sensory elbow hairs nearly gone. When we approach their cage, they climb toward us expecting food. The blackfooted ferrets, after barking, would whirl away and dive from their nest box into the darkened adjoining chamber.

The native ferrets are almost never handled at Sybille Canyon except for medical treatment, and in such cases



they are anesthetized first. This both minimizes stress on the animals and helps prevent them from becoming conditioned to humans, thereby keeping their wariness intact. When the time comes to place two together for breeding, the animal to be moved is enticed into a smaller, tunnel-like cage and transferred in this module so that there is no direct contact with people. The moving is done at night in accordance with the ferrets' usual nocturnal pattern.

Television cameras are the only direct observers of whelping, or birth. and of the first critical days of care and nursing. Researchers monitor the action on screens in a separate room. recognizing that a nursing mother disturbed by a person will immediately grab her kits to move them. possibly injuring some in the process. In her frenzy, she may even cannibalize them. Cameras replace human eyes once again during the breeding period, since the ferrets will break off mating attempts or avoid them altogether in the presence of people. Immediately after a mating, however.

the scientists do enter the scene. They need to check on the viability of the sperm, especially that of older males from the original group of Meeteetse survivors. The contribution of these animals is vital to a breeding strategy designed to draw the greatest possible degree of variability from a very shallow gene pool.

As Don points to a chart representing the family tree of the Sybille Canyon animals. I realize that the entire current population arose from just five different individuals. "We nearly had even fewer genetic founders to work with," he informs me. "Females first breed when they are approaching one year of age. These first-time mothers average three kits per litter. After age three, their reproductive potential falls off precipitously. A couple of the founder females were already two or three years old by the time we captured them, and one of the others was three or four years old. We didn't know how lucky we were when those females finally did produce young."

Although artificial insemination

A litter of black-footed ferret kits at 47 days in their nest box at the Sybille Canyon breeding facility.

techniques have been successfully applied to European ferrets. Siberian ferrets and Siberian/black-footed hybrids, they have not yet worked for pure black-footed ferrets. Much of the research has been carried out by Joegavie Howard and her colleagues in the Department of Animal Health at the National Zoo in Washington. "Black-footed ferret sperm is less viabie than normal." she informed me. "and this is probably because of inbreeding, which we have found leads to lower sperm quality in other carnivore species."

Thus far, there are no other obvious signs of the deleterious effects that can result from inbreeding, such as poorer survival of young. On the other hand, such signs don't usually show up for several generations. "Reproduction was off a little in 1990. but that could be due to any number of factors." Tom says. "Our tests show the inbreeding coefficient to be well



within acceptable levels still. We'll just have to keep our fingers crossed."

There is another potential time bomb ticking away, and that is the effects of being reared in artificial surroundings. Even with the careful hands-off policy practiced at Sybille. life in small cages of wire and wood painted government green is a far cry from life in a prairie dog community. The longer the black-footed ferrets remain thus confined, the more they risk becoming like the Siberian surrogates, whose original traits already have begun to fade during their long sojourn in tame environments. Each new generation is a step farther along the road toward domestication, a process generally marked by a decrease in brain size as well as by the disappearance of key survival instincts.

Brian Miller's first attempts to teach predator avoidance to captive Siberian polecats made national news and a few humor columns when he mounted a stuffed badger on a radio-controlled toy truck and then stung the polecats by shooting them with rubber bands as Robo-Badger came whirring their way. Yet the challenge of escaping predators is serious. Of the dozens of radio-collared Siberians released into the wild, a third sooner or later ended up in the jaws of badgers. Nearly all the others were caught by coyotes. Night-hunting raptors such as great horned owls snatched a couple as well. Obviously, any dulling of the black-footed ferrets' natural instincts will undercut their chances of success during reintroduction. Put another way, continuing to hold them in

Biologist John Carlson checks on the stuffed badger tried out for teaching polecats how to avoid attacks by this species. A Wind Cave National Park prairie dog checks out a photographer.

a safe place creates a growing danger of its own.

The time is right for turning the first ones loose. In the captive sphere, almost everything else has been accomplished, including the establishment of alternate populations in case some unforeseen disaster strikes Sybille Canyon. First, a few ferrets were shipped in 1988 to the Smithsonian's Front Royal, Virginia, facilities. Several more were sent to the Henry Doorley Zoo in Omaha. Additional animals are being sent to the Toronto, Louisville. Phoenix and Colorado Spring-Cheyenne Mountain zoos.

University of Wyoming veterinarian Beth Williams has successfully inoculated Siberian/black-footed hybrids with a modified version of the canine distemper vaccine and will soon test it on pure black-footed ferrets. Immunization would greatly improve their cnances of gaining a foothold in communities of predatory mammals, which serve as a reservoir for the virus. Of course, wild-born ferret generations will have to take their chances without inoculation. Their best defense against disease epidemics and other pressures lies in being part of a population sufficiently large and widespread to absorb a random blow and bounce back. Over the long term, there is no substitute for good ecological health.



Wyoming had planned to release the first 40 to 50 ferrets back at their old home in Meeteetse but switched to Shirley Basin for this year after a bout of plague continued to knock down Meeteetse's prairie dog numbers. Tom Thorne tells me not to let my expectations run too high. Given predation, the possibility of disease. accidents and other dangers, the Shirley Basin colonists may need to be reinforced by another release of animals there in 1992 and perhaps in several more years after that. By 1992. however. Montana could be ready with a reintroduction site in and around the Charles M. Russell National Wildlife Refuge. So there should be two wild populations out scratching and digging their way toward survival. That brings us to 1993.

The recovery plan calls for one or more releases each year as new offspring become available until a minimum of ten different locales over a broad geographic range have been repopulated. Toward that end, the

Fish and Wildlife Service let the Western states take the lead. Each was to carry out an inventory of its best remaining prairie dog complexes, defined as clusters of towns no more than about four miles apart. Then they were to select the best prospects and, working with the private and public landholders in each area, draw up a management plan that would secure the habitat. Finally, they would offer these sites as candidates for ferret reintroduction.

It isn't yet certain where ferrets will be sent after next year. At the December meeting in Denver of the Interstate Coordinating Committee for Ferret Recovery, one state after another presented preliminary surveys of prairie dog habitat but then tapered off into a vague discussion of difficulties. Arizona at least seemed enthusiastic about the possibility of having the species back within its borders and suggested a site in Coconino County in the northwestern part of the state. But after Wvoming and Montana, each state appeared to have been hoping someone else would volunteer for the earlier years so that it could put the whole matter off for a while longer.

Several argued that they wanted to avoid announcing any specific site until they have had a chance to forge support at the local level. Suspicion

of government runs deep among independent Westerners. It will take time to establish the delicate but crucial bridge of trust that will make this effort succeed, said the recovery teams. The last thing they want is for the people in the region to feel that a decision is being shoved down their throats by "the Feds" or state officialdom and automatically fight it.

Nevertheless, the group had a healthy share of members dedicated to putting ferrets on the ground without undue foot-dragging, ducking or waffling. Before the meeting wound down, they called for each state to stand and deliver. Give us a datenow-when you can reasonably expect to be ready, they insisted. At last, a 1993 possibility came in. It was from South Dakota. focusing on a site that takes in Badlands National Park and the adjoining Buffalo Gap National Grasslands, overseen by the U.S. Forest Service. Next, a couple of 1994s, one in northwestern Colorado. perhaps near Dinosaur National Monument, the other in North Dakota, around Theodore Roosevelt National Park. Then a hesitant 1995 from Nebraska. Things were moving forward. anyway, if not exactly at breakneck speed. Kansas shrugged and said. only half-jokingly, "2000?"

In many cases, the lack of enthusiasm came not from the representa-

tives in Denver but from the people they report to at higher levels of government. Some state agencies appear to be more or less indifferent to the ferret's fate, regarding it as a low priority. New Mexico has declared the ferret extinct, in effect dismissing the recovery question. Other states are still intent upon wiping out prairie dogs, and black-footed ferrets stand in the way of success. The Colorado Department of Agriculture, for instance, still speaks of native grasslands inhabited by native prairie dogs as "infested." South Dakota lists the animals as pests. In various counties of Nebraska and Kansas you aren't supposed to allow prairie dogs to exist on your own property even if you like them. According to a statute inappropriately called the "home rule" law, once a neighbor complains about the rodents being there you must liquidate them or the county will do it for you and send you the bill.

Nor is the situation much more enlightened at the national level. For example, from 1980 through 1984 the Bureau of Indian Affairs eradicated prairie dogs on some 450,000 acres of the Pine Ridge Indian Reservation adjoining Badlands National Park at

Wholesale poisoning of prairie dogs has decimated this once widespread jerret prev base. Here are some pups.





This county agency sign in Wheatland. Wvoming, signalizes the reason the region lost its black-footed ferrets.

a cost of \$6.2 million. That is considerably more than the market value of the livestock the poisoning was intended to aid-and more than the market value of the land itself. Then. during 1985 and 1986, the bureau poisoned out another 225,000 acres at a cost of several million more dollars. And the Pine Ridge area. together with Badlands and Buffalo Gap National Grasslands, was the top potential ferret habitat in the nation. The National Farm Bureau successfully sued to force the National Park Service to poison prairie dogs inside Badlands National Park. Wind Cave National Park in South Dakota has also been poisoning prairie dogs within its boundaries.

Under similar pressure from livestock interests. the U.S. Forest Service plans to poison the prairie dog complex in South Dakota's Conata Basin, part of the Buffalo Gap National Grasslands-Badlands National Park ecosystem and thus part of the best possible ferret recovery habitat left anywhere. The annual economic benefit from carde grazing there is no more than \$450,000, but an estimated 53 million flows into the local economy every year from people who come to shoot prairie dogs for recreation in Buffalo Gap National Grasslands, primarily in the Conata Basin. Here, then, is one measure of the value of a vigorous, reproducing population of praine dogs. Some might find it a curious measure, but it was

brought out by biologists racking their brains for arguments to dissuade the Forest Service from toxifying the towns. The service intends to eliminate not every town but about 90 percent of them, continuing the history of habitat reduction and fragmentation that ultimately made it impossible for the ferret to carry on.

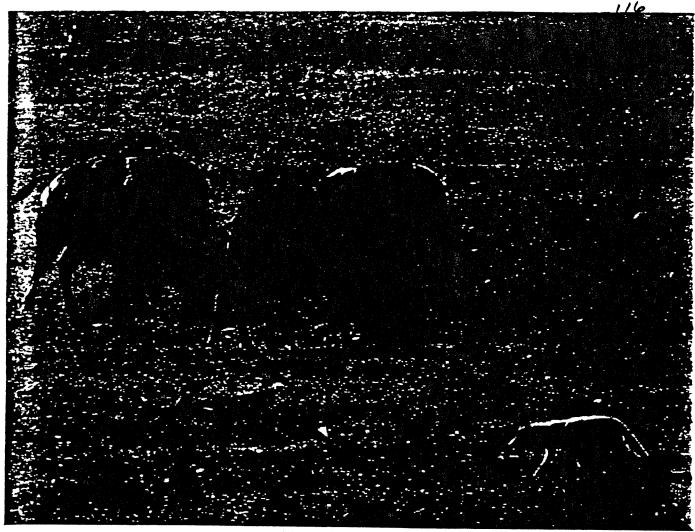
Researchers have found that roughly 125 acres of prairie dog habitat are needed to support one black-footed ferret. Thus 200 ferrets, considered the minimum viable population, require a prairie dog complex covering at least 25,000 acres. The Forest Service proposal suggests leaving no more than 5.800 acres of Conata Basin's prairie dog habitat free from poison. Actually, 200 ferrets may be the minimum number of breeding animals required to produce a viable population. Since only about a third of the ferrets in a typical population are breeding animals, the true minimum viable population could be as many as 600 ferrets, requiring 75,000 acres, and that is for a population expected to be viable only over the short term. Biologists generally agree that most species require some 500 breeding members to maintain a viable population indefinitely. For ferrets, that would mean 1.500 animals in all.

Back in 1971. Faith McNulty wrote a book entitled Must They Die? in which she described how one agency was spending bundles of taxpayers' money to extirpate prairie dogs while another-the Office of Endangered Species - was struggling to rescue ferrets. She called it "a bad case of governmental schizophrenia." This bureaucratic psychosis has not improved much since then. The same schizoid logic leads to spending public funds to kill prairie dogs while also spending public funds on predator control programs to kill the prairie dogs' natural enemies, such as covotes, foxes and bobcats.

Although some ranchers seem to get along well enough with prairie dogs, most cuss them as varmints that seriously deplete the range of grasses for livestock. It would be more accurate to say that prairie dogs tend to thrive where livestock have first depleted the natural cover of tall grass by heavy grazing. In other words, it isn't that prairie dogs discourage livestock: it's that livestock encourage prairie dogs. After all, these sociable rodents evolved in habitats dominated by bison and were adapted to colonize portions of the prairie mowed down by large herds. The bison would move on. Sheep and cattle don't. Often, they continue to graze down a range until the vegetation changes and can no longer support the number of livestock it used to. High densities of prairie dogs can be a symptom of such a trend, but they are hardly

It takes at least 300 prairie dogs to consume as much vegetation as one cow and her calf, and even then they are not necessarily direct competitors. Prairie dogs aerate and fertilize the soil, turning over dozens of tons per acre every year. The rodents' close cropping of forage encourages the spread of succulent herbs and keeps grass in the early stages of growth. which grazers find more palatable than later stages. Research has shown that at certain times of year, bison, antelope, deer and livestock all prefer to graze in prairie dog towns. Further studies have revealed that the market weight of cattle grazed on a prairie dog complex is as high as that of cattle grazed away from the complex. Despite all the decades devoted to prairie dog genocide, it has never been demonstrated that these rodents take more than four to seven percent of the total forage available over a typical rangeland, even at high densities.

If prairie dogs really make it impossible to raise decent numbers of livestock on range kept in decent condition, how is it that for thousands of years a vastly greater throng of prairie dogs, billions of them, coexisted



across the Great Plains with what was possibly the greatest hooved biomass ever supported by one ecosystem - an estimated 60 million bison, plus an equal number of elk, mule deer and antelope?

But why argue? In order to get the ferrets out of their cages and back on those plains, the biologists in charge of recovery are taking pains to accommodate livestock interests. Making use of an obscure provision in the Endangered Species Act, they are prepared to designate the released animals as "nonessential experimental" populations. This means, in effect, that no one will be prosecuted for some action that inadvertently harms the animals. The provision is intended to allay ranchers' fears that having an endangered species around will result in a welter of new restrictions on how they use public lands. Nonessential experimental status also represents a compromise with oil, gas and mining interests. They will merely

be requested to make a sincere effort not to disrupt essential prairie dog habitat in the recovery area. Nor do any plans for the ferrets call for shutting down such recreation as big game hunting, varmint shooting and driving off-road vehicles in key prairie dog complexes. Plans call only for managing these activities more carefully than usual during the critical early phase of reintroduction.

Another move designed to overcome resistance from acricultural and livestock interests is referred to as block clearance. Once a state identifies and secures a prairie dog complex or two for ferret recovery, it will be released from a requirement that it consult with the Fish and Wildlife Service about ferret protection before it sets about clearing—that is, eradicating-prairie dogs from other blocks of potential habitat. Simply put, the deal seems to be: Give us enough prairie dogs someplace for ferrets and we'll let you do whatever

Wind Cave National Park is rated a good ferret reintroduction site. Note the covote ambling past bison.

you like with the rest. The preferred poison these days is zinc phosphide. which is at least less likely than previous toxins to kill nontarget animals, including black-footed ferrets.

Block clearance is intended to encourage cooperation on the part of certain states in ferret recovery. Unfortunately, it also has the potential of encouraging accelerated fragmentation of the West's remaining prairie dog communities. And to the extent that such fragmentation does proceed, it could condemn the reintroduced ferret groups to remain forever cut off from one another. Loss of habitat linkage means loss of genetic linkage. The usual result is known among ecologists as the island effect. whereby small, isolated populations either disappear or evolve fairly rapidly into different forms.

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PRAIRIE DOG COMMUNITIES

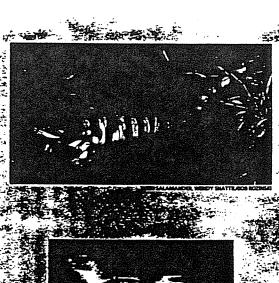
Among the periest Great Plains with the peries of countries are those associated with prairie dog towns.

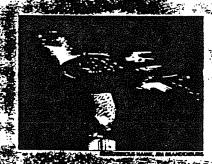
Many animal species of pultracied by the winest of food pulchess habitats.

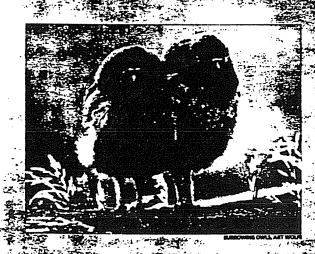
Others rely upon the strensive burrow, systems for shelter. It initial rabbits and small rodents use them to escape enemies, burpowing owls find nest sites, and swift foxes expand tunnels that dens. Various amphibians and reptiles, meanwhile, escape the open prairie's extremes of midstummer heat and winter cold.















The ferret recovery strategy cails for establishing the minimum viable number of 1.500 ferrets-but not in one contiguous population. Instead. it will be distributed in at least ten different geographic locales whose populations together will add up to 1.500. Naturally, the biologists hope that each group will expand beyond the reintroduction area to colonize other prairie dog communities. But each group may still be too far from the next with too little prairie dog habitat in between ever to meet one another. To maintain the black-footed ferret in isolated populations, the specialists admit that they will probably end up having to transfer breeding males from one state to the next for a long time to come, perhaps in perpetuity. They may also have to continue supplementing the "island" populations with captive stock to prevent their numbers from slipping.

The implications are enormous, for this means that recovery has been redefined to mean returned to nature but in an unnatural arrangement that the species has little chance to overcome—one that keeps it dependent upon human manipulation and ultimately more vulnerable to disruption in the future. It is an arrangement out of step with the emphasis on connectivity and biological diversity that is beginning to challenge wildlife managers to forgo their traditional piecemeal approach to conservation. The ferret's plunge toward near-extinction is still something of a mystery. Prairie dog eradication was not practiced everywhere. A fair number of isolated populations of ferrets ought to have survived. Some experts believe they did, but whether because of disease or some other factor proved unable to endure long in such a configuration.

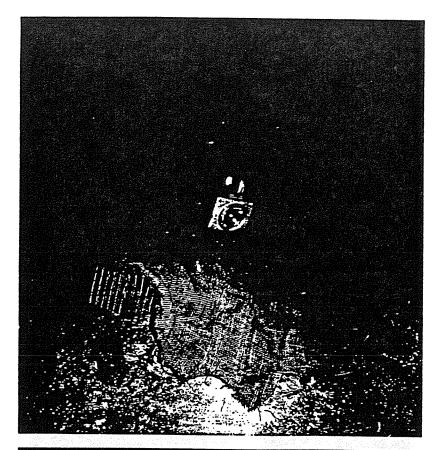
The diversity of fauna in our prairie ecosystems is in good part a direct product of prairie dog complexes. It reflects the increase in plant diversity found there, but that is only the start. Stand with me on the Wyoming plains in the wintertime. There is no more shelter from the wind and driving snow now than there is shade from the baking midsummer sun. Where is the best place to escape the extremes? Underfoot. Down in the maze of burrows, where the temperature and humidity remain fairly constant yearround. That is where the prairie rattlesnakes have their winter hiberna-

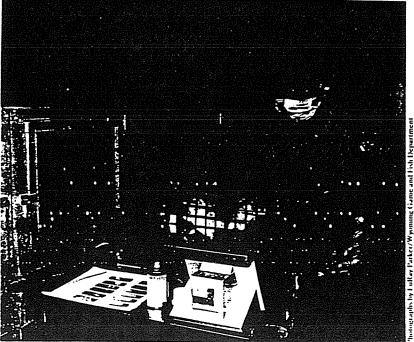
culum. It is where bull snakes, box turtles, various lizards, Great Plains and spadefoot toads and long-toed and tiger salamanders also lie waiting for the warmth to return; and where grasshoppers, crickets, beetles and an array of other invertebrates spend part of their life cycle in order to survive.

Here, too, at various times will be cottontail rabbits, skunks, weasels and all manner of mice, voles and other small mammals. And the dens of swift foxes, prairie dwellers now threatened or endangered in several states: toward the southern end of the prairies, rare kit foxes may den in the burrows instead. Prairie dog holes also provide essential nesting habitat for the burrowing owl, which many observers feel is headed for the threatened or endangered list.

The town as a whole will have nearly six times the number of terrestrial predators as will be found outside, from gopher snakes to badgers and bobcats. Tally the birds during the warm months and you'll have more than twice as many individuals from 25 percent more species in prairie dog towns as on surrounding lands. Among them may be golden eagles and prairie falcons. There will almost surely be birds from a complex described as steppe endemic speciesthose that originated on the buffalo prairies and remain closely bound to traditional buffalo habitats. They include ferruginous hawks, which have declined in many areas; lark buntings. Baird's sparrows and Sprague's pipits, down between 35 and 45 percent since the 1960s; Cassin's sparrows, down 63 percent; and, perhaps most closely associated with prairie dog communities, mountain plovers, down 61 percent. Like the burrowing owl. mountain plovers are considered bound for the threatened or endangered list.

What, then, is the true value of a prairie dog if it helps sustain so many different kinds of life? It already costs the government far more to extirpate prairie dogs than is gained by adding a few more cows to the range. What is the true cost if continued extirpation is also going to lead to managing burrowing owls, mountain plovers and other prairie animals as endangered species along with ferrets? And what is the point? Utah prairie dogs are already themselves threatened. Mexican prairie dogs are endangered.





Veterinarian Tom Thorne sets a live trap (top) for wild black-footed ferrets near Meeteetse. Wyoming, in 1983 and weighs a captive ferret in 1988. From a handful saved from the plague, the captive population has grown to some 180.

Cynomys gunnisoni gunnisoni, one of the two recognized subspecies of Gunnison's prairie dog, has become rare. Even white-tailed prairie dogs and black-tailed prairie dogs, the most abundant of the five species, fill only a shadow of their former niches.

In 1987 and again in 1988. Badlands National Park took swift foxes from the neighboring Pine Ridge Indian Reservation in the hope of restoring this native creature to the park's wildlife community. The success of this transplant effort is unknown. The project ended recently for two reasons. The first was that no more swift foxes could be located following a massive prairie dog poisoning campaign in the reservation. The second was that the swift fox became a candidate for the federal threatened and endangered list, putting transplants on hold until more information about existing populations is gathered.

The life form we are at risk of losing is really the whole prairie dog community and with it, ultimately, the native American prairie. In many ways, this savanna was our grandest biome, replete with buffalo wolves, plains grizzlies and whooping cranes. Now it is difficult to find a small sample of what it was once like. To find a sample that, like the admired savanna parks of East Africa, holds all its original inhabitants is impossible. Think what it would mean to have such a place of our own, if only as a model-a natural laboratory in which we could learn how our prairie system is supposed to operate. Think what it means not to have one. It

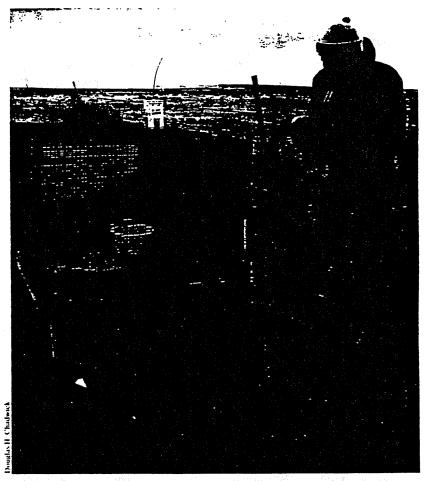
means we are flying blind.

Ranchers might have a point when they say prairie dogs can at times multiply until they really do cut sharply into livestock forage. Naturalists may be right when they reply that this is temporary and the rodents will finally abandon the town, which will then regrow with richer vegetation than before. How do we decide? Where do we look? Because it was bisondominated and the bison were migratory, the prairie was in constant flux. That was part of its richness and vitality. We might be able to recreate some of that pattern using livestock and perhaps learn to prosper within the natural framework instead of struggling against it. But which place can show us how things originally worked? Where do we have a large, diverse

and far-ranging community of native prairie grazers interacting with a large. diverse community of predators, rodents and vegetation? Nowhere in North America, and that is a shame. I think it points toward one of the most important things conservation could work for on this continent.

In the meantime, we need to follow the plans for ferret recovery closely as the time for the first release approaches. It is not fair, either to the ferret or to the people charged with managing it. to use this single endangered species as a club to defend what remains of our prairie. That would only confirm the fears of many public land users in the West and possibly spark renewed biopolitical squabbling that might delay ferret reintroduction indefinitely. Wyoming and cooperating zoos and research centers don't really have the funds or facilities to keep increasing the numbers of ferrets in captivity. The continued captivity isn't going to do the animals any good, anyway. In the words of Tom Thorne. "This is not the time to start a battle with stockgrowers over prairie dogs in the name of black-footed ferrets. If reintroduction can be accomplished and a ferret population established. it should do a lot to demonstrate that ferrets will not necessarily interfere with stockgrowers' operations and lifestyles." The ferret, in other words. need not remind anyone of the spot-

Yet—as the foot-draggers among the Interstate Coordinating Committee know only too well—a number of farm and ranch groups and some state officials already have come out squarely against ferret reintroduction. They oppose it despite the considerable efforts of the Fish and Wildlife Service and state recovery teams to accommodate their interests. It is not enough for them that released ferrets may be treated as nonessential experimental animals rather than as a valuable share of the few that remain on the planet. Being granted something as potentially destructive to prairie dogs as block clearance also fails to satisfy them. If their position is so hardened, we might question whether it was worth giving away any strict protective measures in the first place. And we ought to make sure that orders don't come down from Washington forcing the biologists to bend even further than they have already.



out of ferret-related politics has been increased communication among the myriad state and federal agencies that deal with natural resources. An antidote to schizophrenia, this crossing of the traditional bureaucratic boundaries to find common ground is still so new that a lot of it takes place on tiptoes. But it is under way nonetheless, sparked by the need to save such imperiled species as grizzly bears. trumpeter swans and now black-footed ferrets. Given enough practice, maybe the agencies will even develop a habit of working together. We can hope so. because linkage between government land-use policies is going to be as critical to the future of many wild

One positive thing that has come

habitats. If the spirit of cooperation came to be embraced by more of the economic groups whose activities affect our common wildlife heritage, we could, with luck, have black-footed ferrets back on the prairies in fairly

animals as linkage between protected

Biologist Brian Miller examines a polecat found hungry in its release box. The animal may have returned for fear of badgers and coyotes.

short order. We are incredibly lucky to have any at all after what they have been through. As things stand, their return promises to be slow and less than complete. We can do better than that. Instead of trying to save some minimum number of prairie patches scattered far and wide, we should be pushing to conserve the integrity and continuity of the American savanna-and working to do it with the cooperation of stockgrowers and other landowners. To the ferrets waiting dark-eved in their cages at Sybille Canyon, and to a lot of other creatures still in the wild, it could make all the difference in the world. \square

Douglas H. Chadwick wrote "The Los Guajalotes Project." Nov/Dec 90. A Montana biologist/writer, he is a DEFENDERS field correspondent.



PUBLIC INFORMATION DIVISION

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EXHIBIT 8A

RELEASE AT WILL:::RESTRICTIONS REMOVED ON COMMON FERRETS

AUGUSTA, MAINE --- "The Department of Inland Fisheries and Wildlife will no longer consider the common ferret to be wild by nature, and subject to regulation," Commissioner Glenn H. Manuel said today.

"In response to numerous requests to import and possess ferrets in the state of Maine, the Fish and Wildlife Department has investigated the origin and nature of this animal. For many years, the department has controlled the importation and possession of ferrets to insure against the establishment of wild populations and the introduction of disease to Maine furbearings animals," Manuel said.

The ferrets in question (<u>Mustela putorius furo</u>) are members of the weasel family. They are bred by commercial and private breeders and commonly possessed as pets in many parts of the U.S. and other foreign countries. These animals should not be confused with the rare Blackfooted Ferret found in western sections of the United States.

Richard G. VanGelder, Curator of Mammals, American Museum of National History, states: "These animals have been domesticated certainly since 600 A.D. when they were described as being used for hunting rabbits, and very probably much earlier. In the first century A.D. there are descriptions of what are most likely ferrets being bred to hunt rabbits, being muzzled before being sent into warren — this was the Balearic Islands. Aristotle, about 350 B.C. refers to a kind of polecat that becomes very mild and tame, which probably is in reference to domestic ferrets, and there are earlier accounts that probably refer to domestic ferrets in Greek plays (Aristophanes) and possibly even in the Bible (Lev. XI, 29-30).

The present-day domestic ferrets qualify as domestic animals because they have been bred by humans to achieve differences from their wild ancestors."

Other fish and wildlife departments indicate that ferrets are commonly possessed as pets and that feral populations have not become a problem.

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CITY OF BALTIMORE

KURT L. SCHMOKE, Mayor



HEALTH DEPARTMENT

PETER BEILENSON, M.D., M.P.H., Commissioner 303 East Fayette Street Baltimore, Maryland 21202

5 July 1994

Ms. Diane Rogers, President Baltimore Ferret Club 2306 Pickwick Road Baltimore, Maryland 21207 EXHIBIT 8B

Subject: Owning of Domestic Ferrets

in Baltimore City

Dear Ms. Rogers:

We wish to thank you and other representatives of ferret owners from this region and indeed from around the country for providing a wealth of information concerning the domestic ferret and their status as pets in many states in this country.

This information and our subsequent meetings and discussions have led us to conclude that the ferret kept as a pet by many ferret owners in Maryland and elsewhere is indeed a domestic animal, and, as such, may be kept as a pet in Baltimore City. We have also been informed by our Law Department that no change in City law is needed, since our previous ban on ownership of ferrets was based on our administrative decision that these were wild animals and not on any particular City law banning ferrets.

We are pleased to inform you that the domestic ferret may now be legally kept as a pet in Baltimore City. We have no intentions at this time to impose any licensing or other restrictions on ferret ownership, but reserve the right to do so in the future if the need arises. We have been impressed that the Baltimore Ferret Club is a strong advocate for responsible ferret ownership, the humane treatment and care of ferrets, and for the responsibility of ferret owners to maintain their pets and their surroundings in a clean and sanitary manner.

We look forward to maintaining our good working relationship. If you have any questions, please call Earl Watson, Director, Bureau of Animal Control, at 396-4698, or Donald Torres, Assistant Commissioner for Environmental Health, at 396-4422.

Peter Beilenson, M.D., M.P.H.

Commissioner -

PB/DT/bjr

cc: Dr. F. A. Hoffman

J. Welch

E. Watson

D. Torres

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STATE OF CAUFORMA. THE RESOURCES AGENCY

PETE WILSON GONOMO

DEPARTMENT OF FISH AND GAME

1416 9th Street Sacramento, California 95814 (916) 653-7664

EXHIBIT 9



March 30, 1994

The Honorable Willie Brown Speaker of the Assembly State Capitol, Room 219 Sacramento, California 95814

Dear Speaker Brown:

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As you know the Department of Fish and Game is OPPOSED to AB 2497 (Goldsmith). This position is based upon the best and most current information available to the Department of Fish and Game. The following information and the enclosed "Ferret Fact Sheet" summarizes our position on this issue.

Domestic ferrets are from the family Mustelid carnivore, which places it in the larger group of animals which includes otters, weasels, and mink. The scientific community generally concludes that ferrets are derived from the European polecat, with which it will interbreed. A distinguishing characteristic of these carnivores is that they are by nature very adept hunters. Literature from New England studies report that in the wild ferrets prey upon small mammals, reptiles, rails, ground nesting birds, waterfowl, and eggs. It is important to note that the name Domestic ferret is a zoological name and is not meant to suggest any unique personal pet qualities.

Records indicate that humans have used ferrets for nearly 2,000 years because of their predatory ability to hunt rabbits and other similar animals and to control undesirable rodents, including rats. Ferrets were apparently captured, bred, and shipped around the world to control problem animals in homes and communities. Ferrets have been bred and kept on a large scale as personal pets only in the last 40-50 years.

Although proponents of Domestic ferret ownership claim that through extensive captive breeding ferrets have lost the ability to survive in the wild, no credible scientific evidence exists to support this claim. In fact, common knowledge contradicts this assertion. Cats and dogs which have also been bred and kept as personal pets for hundreds of years clearly demonstrate the ability to survive and establish feral populations in the wild.

Contrary to claims, numerous scientific reports document the existence of feral populations of ferrers intentionally or accidentally released into the wild. These reports (many of which are from within the past 20 years) come from around the world including, England, Wales, Scotland, mainland Europe. Eurasia, several Mediterranean islands, New Zealand, and the United States.

The Honorable Willie Brown March 30, 1994 Page Two

Ferrets were first introduced into the United States about 1875 to kill rats in Ohio. However feral populations developed and became a problem to poultry producers, necessitating adoption of ferret control regulations in Ohio and at least four neighboring states.

Decades ago State law recognized that many exotic (nonnative) species of animals could cause problems to private property and native fish and wildlife. A long list of species are prohibited unless specifically allowed by the Fish and Game Commission. Female ferrets have been prohibited since 1932, while neutered males were allowed in California with a permit until 1987 when the Commission determined that the risk posed to wildlife was too great due to the numerous ferrets which had escaped or had been released. Although ferrets are no longer permitted in the State, the Department receives at least 20-30 ferrets annually from local animal control agencies. These ferrets were captured out-of-doors after escaping or being released.

Limited research funding is available to wildlife agencies to study and document potential problems until a wildlife issue becomes a crisis. So it is not surprising that other states, too; lack any extensive documentation of wild ferret populations. Since ferrets are illegal in California, the Department has not studied them and has relied upon literature from other states and countries in forming its decisions. However, the Department has had experience keeping ferrets for extended periods in outside cages. In addition, the reports of sightings by knowledgeable persons, coupled with documented populations from other areas of the world with climatic conditions similar to our own, convinces us that ferrets can and will survive in the wild in California.

Ferrets are allowed in 46 other states—under a variety of conditions and restrictions. Proponents of ferret ownership claim that no states report any problems. However, it is a fact that few wildlife officials willingly concurred in the legalization of ferrets. They are concerned that eventually ferret populations will conflict with wildlife as they have in other parts of the world and these officials would quickly go back to prohibiting ferrets if they could.

California's experience with exotic species of plants and animals which were introduced into California for so-called beneficial reasons is a sobering one and should make us cautious. Many of these species have become significant and costly problems for the State, for agriculture, and for the public (e.g., red fox, white bass, wild boar, European starling). Given the growing list of California's endangered animals, it is ill advised to permit the introduction of yet another adept hunter.

For these reasons the Department is opposed to AB 2497. If you would like additional information or copies of the scientific articles we have, please let me know.

Sincerely,

Boyd Gibbons

Director

Enclosure

cc: Members of the Assembly

DEPARTMENT OF FISH AND GAME FERRET FACT SHEET March 25, 1994

What are ferrets?

Ferrets are members of the mustelidae family (weasels, wolverines, badgers, skunks, etc.). They are about 16 inches long and weigh from two to five pounds. The males are larger than the females. Ferrets are slightly larger than mink. Long-tailed weasels, which in parts of California are similar in markings to the ferret, are much smaller, weighing 1/2 to one pound.

Ferrets are carnivores and are very adept hunters by nature. In the wild, they prey on birds, waterfowl, reptiles, rodents, and small livestock, including poultry and rabbits. Some of the potential species in California include State- or Federally-listed ground-dwelling species, such as the Stephens kangaroo rat, California least tern, clapper rail, snowy plover, and others (see attached Collins Guide to the Mammals of New Zealand).

Do ferrets have an instinct to escape domestic settings?

Yes. By nature, ferrets are curious, can crawl through small openings, and can easily escape from cages or home settings. Ferret care literature cautions owners to secure their houses and cages to prevent escape (Literature Reference: A Bit About Ferrets). Literature also indicates that ferrets do not have a bonding instinct to a home and that, if ferrets are allowed to roam outside, they may wander away.

Are there documented cases of stray ferrets?

Yes. Since 1989, 104 stray or confiscated ferrets have been brought to one Department of Fish and Game facility. This represents ferrets taken from a very small geographic area; however, stray ferrets have been reported nationwide.

Are there documented populations of domesticated ferrets becoming established in the wild in other countries?

Yes. Literature from New Zealand studies states that ferrers may escape into the wild in any country where they are kept, and small independent feral populations are known on several offshore islands in Britain. New Zealand, a country whose climate and geography closely resembles several areas in California, has the largest known population of fully feral ferrers. Also, in recent years, a feral population existed in Washington state on San Juan Island, which has a climate similar to California's north coast.

What is the nature of ferrets in the wild?

According to the Moors and Lavers 1981 study. "the males and females share the same ground but exclude other ferrets of the same sex, at least from the centers of their home ranges. A ferret may shift its home range during its life according to the distribution of food and neighbors. In New Zealand in a [wetland]/dune/farmland area home ranges of males averaged approximately 100 acres and that of females, approximately 30 acres." Unlike prairie dogs or ground squirrels which live in colonies, ferrets are fairly solitary and individually require a sizeable home range.

Are there documented cases of populations of escaped domestic ferrets in the United States?

Ferrets are small, elusive, solitary, nocturnal mammals. It is therefore extremely difficult, time-consuming, and expensive to scientifically document their presence in the wild. Also,

any public reports of ferret sightings in the wild would have to be carefully assessed because of the possibility of confusion with native species, such as weasels and mink. For these reasons, wildlife agencies in some other states have not conducted investigations. In California, where ferrets are illegal and the fiscal resources available for wildlife research is limited, ferret research has not been possible. However, we have experienced serious problems with nonnative species. A case in point is the nonnative red fox. A few decades ago, this species was not perceived as a problem to California's wildlife resources, but it has become so. Now, the burden nonnative predators such as the red fox place on stressed ecosystems is well documented (see attached Managing Non-Native Species in California).

Regardless of the potential for ferret establishment as a breeding species in the wild in California large numbers of stray, nonbreeding ferrets could have serious impacts on local wildlife populations.

Have domestic ferrets lost their instinct to kill live prey?

No. The Department of Fish and Game has established that stray ferrets, held in captivity and provided a pet food diet, readily and repeatedly kill live prey introduced to their cages. A food habits study of a domestic ferret population that has become established in New Zealand documents that these animals eat rabbits, mice, rats, rails, waterfowl, and eggs. The study showed that 45 percent of their diet was mammals and approximately 30 percent of their diet was birds, including perching birds and ground-dwelling species. About five L percent of their diet was eggs.

How would domestic ferrets fit into California's wild environment?

California has more plant and wildlife diversity than any other state. The State's wildlife species have evolved together with complicated predator-prey relationships. Many of the species ferrets would prey on have had no experience with ferrets and would therefore be exceptionally vulnerable to predation. This factor has been substantially documented with similar nonnative predator species, such as the nonnative red fox and feral cats. The scientific literature includes several recent studies showing excessive damage caused to vulnerable prey species by nonnative mammals with similar predatory instincts to the ferret.

Do ferrets carry diseases that are a threat to California's wildlife?

Yes. Ferrets carry Aleutian disease, which is caused by a parvovirus and is rapidly fatal to mink. This slowly progressive disease can be carried by seemingly healthy ferrets, and escaped ferrets could expose native California wildlife to this fatal disease. Like other wild and domestic animals, ferrets can carry and spread many other diseases (such as distemper) and parasites to wildlife (Reference: Biology and Diseases of the Ferret).

Is there a "proven" vaccine to prevent rabies?

No. Although there is a rabies vaccine approved for use, it is not proven effective in preventing this disease in ferrets. Vaccination does not eliminate the possibility of rabies, and the intectious period for a rabid ferret-prior to showing clinical signs-is not known. Escaped stray ferrets may come in contact with skunks, which State Health Services reports indicate have a very high incidence rate of rabies.

How many ferrets are in California?

The Department has no information on the number in the State. There were an estimated 1,000,000 pet ferrets and 400,000 ferret owners in the United States in the early 1980's.



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Recommended Citation:

U.S. Congress, Office of Technology Assessment, Harmful Non-Indigenous Species in the United States, OTA-F-565 (Washington, DC: U.S. Government Printing Office, September 1993).

$\mathbf{F}_{\mathtt{oreword}}$

on-indigenous species (NIS)—those species found beyond their natural ranges—are part and parcel of the U.S. landscape. Many are highly beneficial. Almost all U.S. crops and domesticated animals, many sport fish and aquaculture species, numerous horticultural plants, and most biological control organisms have origins outside the country. A large number of NIS, however, cause significant economic, environmental, and health damage. These harmful species are the focus of this study.

The total number of harmful NIS and their cumulative impacts are creating a growing burden for the country. We cannot completely stop the tide of new harmful introductions. Perfect screening, detection, and control are technically impossible and will remain so for the foreseeable future. Nevertheless, the Federal and State policies designed to protect us from the worst species are not safeguarding our national interests in important areas.

These conclusions have a number of policy implications. First, the Nation has no real national policy on harmful introductions; the current system is piecemeal, lacking adequate rigor and comprehensiveness. Second, many Federal and State statutes, regulations, and programs are not keeping pace with new and spreading non-indigenous pests. Third, better environmental education and greater accountability for actions that cause harm could prevent some problems. Finally, faster response and more adequate funding could limit the impact of those that slip through.

This study was requested by the House Merchant Marine and Fisheries Committee; its Subcommittee on Fisheries and Wildlife Conservation and the Environment and the Subcommittee on Oceanography and Great Lakes; the Subcommittee on Water Resources of the House Committee on Public Works and Transportation, and by Representative John Dingell. In addition, Representatives Amo Houghton and H. James Saxton endorsed the study.

We greatly appreciate the contributions of the Advisory Panel, authors of commissioned papers, workshop panicipants, survey respondents, and the many additional people who reviewed material. Their timely and indepth assistance enabled us to do the extensive study our requesters envisioned. As with all OTA studies, the content of the report is the sole responsibility of OTA.

Roger C. Herdman, Director

1

376 Harmful Non-Indigenous Species in the United States _ REPORT

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EXH: BIT 11

8 April 1994

Mr. Boyd Gibbons
Director
California Department of Fish & Game
1419 9th StreetSacramento, California 95814

Re: IMRAB® RABIES VACCINE FOR FERRETS

Dear Mr. Gibbons:

Rhone Merieux is the manufacturer of IMRAB®, a killed rables vaccine which has been approved by the USDA for use in six species of animals, including ferrets. It has come to our attention that your Department has been publishing false and misleading information about IMRAB®; both within California and perhaps in other states. We have reviewed the attached March 25, 1994 "Ferret Fact Sheet," and we believe that reader.

IMRAB® rables vaccine, killed virus, has been tested for safety, purity and effectiveness in accordance with the Code of Federal Regulations, Section 9 (9CFR), part 113.209 as issued and regulated by the APHIS of the USDA.

As a result of this testing in accordance with 9CFR 113.209 the USDA has approved IMRAB® as a safe, pure and effective rabies vaccine for use in six species of animals.

The criterion for demonstrating protection in ferrets (9CFR 113:209 63V) was the same as used to demonstrate the vaccine's effectiveness in dogs, cats and other species. In fact, the rables protection afforded ferrets (94.4%) vaccinated with approval for dogs, cats, stc.:

It appears your source of information regarding IMRAB® was not accurate and we ask that you cease and desist any further publications or commentary which do not accurately reflect the proven efficacy or safety of our IMRAB® product. We also request that you issue retractions of your statements to anyone to whom they were published or mentioned and that you submit copies of your retractions to my

gibbons (dn20)

attention. 6 April 1994 Page two

As a company, RMI is working very hard to develop, manufacture and distribute quality; proven vaccines for use by the veterinary community. We are most seriously concerned when someone tries to destroy the integrity of our products without just cause.

Please feel free to contact me if you any questions or wish to discuss the matter.

Very truly yours,

Donald G. Hildebrand

President .

DGH:sb

NEW HAMPSHIRE FISH AND GAME DEPARTMENT Concord, New Hampshire 03301 PUBLIC AFFAIRS DIVISION 2 Hazen Drive

EXHIBIT 1 12

FERRET QUESTIONNAIRE

ferrets. Responses were received from 37 states, some with supporting information such as copies of their laws. This is a summary of the responses. Questions asked were: In early May, a questionnaire was sent to all Fish and Wildlife Departments to ascertain their policy on

is it legal to possess ferrets as pets in your state? If yes, have you experienced any problems? Please describe. If you do not allow ferrets as pets, what went into your decision? Public pressure? Public

safety concerns? Other?

Commonts:

State	0.1	9,2	9.3	4.0
Alabama		Ou	N.A.	
Alaska	X @ X	not well documented		
California	٠ و	м. У	 protect native wildlife protect agriculture interests (poultry) protect people from bites rabies 	
Colorado	yes (muslete putorius)	none known	N.A.	domestic stocks not seen as a problem
Connecticut	8 9 >	4-5 incidents of bites reported; public health dept, discourages as pets	A.A.	existing rables protocol requires a biting ferret be treated as a wild animal/tested or destroyed. Recent attack on 2-month old child; severe facial lacerations

twiret Questionnalre/June 26/page 2

State	0.1	9.2	0.3	0.4
Florida	\$ 0 Å	several years ago child bitten;severe demage		.
Georgia	yes (certain conditions raq.)	Ou		enclosed law
Hawall	Q.	have confiscated 4 brought in illegally	pose threat to state's endangered and threatened birds (30 species)	
Idaho	yes	ou		
Illinois	, y o s	ou 0	possession as pats permitted historically	not legal for taking game birds or mammals
ewo	yes (except biack-footed)	0 11		must be from a legal source
Kansas	yes (European breeds not protected	reports of humans being bitten and domestic ferrets being released into the wild		Dept, of Agriculture handles import/export of exotic animals
Kentucky	yes	Ou		
Louisiana	ye.	none known; munici- palities may have laws restricting maintenance of captive ferrets		no state legislation addressing ferrets at this time
A octor	s e >	OE.	Dept. of Agric., Animal Welfare Board & Bureau of Health have concerns; laws enclosed	Included literature and information
Minnesota	S & S			illegal to use to take wild animals
(See last page for Massachusatts)	Massachusatts)			

t..ret Questionnaire/June 26/page 3

Q.4					never prohibited, but some counties do or require permit; in 1980, child chewed by ferret	large numbers in state; try to minimize problems by regulating possession (laws sent)	considered domesticated so lack jurisdiction	pursuing statutory amendment to eliminate requirment of a license to possess		•
0.3			it is allowed because no restriction was ever in place							
9.2		recognized as potentially dengerous domestic pets; no problems reported to department due absence of regulatory authority	no. Europeen ferret do not appear to survive well in state	none	local Health & Human Services sent memo Feb. 1990 that first vaccine to protect ferrets (Imreb and Imreb-1) had been developed	yes; escapes and bites	none known;potential exists	yes; license unnecessary; simply allow possession	no wildlife related problems	
0.1	Yes	Y 6 s	yes (except black-footed)	. 705	yes (no permit required)	yes (permit req.)	yes	\$ 6 8	yes (no authority to regulate)	Ou
State	Mississippi	Missouri	Montana	Nebraska	Nevada	New Jersey	New Mexico	New York	North Carolina	North Dakota

rerret Questionnaire/June 26/payo li

State	0.1	q.2	0.3	0.4
0h i o	yes; not wild enimal in Ohio	no significant problems		some local health departments prohibit for health reason
0klahoma	>6	Ou Ou		
0 r a gon	yes (but cities and counties may regulate)	our state agency has not, but small child killed by pet ferret year or so ago	N.A.	examining all Oregon rules regarding exotics as pets; may tighten
Pennsylvania	, ves	OU		
Rhode island	yes, with permit and other requirements (no children less than 2years)	few problems; have heard of people using for lilegal fighting much like cock fighting (in N.H.)	see letter	law enclosed
South Carolina	\$ 0 ×			illegal to sell as pets (rabies health law); some can import legally
South Dakota	***	no		
Texes	s e >	no known problems; unconfirmed report of breeding population in one county		infant safety should be considered by parents
Utah	\$ \$ \$	enimals brought into state before determining what laws are; must be confiscated	possible disease transmission to public (dog & cat vaccine not approved for ferrets)	

Ferret Questionnaire/June 26/page 5

9.1 9.2	yes child severely bitten lace few years ago	yes; Europeen no significant ones come ferrets only to mind Wirginia; experiencing more problems with other species (wolf hybrids, etc.)	yes none reported to their banning all but banning all but neutered ferrets, but don't have the documented problems to do it at this point.
State	Vermont	Virginia . yes; ferr	Wisconsin yes

Five states reported small children severely bitten (Connecticut, Florida, Kansas, New Jersey and Vermont. Oregon reports one death to an infant from bites. NOTE:

Only three of the reporting states prohibit possession of ferrets

Fish & Wildlife have supported bill to allow ferrets as pets. (enclosed report)
large number kept as pats; conflicate when known; infant severely bitten in face in 1990
o u
Massachusetts

Compiled by Patricia Flaurie

JACK S. WAYLAND Director



STATE OF WASHINGTON

DEPARTMENT OF WILDLIFE

600 North Capitol Way, Gl-11 • Olympia, Washington 98504-0091 • (206) 753-5700

April 14, 1988

EXHIBIT 13

Mr. William B. Phillips P. O. Box 1868 Healdsburg, CA 95448

Dear Mr. Phillips:

This letter is to confirm the statements I made to you via telephone on April 14, 1988 on the subject of feral populations of European ferrets in Washington.

i have questioned numerous persons on the subject of feral ferrets in Washington. From that effort, I am prepared to state that, to the best of my knowledge, there are no ferrets living in Washington that prey upon native wildlife.

I understand that there have been attempts to use ferrets to control populations of exotic European rabbits on San Juan and Hat islands of Puget Sound. I also understand that during the time the rabbit populations were healthy, ferrets were frequently observed in conjunction with those colonies. Those rabbit populations dramatically decreased a few years ago, and I have been unable to find anyone who has observed a ferret there since.

I am convinced that the only way an European ferret can survive in the wild in Washington is in conjunction with the concentration of an exotic colonial species, such as the European rabbit.

if you have additional questions, please call.

Sincerely.

THE DEPARTMENT OF WILDLIFE

Thomas C Julson

Thomas C. Juelson, Ph.D.

Nongame Program Manager

TJ:hll

cc: Bob Everitt, Region 4

To whom it may concern:
My name is Brent Utley, I am from
California but I've lived in phoenix arizonia
never knew what a ferret was until
I moved to Arizona. After deciding I
wanted a pet, I checked in to dogs, cats and
etc. I called the ferret club of arizona to
yery researched descision. I bought 2 ferrets
they are very much apart of my life as
15 a day to someone else. This past june
I was moving to california to go to summer
food and agriculture inspection station on the
blythe california, Arizona border and was
told that my ferrets were phrobited in california
destroyed. Plus I was going to be cited and friced
a fine and possible juil time. My ferrets
were stripped from me and I was ticketed.
I went to my court date and was told the
3 years probation. I told them I dight have
3 years probation. I told them I didn't have the money so the said I could ge to Jail

for 4 days and it would be dropped Sc that's what I'm doing. August 1st I'm going to Jail in Blythe california for 4 days for bringing my pets with me to my mothers house. I could take them to 48 other states but I just happen to go to summer school in california So now I'm going to Jail. I think this is totally stupid. But its Still worth it because I loved my pets. If you want to know how I feel Let someone shoot your family deg or cat or more, throan then you'll know

Brent Utley

Brent Utley 19888 & Calle Cadiz Walnut, Ca 91789

(0.1.1

JEANNE Carley 410 Mountain home rd. Woodside, calif 94062

EXHIBIT 15

LEGISLATIVE INTENT SERVICE

712 Main Street, Woodland, CA 95695 (916) 666-1917 • (916) 441-7959 • Cable: Deadcat

February 27, 1991

Kouri

Mr. Joe Corey
WILSON, SONSONI, GOODRICH & ROSATI
Two Palo Alto Square, Building 584 Said 930
Palo Alto, California 94306

Re: Fish and Game Origins

Dear Mr. Corey:

In accordance with your request for the legislative history of the above-referenced origins, please find enclosed the following:

- Excerpt regarding former Political Code Sections 642 and 643 from <u>The Political Code of the State of</u> <u>California</u>, annotated by Haymond and Burch, 1872;
- Excerpt regarding Chapter CCCCLVII from <u>The Statutes</u> of California Passed at the Eighteenth Session of the Legislature, 1869-70;
- Excerpt regarding former Political Code Section 642 and 643 from <u>The Codes and Statutes of California</u>, Political Code, 1886;
- 4. Excerpt regarding Senate Constitutional Amendment No. 18 from the <u>Election Proclamation</u>;
- 5. Excerpt regarding Section 642 from Chapter 424 of The Statutes of California and Amendments to the Codes Passed at the Thirty-Eighth Session of the Legislature, 1909;
- 6. Excerpt regarding Section 642 from Chapter 439 of The Statutes of California and Amendments to the Codes Passed at the Forty-First Session of the Legislature, 1915;
- 7. Excerpt regarding Section 25½ from The Constitution of the State of California, 1916;
- Excerpt regarding former Political Code Sections 642 and 643 from The Political Code of the State of California, 1924;
- Excerpt from the State of California Fish and Game Commission Twenty-Ninth Biennial Report, 1924-1926;
- 10. All versions of Assembly Bill 1176 (Feigenbaum-1927);
- 11. Excerpt regarding Assembly Bill 1176 from the 1927 Assembly Final History;

Mr. Joe Corey February 27, 1991 Page - 2 -

- 12. Excerpt regarding Assemblyman B. J. Fiegenbaum from the 1927 "Legislative Handbook";
- 13. All versions of Senate Bill 795 (Swing-1927);
- 14. Excerpt regarding Senate Bill 795 from the 1927 Senate Final History;
- 15. All versions of Assembly Bill 1123
 (Feigenbaum-1927);
- 16. Excerpt regarding Assembly Bill 1123 from the 1927 Assembly Final History;
- 17. Excerpt regarding Assembly Bill 1123 from the 1927 Legislative Digest, prepared by Legislative Counsel;
- 18. Excerpt from the State of California Department of Natural Resources Division of Fish and Game Thirtieth Biennial Report, 1926-1928;
- 19. Articles regarding fish and game from California Fish and Game, July 1927, Vol. 13 No. 3;
- 20. Excerpt regarding Assembly Constitutional Amendment No. 45 from Proposed Amendments to Constitution, Propositions and Proposed Law, November 5, 1940;
- 21. Excerpt regarding former Political Code Section 373g from Deering's California Codes Fish and Game Code of the State of California, April 11, 1933;
- 22. Excerpt regarding Assembly Constitutional Amendment
 No. 27 from Proposed Amendments to Constitution,
 Propositions and Proposed Law, November 2, 1948.

This letter is in response to our telephone conversations of late January in which you authorized research on behalf of the California Domestic Ferret Association. I understand that you are seeking to make a distinction as far as the Department of Fish and Game jurisdiction between wild ferrets and domestic ferrets. As a result of our conversations in January, you ultimately concluded that we should pursue the original enactment of the Department of Fish and Game, seeking to understand the development of the powers granted to them to support your position that the Department of Fish and Game was not then and is not now intended to have dominion over domestic animals.

The history of the Department of Fish and Game is fairly complex but we have provided a sampling of materials, beginning with the 1872 Political Code up through 1949 constitutional and statutory enactments. I will give a brief summary of the materials to assist you in understanding how they relate to one another.

Exhibit \$1\$ is an excerpt from the 1872 Political Code. The 1872 Political Code was one of four codes enacted in 1872, the first effort by the California Legislature to organize California law into codes. The 1872 Political Code contained as Sections 642 and 643 provisions regarding "Fish Commissioners." (See Exhibit \$1) These "Fish Commissioners" appear to be the ancestral

Mr. Joe Corey February 27, 1991 Page - 3 -

beginnings of the modern Fish and Game Department. A later copy of the Political Code Sections 642 and 643 indicate that these 1872 Political Code provisions were incorporating a statute which had first been enacted in 1870. (See Exhibit #2)

In 1904, a new section was added to the Constitution, Section $25\frac{1}{7}$ added to Article IV, which provided:

"The legislature may provide for the division of the state into fish and game districts, and may enact such laws for the protection of fish and game therein as it may deem appropriate to the respective districts."

(See Exhibit #4)

This appears to be the first point in time there was explicit constitutional authorization for fish and game law.

In 1909, Section 642 of the Political Code was amended to first add provisions pertaining to the importation of:

"... game birds or animals and for the propagation, distribution and protection of imported or domestic game birds or animals . . ."
(See Exhibit #5)

The modern Department of Fish and Game was first created in 1927 as a part of a Department of Natural Resource by Assembly Bill 1176. (See Exhibit #10) There were a couple of other bills pending in 1927 on the same subject matter. It appears that this was departmental legislation and thus was introduced by a number of different legislators in order to give different legislative committees an opportunity to review the bill early in the session.

A 1940 amendment to Section 25½ is primarily interesting because of the ballot arguments in favor of the amendment. (See Exhibit #20) The ballot argument states in part:

"This proposition will give an opportunity to the Division of Fish and Game to manage the wild-life resources of the State on a basis of sound, scientific and factual knowledge by: . . "
(See Exhibit #20)

This particular comment seems to be characteristic of all of the comments in these materials indicating that the early derivation of the fish and game provisions did not contemplate state control over domestic animals.

Mr. Joe Corey February 27, 1991 Page - 4 -

Any analysis provided is based upon the nature and extent of your request to us, as well as our brief review of the enclosed documents. As such, it must be considered tentative in nature. A more conclusive statement of the impact of the legislative history in your case would be dependent upon a complete understanding of all of the factual issues involved and the applicable legal principles. You may wish to involve us to this greater extent in order to utilize our skills as expert witnesses in your case. We have had extensive experience in presenting legislative documents to the courts in this role. (Please see Follow-up Services.)

If you do desire to retain our firm in this capacity, a retainer will be required. The size of the fee will depend upon the complexity of the matter and length of time the additional work is estimated to require. Please note that your decision to retain us should be made at the earliest possible opportunity as our present policy is to continue to furnish materials such as those enclosed to all attorneys requesting them, regardless of whether or not another attorney may be involved in the same or a similar case as yours. Once a retainer commitment is made, however, none of the enclosed materials will be voluntarily released to a competing party without first checking with you and determining your position. (Please see our policies statement at the front of this package and the follow-up services indicated which follow.)

Evidence of legislative intent is relied upon in both federal and state courts. For example, in California authority for submission of the enclosed documents to the court as evidence may be found in California Code of Civil Procedure Section 1859. Furthermore, California courts are authorized to take judicial notice of evidence of legislative intent pursuant to California Evidence Code Section 452(c). (See Post v. Prati, 90 Cal.App.3d 626) In addition to the materials already mentioned, points and authorities on statutory and case law authority for the use of legislative documents are included in the package.

I appreciate the opportunity to provide this assistance and hope that these efforts will be of value to you.

Very truly yours,

LEGISLATIVE INTENT SERVICE

pirector

CD. gad

Enclosures

190012: JSR/JS/FISH & GAME CODE ORIGINS/FG1 ·

The Domestic Ferret as a Threat to Wildlife

V. J. Fitzgerald, Ph.D.

Department of Biology

University of Iowa

Iowa City, IA 53342

Popular articles critical of the practice of keeping ferrets as pets sometimes assert that the species poses a threat to wildlife. A good example of this is the article by G. Hulsey that was recently reprinted in *The Ferret*. The reasoning behind such assertions, if offered, is scanty. In fact, examination of the relevant ecological literature leads to a different prediction on the likely environmental impact of escaped pet ferrets.

This literature falls into two categories: hypotheses and observations about characteristics of successful invader species, and the history of ferret introductions world-wide. Neither can definitively answer the question of whether the ferret will become an established and destructive invader in any particular locality. But the literature is rich enough to permit a reasonable assessment of this species' prospects for establishing feral populations.

Traits that characterize species which are successful in colonizing new habitats have long been of interest to ecologists. Several studies of different faunas have yielded a small list of attributes common to most good invaders. 2.3.4 A compilation of these characteristics and the degree to which the domestic ferret, Mustela putorius furo, meets these criteria is presented in Table 1. In this overview, the ferret appears to be at best a marginal candidate as an invader.

The species' greatest assets as a potential invader are its commensalism with man and its relatively long life-span (at least in captivity). An intimate association with man is a tremendous boon to a potential invader because of the vast ecological impact that inevitably

accompanies human habitation. The disruption of native faunal assemblages presents opportunities to new species that otherwise would be poor competitors in undisturbed regions 12. Also, traveling with man nullifies any need to be highly mobile in order to colonize foriegn areas 3.

However, the domestic ferret fails to meet many of the other standards for successful invaders. Such species frequently have high fecundities; their population "explodes" in a new environment when there are no major predators in the new habitat. This phenomenon is called "predator release". But Mustela species in general can fall prey to any terrestrial predator which is at least as big a fox as well as birds of prey¹³. Domestic ferrets, renown for their trusting nature around other animals¹⁴, are particularly susceptible to dogs, cats, and hysterical humans. These are the predators an escaped pet is most likely to encounter.

Genetic variability is also considered particularly important for species colonizing new environments, but no solid information has been collected on the domestic ferret in this regard. The ferret has never enjoyed immense popularity, so the founding population was probably small and therefore subject to genetic drift. In addition, much of the quantity breeding has been for laboratory use¹⁴, a purpose for which genetic uniformity is desirable. However, large breeding operations for the recently expanding pet market have been able to develop "varieties" coat color centers. The most conservative assumption is that the North American domestic ferret population is not suffering crippling genetic invariability.

Even some of those criteria which the ferret nominally fulfills are not met convincingly. Although they have an appreciable size advantage over any native North American weasel species, they are not nearly as proficient as predators. Ferrets were artificially selected to hunt in concert with man, acting as flushers to scare rabbits (Oryctolagus cuniculus) out of warrens 15. They only hunt effectively in confined spaces and mostly have a low capture success. Only an exceptional huntress could be expected to meet the nutritional demands of raising a litter, and thereby found a feral population.

Hypothetically, such an exceptional female could alone act as a foundress if released pregnant. But the chances for subsequent generations arising from her litter diminish somewhat in light of the relatively longer maturation time for males. If the population of potential sires was limited to the foundress' sons, she would have no available mate for her next estrus and her daughters would most likely meet the same problem in their first season. Their problems of survival would be exacerbated by the physiological effects of long-term estrus. Overall, prospects for a single escaped animal engendering a population large enough to have ecological impact appear remote.

Perfect conditions for establishment of a feral ferret population would accommodate their biological limitations. The ideal region for introduction would have moderate climate, a superabundance of preferred prey (rabbits or possibly rats, Ractus norvegicus) and be devoid of competitors and possible predators. The ferret population introduced would be large and the introductions repeated frequently.

Such a situation occurred historically. In New Zealand, European settlers converted vast natural forests to pasture eliminating the

habitat of much of the indigenous fauna, including virtually all predators. Hungry for game on an island made barren by their own actions, settlers formed Acclimation Societies which imported European game animals. Domestic rabbits failed to establish feral populations, but wild rabbits released in Southland in 1864 flourished to the point of bringing economic disaster in less than 20 years. Hundreds of thousands of sheep starved as rabbits devoured the majority of pastures. The resulting erosion was massive, and immense areas of grazing land were abandoned to the rabbits. Ranchers demanded a government program for introducing rabbit predators. Because of their reputation and availability, ferrets were the first choice in this undertaking. The New Zealand Department of Agriculture bred and released hundreds to thousands annually from 1882 to 1912. (In 1884, 3000 were released in Marlborough alone.) (Yet) the Chief Rabbit Inspector recommended the additional importation of stoats and weasels from Britain because ferrets generally failed to become established. They only had significant impact on Norway rat populations in several localities. Wild-caught stoats and weasels proved much superior, and although released in relatively small numbers, became established widely. Currently ferrets are found only in local pockets in populations whose densities are tied closely to rabbit densities 16. In Australia, also afflicted with a "rabbit plague", no concerted predator introduction program was conducted. Although ferrets belonging to Australian hunters probably escaped on thousands of occasions, the environment has failed to support a feral population 17.

The key to the success of any invader species is how well it "fits" into the recipient environment. It must be preadapted to some

extent⁴. By nature, the domestic ferret is most well preadapted to living in close conjunction with man, hunting animals which are helped by man's continuing destruction of late successional habitats. Ferrets do wellin areas infested with Norway rats, which are unwanted commensals that seldom live far from man's dwellings. It appears that the areas most likely to support feral ferrets would be so highly disturbed that their impact on native wildlife would be a most question.

Ferrets are not new to North America. European settlers often brought favorite native animals along when they immigrated. Although seldom used in hunting now in the midwestern US, ferrets were commonly kept both for sport and to control barnyard rats in generations past (personal communications). Yet now there are no feral populations.

Today's pet animals are even less of a threat to colonize an area because most are neutered to forestall the production of strong odors that accompanies sexual maturity.

Taken in concert, information on the biology, recent history, and current status of the domestic ferret leads to the conclusion that the fear of drastic ecological impact from the keeping of these animals in North America is an unwarranted speculation. The overwhelming menace to wildlife continues to be the supreme invader animal, Homo sapiens.

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Table 1. Characteristics of "invader species" and how well the domestic ferret fits these criteria.

Characteristics of Good Invader Species ^{2,3,4}	Characteristics of Ferrets
commensal with humans	domestic species
long-lived	5-6 years ⁵
competitive superiority to close relatives	inferior to native Mustela species
larger than most relatives	second only to Steppe polecat (Muscela eversmanni) in genus Muscela
fertilized female can colonize alone	male does not
"predator release" in new environment	very susceptible to predation
common in original home range	polecat populations never dense ⁷
omnivorous	oligophagous
short generation time	approximately 9 months (1.2 years for males) ⁵
great genetic variability	unknown
ability to live in a wide range of physical environments	intolerant of climatic extrames 8,9,10,11 (<7° C. >30° C)

onimals and not appropriate as pets.

Dr. Kent Marshall, a small animal practitioner in Lyons, NY, and part owner of Marshall Farms USA, Inc, a large ferret breeding colony, believes that the AVMA has placed the wrong emphasis on ferrets as wild animals when considering the dog and cat populations.

"Dogs and cats do exist and reproduce in the wild and feral state in many parts of the United States," he said. "If we look at the origins of our dog and cat populations we find these two species were domesticated and derived from wild populations outside the United States. Therefore, by definition, our dogs and cats in the United States also are exotic."

Statistics from the Center for Disease Control and an article in the JAMA indicate that the number of bites inflicted by ferrets appears to be substantially lower than those by dogs and cats. These statistics were compiled from 1978-1988 and were reported on a yearly basis: between one and three million dog bites, compared with 65 ferret bites in 10 years. Serious bite injuries were recorded as 44,000/year for dogs and 12/year for ferrets. Severe facial injuries requiring plastic or reconstructive surgery numbered 16,000/year for dogs and 12/year for ferrets.

Rex Searcy, editor of the American Ferret Magazine, wrote, "The ferret is by far the safest domestic carnivore a person can own, with cats and especially dogs being much more dangerous. Ferrets are less dangerous than most domestic herbivores as well. Horses, cattle, pigs, goats and sheep are all considerably more dangerous than ferrets. Even rabbits, rats and hamsters appear to inflict at least as many, and likely more, injuries percentage-wise than ferrets."

It is the nature of young ferrets to nip with their mouth, just as a puppy does. Their teeth are very sharp at a young age and they will sometimes break the skin or cause sensitive skin to form a welt. They do not do this viciously, and normal treatments for cuts and abrasions should be sufficient along with time to heal, according to Gary Marshall, president of Marshall Farms USA, Inc.

Rabies Vaccine Study

Although the incidence of ferret

bites is lower than in other bites from domestic animals, the risk of rabies is still taken into consideration. A rabies vaccine is currently being tested by the Wistar Institute of Philadephia. "The Institute also is trying to determine at what point ferrets shed the rabies virus in their saliva while developing the disease," said Dr. Marshall.

"In an effort to develop a USDAapproved rabies vaccine for ferrets, . the Morris Animal Foundation is acting as a coordinator on fund-raising activities and is reviewing rabies vaccination proposals prior to awarding arants," he added.

Dr. Marshall accused the National Association of State Public Health Veterinarians and the USDA of informing the vaccine companies not to continue with testing the vaccine. Dr. Satalowich denied the accusation saying, "If the vaccine meets with the protocol merit and standards set by the Association and the USDA, then the drug is included in the Rabies Compendium. We don't interfere before this point."

Dr. Mike Kohn, a small animal practitioner and the editor of *The Ferret* newsletter for a new, nonprofit organization, the American Ferret Veterinary Association, said that for almost three years, he has had between 40 and 50 ferret patients. Using a killed rabies virus vaccine, Dr. Kahn has witnessed minimal problems.

"It's unfortunate that ferrets have gotten such a bad rap," he complained. "I also am surprised that ferrets have become so popular. People feel very strongly about choosing their pets, and are passionate in their defense. We as professionals need to be on the vanguard."

"With our newly formed organization, we intend to educate the practitioner, to advance medicine and surgery techniques, and to provide scholarships," Dr. Kohn said.

Ferret Behavior and Adaptability as Pets

The ferret's behavioral characteristics do not go unrecognized. Dr. Marshall said the behavior of the domesticated ferret is similar to that of domestic cats. Like cats, they are fastidious about their toilet habits, and can be self-trained easily to a litter box or paper. Their behavior is

docile and cat-like, unlike that which would be expected for a normal wild mustelid.

Mary Van Dahm, owner of a ferret adoption shelter in Westchester, Ill, said that, from her personal experience, "Ferrets respond like dogs and cats. If you start handling them nicely, they will respond to you in a positive way."

She began her adoption center because she found that most animal shelters would not take ferrets. "The shelter cares for a litter or an individual pet given up for adoption by its owner who can no longer care for it. Currently, we have 30 ferrets in the shelter," Mary explained.

Mary works closely with Dr. Susan Brown of the Midwest Small and Exotic Animal Clinic in Westchester, Ill. All ferrets entering the shelter are placed in quarantine and tested by Dr. Brown for Aleutian mink disease, one of many diseases affecting fer-

"Certain ferrets are carriers of this disease, which is transmitted through the saliva and feces. The ferret may not show active signs of being infected," Mary said. "Fortunately, the disease cannot be transmitted to humans, but it is fatal to ferrets."

"Ferrets are very curious and like to get into cabinets, so I recommend to people to ferret-proof their homes. I also won't adopt an animal to families with children under the age of five years. Ferrets are attracted to the smell of milk and may attack the baby, thinking it has something for it to eat," she added.

"Most of the injuries to children from ferret bites have involved parental neglect," said Dr. Marshall. "The future of veterinary medicine will be better served by attitudes that shift to meet the needs of our clients, rather than by stereotypic thinking that tries to influence their choice of pets."

In Conclusion

The Council on Public Health and Regulatory Veterinary Medicine believes that it served its intended purpose when recommending issuance of the 1986 press release alerting ferret owners about their animals' inherent dangers to infants and small children. And the issue rages on . . .

EXH: BIT 17A

California Domestic Ferret Association P.O. Box 1868 Healdsburg, CA 95448 (707) 431-2277

IN THE SENATE OF THE STATE OF CALIFORNIA SENATE NATURAL RESOURCES COMMITTEE

California Domestic Ferret Association

SENATE BILL 55

DECLARATION OF LEE WITTEK ANIMAL CONTROL OFFICER CARSON CITY, NEVADA

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California Dept. of Fish and Game & California Dept. of Health

I, Lee Wittek, am employed as an Animal Control Officer by Carson City, Nevada, and have been so employed for the last fifteen years.

I have read the letter written by Christine Ostrom regarding the injuries sustained by her granddaughter, Michelle Bowers in September of 1985. I feel that the letter does not give a true picture of what occurred, nor does it appropriately place the responsibility for the injury to the child.

The quote, "Before anyone responded to her cries of total agony, the ferrets gnawed Michelle's nose, lips and most of her face completely off." brushes over the fact that the reason it took so long to respond to her cries of total agony is that apparently neither of her parents were consciously present in the home at the time their child was injured. As I recollect, the rumor in the community was that her mother was down at the local bar with her girlfriends (it was also rumored they were having some trouble at home), and the father was either not present or was asleep or unconscious. Although the father denied it when questioned, there were indications that the father was drinking and had fallen asleep or passed out. One has to question why, if he was only asleep as he

 claimed, he did not wake when his child would have been crying loudly for an extended period of time. This did not happen in the middle of the night, and one would think any normal parent would have responded to their child in plenty of time to prevent any serious injury from occurring.

There is also the serious question of just how the ferret gained access to the baby up in her crib. My experience with ferrets is that they are not particularly good climbers and jumpers and absent some outside help would not have been able to gain access to the baby in the crib unless provided with a ladder of some form, such as a lattice work of wire or cloth they could climb up, or were placed in the crib by someone.

I remember at the time there was a lot of hysteria by the anti-ferret forces and they went literally world wide looking for evidence that ferrets were a danger to children, and they came up with very little actual evidence to support their position. Contrary to their assertions, ferrets are not "killer weasels on the loose", which is why they had to go literally world wide to come up with any examples in an attempt to demonstrate their point.

The anti-ferret forces want to depict the ferret as a Tasmanian Devil that will devour everything in sight, and that is just not true. This depiction of the animal and its ferocity is grossly overstated.

From my own experience, I know that ferrets are significantly less dangerous to children than are dogs.

I will state categorically that my own knowledge of ferret behavior would indicate that there would have to be a great deal of gross parental irresponsibility for any child to be seriously injured by a ferret.

I declare under penalty of perjury of the laws of the states of Nevada and California that the foregoing is true and correct to the best of my knowledge, and that this declaration is made on April 26, 1995 at Carson City, Nevada.

Lee Wittek

Carson City Animal Control Officer

Dr Graham Wellstead BA BSc PhD

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Floyd L. Carley 3000 Sand Hill Road 4-145 Menlo Park California 94025 USA

27th August 1995

Dear Mr. Carley,

Thank you for the copy of Pet European Ferrets: A Hazard to Public Health, Small Livestock and Wildlife we discussed on the telephone.

There are many issues discussed which are either patently untrue, misuse of source material, or inexpertly drawn conclusions. I intend to discuss here my own views on the subject, in which I will draw sections from the narrative and make my own comments. I will attempt to comment on each and every point where I have a valid opinion. The facts and figures quoted in the document are mainly outside my first hand knowledge and I must leave you to refute them according to your own knowledge of them, or that of your group.

It may assist if I re-state my position and give evidence of my own competence as an expert in ferrets and ferret behaviour (an accolade confered on me by others).

I can claim to have a knowledge of the ferret and its progenitor, the European Polecat (Mustela putorius.) My interest in these animals has been rather more than the casual interest of one who keeps them as either a working tool or amusing pets, as I have made lengthy behavioural and reproductive studies in addition to my main purpose, which is to bred quality hunting ferrets.

I have kept domestic ferrets and wild stock European polecats for 45 years. During that time I have never, at any time, been attacked by domestic ferrets, nor have any of my family, friends or associates. That is not to say I have never been bitten, but any bite I have received has never required more attention than the application of an adhesive bandage (I do not know the American term but describe this as a small self adhesive bandage some ½" wide by 3" long with a central portion of sterile cotton bandage to cover the wound and the two ends to stick to the skin.)

My animals are not house pets, especially tame, but working ferrets used for hunting the wild European Rabbit (Oryctolagus cuninculus), or the Brown Rat (Rattus norvegicus). In any one hunting season (Late October to early March) I expect to capture in excess of 1,000 rabbits.

Between the years 1955 to 1970, due to the rabbit disease Myxomatosis, the numbers of rabbits available were very few and at that time I concentrated on rats. However, from 1970 onwards I have caught above 35,000 rabbits. I cannot state a more accurate figure as I have not kept records for some

years now. Latterly my rat hunting expeditions are few but in the past I have taken up to 500lbs of rats, it being usual to weigh the rats rather than count them.

It could be said therefore that if ferrets were to habitually attack, then my hunting stock would be particularly likely to do so. In practice this is most definitely not the case. My animals have been selectively bred with the aim of reducing aggression and allowing the natural fear of rabbits for ferrets to cause them to vacate their burrows. This selection saves me having to dig large holes to find lost ferrets.

Currently I hunt rabbits with ferrets and Red-tailed Hawks, which I have captive bred to the third generation. This form of hunting can be stressful for ferrets as the hawks often view them as quarry making it all the more important that any ferret on the surface of the ground can be picked up quickly, without gloves before the hawk arrives.

I will leave any further description of the temperament of my ferrets, and my abilities with them to my book 'The Ferret and Ferreting Guide', or my more recent work, contained in 'North American Falconry and Hunting Hawks.'

PET EUROPEAN FERRETS: A HAZARD TO PUBLIC HEALTH, SMALL LIVESTOCK AND WILDLIFE

DISCUSSION

Page i. Executive summary

While I am not in a position to dismiss the figures produced for ferret attacks - My comment is that Ferrets, like all carnivores, take part in mock attacks and play fighting throughout their lives. Ferrets do not, in my experience slash and bite in a frenzy of rapid fire bites. If a ferret does bite it is most usually a single hold bite producing the typical lock hold of the mustalid, and that of many breeds of dog. I view the situation where infants have been left with ferrets as a very serious dereliction of parental duty. I would not leave an infant, or young child alone with a ferret, a cat, a dog, a large parrot, or even a pet rodent such as a gerbil.

The summary states that ferrets eat the shredded tissue and drink the blood. Normal ferret feeding on meat takes the form of chewing meat off the main potion, not biting it to produce a shredded meal. I know of no animal where this can be said to be the case. The statement is nonsense.

It is true that a fatal attack was carried out on a small infant by two young ferrets in England. These animals were starving, having been fed only on diced carrots. The child had been left alone by young parents who had spent the evening in a bar. While there was a furore of ill informed opinion at the time, it has since been agreed that the parents were to blame for this dreadful incident, rather than the two starving animals.

Rabies does not occur in the United Kingdom. Such attacks as are caused by animals which are suffering the torment of the damned cannot be held to be normal behaviour.

Other than the report of the sad death of an improperly supervised infant in London the summary is nonsense.

1: Introduction. Ferrets do not typically weigh between 2 and 6 pounds. Most adult females weigh under 2 lbs and any animal which weighs 6lbs is grossly overweight. Ferrets may only be confused with the American Blackfooted Ferret (Mustela nigripes) in as much as they both suffer from such excessive predation that they are neither likely to succeed in establishing themselves in any number in the wild state, even when supported by huge investment in money and resources.

Again we have the nonsense statement about rapid fire bites. In the event that attacks on infants were as commonplace as the report suggests, they would also occur in the UK in similar numbers for the ferret is a very common animal here. Any such frenzied attacks by domestic or feral ferrets would be an issue which would exercise our legislators in Parliament. It does not.

II: Methods In the event that animal control personnel and laboratory workers needed help differentiating ferrets and weasels I would discount any information gained from such people; with or without tables. Again, I am unable to comment on the rabies issue, except to ask if figures for rabid dogs, cats and other animals were also considered. I understand many people keep pet raccoons and other small native animals which have a propensity to rabies. I also understand feral communities of dogs abound in the USA, something which does not occur in the UK and which may suggest we here have a more responsible attitude to our pet animals.

III: Results A. I am unable to comment on figures to which I have had no access, except to restate my views on leaving any animal unsupervised with infants.

<u>B Attacks on persons in California</u> I am unable to comment on most incidents, due to lack of information. However, attacks by animals on adults such as being bitten on the ankles by a stray animal. This may perhaps be as a result of a fear induced response from the animal.

<u>C Attacks on persons in California. Oregon and Arizona</u> Incomplete data from Oregon and Arizona suggests they do not view the situation with the hysterical alarm of the Californian authorities.

<u>D Ferret Rabies in the United States</u> How many cases of rabies were reported for other domestic pets which contacted wild animals infected with rabies. It is no surprise that a rabid raccoon should infect any animal it should bite. Rabies infected ferrets purchased from pet shops and similarly infected animals being bred from shows a low degree of care and maintenance.

<u>E Feral ferrets in California</u> I would wish to see documentary evidence, properly supported to show incidence of extensive feral ferrets in any part of the USA

IV Discussion

A. History of Ferret Selective Breeding and Interaction With Man
Ferrets used in hunting are not highly valued if their approach is one
where killing or seriously injuring the animal being hunted can be
expected. Hunting ferrets are bred to produce a relatively docile animal
whose presence alone is sufficient to cause rabbits to vacate their burrows
in front of the questing ferret. Reports from writings dating back to the
early 1800's have no validity today. Writers of the period were more
inclined to dramatic description that to truthful interpretation of the
facts. Also, at the time, it was considered normal to hunt with half
starved ferrets, fed a meagre diet of bread and milk which served to make
the animals desperate for the trace elements their digestive system
required. The ferret is not capable of the form of reasoning suggested on
page 17, where it waits for a restraining adult to leave before attacking
an infant.

Feral ferrets do not lack an inate fear of man, any more than any other truly feral animal. I cannot accept that feral ferrets continued to eat while an autopsy was taking place on a dead cow.

Crossing the wild stock of polecat into domestic ferrets has occurred, but rarely. Simply because the true wild polecat was all but wiped out in the British Isles before the turn of the century. It is only in the last ten to twelve years that the wild stock has shown any significant recovery, aided no doubt by the reduction in the number of gamekeepers who actively trap them. Wild polecats are very easy to trap and do not become trap shy as many other animals do.

B. Problems Consequent to Pet Ferret Ownership

It should perhaps be encumbant on pet ferret supporters to educate those who take on these animals. I wrote in my book that ferrets can and do attack. They view attacks as their best method of defence, but they <u>ALWAYS</u> <u>TELL YOU FIRST</u>. Apart from a fear response from an unseen animal any attack from a ferret is always flagged up in a very obvious fashion and needs no lengthy description. Ferrets should always be properly housed for their own safety. They are vulnerable to attack from many predators.

Young ferrets, like young purples and kittens, will bite anything they think may be edible. Where pupples and kittens differ is that they have their eyes open before they develop teeth. Ferrets develop teeth before their eyes are open and are therefore more likely to hold on. However, it should be stated that baby ferrets are unable to inflict injury at this stage, and should be trained, as a puppy is, not to bite the hand that feeds it.

I strongly object to my name being used to suggest a ferret is best handled with gloves (page 21) Nowhere in my book do I suggest that gloves are required when handling ferrets. The reverse is true; using gloves may cause inadvertent injury to a ferret and the response would then for it to

bite back! I never ever use gloves, nor does any other experienced ferret keeper. The use of gloves is not only unnecessary, but also counterproductive. Not one picture in my book shows gloves being worn while hunting with ferrets. The photographs are not specially pose, rather, they were taken on a normal hunting expedition — it would not occur to us to use gloves in such situations. Gloves are only used to protect our hands from thorns when clearing briars around rabbit holes. The thorns are considered much more of a danger than ferret teeth. You will note that even the wild polecat shown being entered for the first time is being handled without gloves. The decision not to use gloves is not bravado or masochism, simply long established confidence in our animals.

Female (Jill) Ferrets do not die if unmated. I have kept several groups of ferrets, mated regularly, unmated, and neutered to check this long held theory. The research group comprised up to 140 females at this time. My researches show that the animals which live the longest are those which have remained maidens all their lives (some attaining 13 years against the norm of 7), or those which have been mated every year for a number of years.

<u>V. Conclusions</u> It is not vital, or often even effective, for pet ferrets to be de-scented or neutered. However, the practice of neutering ferrets, along with the systematic neutering of many other pet animals to maintain and contain a healthy population of pet animals, which may otherwise overproduce is a sensible method of control. In my own book the chapter on breeding ferrets states quite clearly that ferrets are rather easier to breed than to sell.

My Own Conclusion

The pressure applied by the California Health Department and also the Fish and Game Department in the production of this very misleading document, is hardly less than a systematic attempt to misinform and counter the pressure group defending the pet ferret status in the State of California. If the State says something is so — It must be, would appear to be the presumption aimed for. I am unable to agree with that presumption and would like to make it clearly understood that, in my view, the document in inaccurate to a very large degree and should be discounted in any serious discussion over the fate of the domestic ferret in California.

The original attack on the ferret, as I understand it, was that the animal did not qualify as a domestic animal. This interpretation was contrary to that held by most other authorities, including the UK where the ferret has been kept for very much longer than in the USA. I do not understand why the pet ferret is so apparently likely to attack human infants in the USA when, apart from a unique incident in London, no such evidence of similar attacks are reported in a country where ferret keeping is considered the normal thing to do in most country areas.

With a much more conducive climate and far less predators, one would expect feral communities of ferrets to be legion. the reverse is the case. Certainly ferrets require secure quarters. They are not rodents and do not bite their way out of wood cages, but they can, and do find their way out of any cage which is not secure.

I do not wish to paint the ferret as an amiable and totally harmless pet animal, for this would not be a true reflection. Ferrets can, and do bite. Most often such bites are harmless and part of the strong and powerful play fighting associated with all predators. However, the picture of a relentless and frenzied biting animal, frequently rabid, is not a true description of an animal I have kept without serious incident for close to half a century. Please feel free to use any part, or indeed the whole of this document in any discussion with any authority relating to the status and understanding of the domestic ferret.

In addition I enclose, with my compliments, a 1st Edition copy of my monograph "The Ferret and Ferreting Guide" which I hope may assist in dispelling any non factual statements on the subject.

han Welth

Yours sincerely

Graham Wellstead

AMERICAN FERRET ASSOCIATION

Critique of the document "Pet European Ferrets: A Hazard to Public Health, Small Livestock and Wildlife," prepared by Denny G. Constantine, D.V.M., M.P.H. and Kenneth W. Kizer, M.D., M.P.H., California Department of Health Services (December 1988).

Prepared by Freddie Ann Hoffman, M.D., Jan Davis, M.P.H., Madeline Lowery, R.N., O.N.C., American Ferret Association, Health Affairs Committee.

THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES REPORT

The California Departments of Fish and Game (DFG) and Health Services (DHS) oppose legalization of ferrets in the State of California and use as the basis of their opposition a document they have labeled a "study," prepared by Drs. Denny G. Constantine and Dr. Kenneth W. Kizer of the DHS. The DHS report, entitled "Pet European Ferrets: A Hazard to Public Health, Small Livestock and Wildlife" discusses 452 ferret "attacks," including 64 "attacks" on infants and small children, spanning a ten-year period from 1978 to 1987. The report relies heavily on European literature and anecdotal accounts of alleged ferret "attacks," including several colorful anecdotes from the early 19th Century. Although the DHS report does not include a comparison group, i.e., dogs or cats, the report implies that the ferret is significantly less safe than other companion animals. The report has never been critiqued in a scientific forum. Indeed, the DHS report itself fails to qualify as a scientific "study." It contains glaring errors and major deficiencies, many of which are described below.

A. THE AUTHORS ADMIT BIAS

The authors, employees of the DHS, freely concede that they intended to produce an *advocacy* piece prepared at the request of two other California agencies to support these agencies' longstanding policy against pet ferrets:

"The Department of Fish and Game (DFG) and the Department of Food and Agriculture (DFA) asked DHS to define any public health concerns relevant to pet ferrets. DFG had restrictions against entry of pet ferrets into the State......" [DHS report, pp-2; emphasis added.]

B. DEFICIENCIES IN METHODS AND COLLECTION OF REPORTS

In contrast to the usual spontaneous reporting of dog, cat and other animal bites, the reports on ferrets were specifically solicited by DHS:

"... [T]he California Department of Health Services solicited reports about ferret attacks ... " [DHS report, pp-i; emphasis added.)

This approach could unduly increase the number and severity of the reports on ferrets, in contrast to those voluntarily reported for other animals, e.g., of dogs or cats, which was indeed recognized by the authors:

"Other difficulties were experienced gathering and interpreting data ... Available reports, which were

American Ferret Association - Page - 2

usually retrospective, generally lacked uniformity, and reflected varying degrees of effort in document details of the incident. Spectacular incidents, including those from rabid ferrets or involving infant maulings, seemed more likely to be reported ... Early in the investigation it became apparent that some animal control personnel and laboratory workers needed help differentiating ferrets and weasels, whereupon a table summarizing differences was devised and provided to these persons." (Ibid.; pp-3; emphasis added.)

The DHS report, however, was disseminated without the "table" provided to the workers, so it is not possible to determine if this guidance was adequate. In addition, it is unclear what expertise either Dr. Constantine or Dr. Kizer may have had in describing the differences between the domestic ferret and the wild members of the mustelid family.

C. USE OF RETROSPECTIVE AND ANECDOTAL REPORTS

Not only are the above methodologic deficiencies identified, the DHS report also uses anecdotal and retrospective data. Stanford University expert, L.E. Moses states:

"The limitations of the anecdote are quite substantial, and include: incompleteness of coverage, absence of denominator information [i.e., total number of events or cases], nonstandard observation, and, if not written up as a case report, liability to distortion over time, both through memory degradation and transmission errors." (L.E. Moses: International Journal of Technology Assessment & Health Care 2:27, 1986.)

The principal disadvantages of a retrospective study design are well recognized:

"... important confounding variables may be difficult to identify and adjust for, clinical outcome is already known and may influence the measurement and interpretation of data (observer bias), and participants may have difficulty in accurately recalling past medical history and previous exposures (recall bias)." (Guide to Clinical Preventive Services: Report of the U.S. Preventive Services Task Force. U.S. Public Health Service. 1989.)

"The plural of 'anecdote' is **not** 'data.'" (R. Caccharinni, Ph.D.; Biostatistician, Center for Devices and Radiological Health, U.S. Food & Drug Administration. Rockville, Maryland)

D. FAILURE TO DEFINE TERMINOLOGY

The DHS report fails to define the terms "ferret attacks." The authors readily admit the confusion: "It was sometimes not clear from the reports whether the animals were friendly or aggressive." (DHS report, pp-9). Young ferrets often play roughly, like puppies or kittens, which the authors' admit could have been mistakenly reported as "aggressive" behavior. Without a precise definition, it is simply impossible to delineate what the observers were reporting and therefore to draw any scientific conclusions.

E. LACK OF A CONTROL/COMPARISON GROUP

The DHS report fails to use a "control" or comparison group. For example, ferrets are reviewed without comparison to other commonly owned house pets, such as the dog or cat, which are known to impose risks to humans. (M. G. Loar: Risks of pet ownership. The family practitioner's viewpoint. Veterinary Clinics of North America: Small Animal Practice. 17(1):17, 1987.) The conclusions reached by the DHS report appear to be based on emotion, not on conclusive evidence, as none of the information regarding the relative risk of ferret ownership supplied in the report can be adequately assessed without a comparison to other companion animals. Such a deficiency in the study design is well recognized:

"... [I]nitial reports often mislead because the study did not include a comparison group or included an inappropriate one." (J.A. Grisso: Making comparisons. The Lancet 342:157, 1993.)

F. BIASED ANALYSES

The authors intentionally bias their analysis in order to have the results match their preconceived conclusions regarding ferrets and children:

"Data on the characteristics of the ferrets attacking the infants are given in terms of numbers of persons attacked to underscore the assault perspective ... " (DHS report; pp-7, emphasis added.)

Additional examples of bias are shown in the following sections.

G. IMPROPER TABULATION OF "EVENTS"

In calculations based upon numbers of subjects or "events," Tables 2 and 3 (see DHS report, pp-46, 47) are inconsistent. For example, the "Number" of children in each section of Table 2 do not always add up to 64. While the analyses of "Sex" and "Site of Wounds" do add up to 64 cases, the total for "Treatment Reported," is only 63 cases. No explanation is provided regarding the missing case. One might assume that since the "attack" [undefined] in Case #5 did not take place, no "event" occurred for which "treatment" would be necessary (Ibid., Table 1). The DHS report is silent on this account. With respect to Table 1 of the DHS report, Case #63 lists "Injury," as "Unknown." Since no information is provided, this case should also have been excluded from the total number of "attacks" on children.

In another example, the total number of ferrets listed in Table 2 is 65 for the sections "Characteristics of Attacking Ferrets," "Age," and "Sex" of the ferret, whereas the remaining sections add up to only 64 ferrets.

As discussed above, the authors failed to exclude cases which did not occur, or which provided insufficient information for evaluation: these events should not have been counted (i.e., in the numerator). On the otherhand, the authors incorrectly excluded these cases in their overall calculation of total number of events (i.e. in the denominator).

Such practices led the authors to calculate the percentages incorrectly throughout the report, resulting in meaningless conclusions.

H. FAILURE TO FOLLOW BASIC PRINCIPLES OF DATA ANALYSIS CONCERNING MISSING "DATA" POINTS

The authors completely disregard the basic principles of data analysis when evaluating missing information recorded from the solicited reports. For example, the authors failed to explain why they chose to include some data points and ignore others, which resulted in totals that varied from calculation to calculation: "In one of the latter instances, ferret sex and age data were available and added to the appropriate columns in Table 2 ... " (DHS report, pp-7.)

In another example, Table 2 describes the "Characteristics of 64 unprovoked ferret attacks on infants and small children." In the first section the number of males and females "attacked" by the ferrets are listed as 22 males and 24 females. However, 18 cases are listed as "NOT REPORTED." The authors proceeded to calculate the percentage of males as 48% (22 males/22M + 24F, or 22/46). This calculation completely ignores the remaining 18 cases for which sex was unreported. Since the remaining 18 cases could have been all males or all females, the actual numbers of Males to Females might have ranged from 62% males (2:1 M:F) to 65% females (2:1 F:M). It is obvious that the only conclusion the DHS report could have made is that the information provided was insufficient to draw a conclusion.

I. CORRECTION OF THE CALCULATIONS RESULTS IN VERY DIFFERENT CONCLUSIONS

If one uses all of the 64 data points reported by the authors (see DHS report; Table 2, pp-46.), the results differ significantly from those in the DHS report. Only 8% (5/64), of the children required reconstructive surgery, not 28% (5/18) as reported; only 6% (4/64) of the children received post exposure prophylaxis for rabies, not 22% (4/18), as reported.

Many similar inaccuracies are noted in the analyses of Table 3 "Characteristics of 100 Ferret Attacks on Californians:" For the 100 cases reported that took place in California, only 1%, not 3% received reconstructive surgery; only 13%, not 41% received wound care; only 9%, not 28% received tetanus prophylaxis; only 7%, not 19% received postexposure prophylaxis for rabies; only 1%, not 3% received both immunizations. In addition, only 3%, not 4% were exposed to the *single* rabid ferret (see below). Only 19%, not 22% were involved in an "unprovoked attack.

As demonstrated, for these and other calculations, the percentages generated by the authors are invalid, rendering the report meaningless.

Indeed, assuming that all of the ferret "attacks" reported in the DHS report were bites (and they were not), the information supports how safe ferrets are, when compared to dogs:

Statistics from the Center [sic] for Disease Control and an article in the JAMA indicate that the number of bites inflicted by ferrets appears to be substantially lower than those by dogs and cats.

These statistics were compiled from 1978-1988 and were reported on a yearly basis: between 1 and 3 million dogs bites, compared to 65 ferret bites in 10 years. Serious bite injuries were recorded as 44,000/year for dogs and 12/year for ferrets. Severe facial injuries requiring plastic or reconstructive surgery numbering 16,000/year for dogs and 12/year for ferrets ...

[Journal of the American Veterinary Medical Association. 193(9):1031, 1988.

J. MISLEADING STATEMENTS

Instead of using the actual numbers, the authors deliberately use percentages to exaggerate the magnitude of their negative claims. For example, the DHS report states "22% of Californians who were bitten by ferrets underwent rabies [post exposure] prophylaxis ["PEP"]." (DHS report, pp-22, 23.) As explained above, the number of Californians who actually underwent rabies PEP is only 7 individuals out of 100 reports, which equals 7%.

The authors knowingly mislead the reader into thinking the ferret is at high risk to contract rabies, where the exact opposite is true. In its introduction, the report misstates: "4% of the victims were known to have been exposed to rabid ferrets." The actual number of is only 3/100 or 3% (Table 3). Since there has only been one ferret ever recorded rabid in the history of California [see City EX F, Table 7], these 3 individuals would necessarily have been exposed to one single ferret, which is a remarkably good record. The authors also chose to downplay the fact that at the time of their report there had only been 12 ferrets ever reported rabid in the entire history of the U.S., and one of these cases was considered a misdiagnosis from a laboratory test. This number is in contrast to the 65,000 rabid dogs reported in the U.S. between the years 1946-1965, and the recent yearly averages of 153 rabid dogs and 195 rabid cats reported annually from 1980 to the present. See Ibid.; Table 7; see also, Annual Rabies Surveillance Reports from the Centers for Disease Control and Prevention, "CDC."

K. INCORRECT APPLICATION OF STATISTICAL METHODOLOGY

The authors are identified as having Masters of Public Health (M.P.H.) degrees; however, they show a complete disregard for the basic principles of epidemiologic methods by their misuse of statistics. For example, they use "p-values" to describe "significant" differences between adults and children, where there is insufficient information to conduct the calculation. Specifically, using data points derived from Tables 2 and 3, the authors state "the data suggested that older persons were more likely to be attacked by male ferrets, while attacks on infants involved male and female ferrets equally (p < 0.05)." A "p-value" less than 0.5 would represent a 'statistically significant' difference. (DHS report, pp-25; emphasis added.) This calculation cannot be performed, because a large number of the events upon which the conclusions are based were missing or unknown. The calculation for the "Children" is based upon only 1/3 of the events: the sex of 9/14, or two thirds, of the ferrets was "not reported." For "Adults (over 20 years)," the sex of 31/51 ferrets, or two thirds, were also "not reported." Ibid.; Table 3. As described above, the number of missing animals could have drastically altered the conclusions made by the authors. In addition, the training of the authors should have made them aware that with more than half of the data points missing, the statistical result is not only meaningless, but the evaluation of "significance" should not be

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performed. If the authors presented this level of work in a basic course on statistics, they would receive a failing grade.

L. MISSING INFORMATION

The DHS report fails to provide information for 302 (67%) of the 452 reports of "ferret attacks," discussed in the document. Although we have request that the California DHS provide documentation of these events, they claim that they were unable to provide this information. The report addresses "452 ferret attacks spanning the 10-year period 1978 through 1987." Of these, Table 1 is a line listing of "64 unprovoked attacks on infants an children." It is assumed that the 14 California cases of children less than 3 years of age are included in the total 100 California cases described in Table 3. That leaves 302 of the 452 cases which are never described by the authors. It is, therefore, impossible to determine the extent or quality of the information provided, or whether duplication occurred in the reported cases, making the conclusions of the report unverifiable.

M. UNSUBSTANTIATED STATEMENTS

Throughout the entire document, the authors make statements without any reference, citation, or data. For example: ".. [F]errets sometimes unleash frenzied, rapid-fire bite and slash attacks on infants ... The animals have been reported to then drink the victim's blood ... " (DHS report, pp-i). The authors do not cite any source for this statement. Indeed this type of biting behavior would be highly improbable for the ferret, if their wild relatives are evaluated. Dr. Carolyn King, who is a well-recognized expert, writes: "A weasel that attacks a large bird runs the risk of being carried into the air, since it will not release its grip while its prey is still moving ... [T]here is no truth in the old belief that weasels suck the blood of their prey. Very many observations made on weasels in captivity have never recorded this happening, and besides, weasels are physically incapable of it." (C. King The Natural History of Weasels and Stoats, Comstock Publishing Associates; NY; 1990.)

Both Dr. Constantine, a "public health veterinarian" and Dr. Kizer, the "director" of the California Department of Health Services, not only have clinical (D.V.M. or M.D.), but also public health (M.P.H.) degrees, and they have both published other articles which meet the standards of scientific peer reviewed literature. For these reasons, one can only be left with the impression that these authors intentionally sought to mislead. These impressions are further supported by a contemporaneous note written by a practicing veterinarian, who contacted the authors regarding the report:

"I was astonished, however, when I learned about calling the authors [Drs. Kizer and Constantine] that they freely acknowledged that they were engaged specially to write a biased report in order to discredit the

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use of ferrets as pets. Specifically I was advised that the authors' clear instructions were to "write a sensationalist 'National Enquirer' type report" which would paint the ferret in a negative light. Furthermore, the authors acknowledged that they have been long-time foes of use of ferrets as pets, and believe that their engagement to prepare this report was principally because of that long term opposition."

K.R. Marshall, D.V.M.(Lyons,, New York): "A response to "Pet European Ferrets: a hazard to public health, small livestock and wildlife."

IN SUMMARY:

As described above, the DHS report is not a scientific document. Its authors did not employ scientific principles or methodology, and their intent to present a biased document is clearly stated within the document itself. The DHS report, therefore, cannot be used as the scientific basis to support any public health policy(ies).

SEE EXHIBIT 49

EXHIBIT 20

Dog Bite-Related Fatalities From 1979 Through 1988

Jeffrey J. Sacks, MD, MPH; Richard W. Sattin, MD; Sandra E. Bonzo

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By combining data from the National Center for Health Statistics and computerized searching of news stories, we identified 157 dog bite—related fatalities that occurred in the United States from 1979 through 1988. Of the 157 deaths, 70% occurred among children who were less than 10 years of age. The death rate for neonates was almost 370 times that of adults who were 30 to 49 years of age. Pit bull breeds were involved in 42 (41.6%) of 101 deaths where dog breed was reported, almost three times more than German shepherds, the next most commonly reported breed. The proportion of deaths attributable to pit bulls increased from 20% in 1979 and 1980 to 62% in 1987 and 1988. Pit bull attacks were almost twice as likely to be caused by strays as attacks by other breeds. Extrapolated estimates suggest 183 to 204 dog bite—related fatalities from 1979 through 1988. To prevent such deaths, we recommend stronger animal control laws, public education regarding dog bites, and more responsible dog ownership. Parents and physicians should be aware that infants left alone with a dog may be at risk of death.

(JAMA. 1989;262:1489-1492)

RECENT publicity regarding attacks on humans by pit bulls and what should be done about them has been considerable (Time. July 27, 1987:60). In the scientific literature, Winkler reported 11 dog bite-related fatalities (DBRFs) in the United States between 1974 and 1975, none of which involved pit bulls, while Pinckney and Kennedy noted that 6 of 74 DBRFs that occurred in the United States from March 1966 through June 1980 were caused by pit bulls. Both studies used a primarily anecdotal rather than systematic approach toward identifying the deaths and breeds involved.

For the past few years, the usually cited source of information regarding DBRFs and the breeds responsible has been the Humane Society (HS) of the United States. Although the HS considers their own information before 1986 incomplete, HS data for 1987 through 1988 suggest that pit bulls were involved in 58% of human fatalities from dog bites (A. Joly, written com-

munication, January 13, 1989).

Our study had two goals—to estimate mortality from dog bites for the 10-year period from 1979 through 1988 and to identify the breeds of dogs responsible. To accomplish this, we reviewed four separate sources of information regarding DBRFs in the United States.

METHODS

The two sources of data used to identify DBRFs were the NEXIS search service of Mead Data Central and the single-cause mortality tapes (SCMTs) from the National Center for Health Statistics (NCHS). Two additional sources of data (HS records and multiple-cause mortality tapes from the NCHS) were used for supplementary information, but not for case ascertainment.

We searched for news stories regarding DBRFs from 1979 through 1988 using the NEXIS search service. The NEXIS service is a full-text, on-line service that contains more than 160 files of information from newspapers, magazines, wire services, and broadcast transcripts. The NEXIS files can be searched for specific words or word combinations to retrieve stories regarding a requested topic. Because the NEXIS service has not been designed to perform the comprehensive search required in this study, we conducted four searches with different key words and combinations to ensure that we had

identified as many deaths as possible. Other limitations of NEXIS in doing such a search are inconsistent indexing of stories, inadequate and vague documentation, and failure to inform the user when files are inaccessible during a search. Details of our search strategies are available on request.

Our second source of cases was NCHS mortality data. The SCMTs from 1979 through 1986 were used to identify deaths from dog bites among US residents in the 50 states and the District of Columbia. Dog bite-related fatalities were defined as those fatalities with the underlying cause of death coded as dog bite (International Classification of Diseases, Ninth Revision [E906.0]). Information extracted for each case included decedent's age, sex, residence, and date and location of death. Mortality data through 1986 were used since they were the most recent data available at the time of

The HS supplied their listing of DBRFs from 1983 through 1988. The listing contained the victim's name and date of death, the city and state of the attack, the dog owner's name, the number and breeds of dogs involved, and information regarding circumstances. These data were used only to identify dog breeds if stories from NEXIS did not note the breed(s) or if the case was identified from the SCMTs only.

Information from the three sources of death data were merged, and duplicate entries were noted. For those deaths reported in NEXIS or the HS data and not found in the SCMTs, we searched both the NCHS single- and multiple-cause mortality tapes for a person of similar age, sex, state of residence, and date of death.

The NCHS multiple-cause mortality tapes for 1979 through 1986 were searched for entries of E906.0 in fields other than underlying cause of death for all cases that appeared in NEXIS, but not in the SCMTs. Deaths found in the SCMTs but not found in NEXIS were again sought in NEXIS by searching for all stories that contained the word dog in a 1-week window around the time of death in the states of residence and occurrence. Deaths reported only by the

From the Unintentional Injury Section, Epidemiology Branch, Division of Injury Epidemiology and Control (Drs Sacks and Sattin), Center for Environmental Health and Injury Control (Drs Sacks and Sattin and Ms Bonzo), Centers for Disease Control, Atlanta, Ga.

The use of the trade name NEXIS is for identification only and does not constitute endorsement by the US Public Health Service, the Centers for Disease Control, or the authors.

Reprint requests to the Division of Injury Epidemiology and Control (F-36), Centers for Disease Control, 1600 Clifton Rd NE, Atlanta, GA 30333 (Dr Sacks).

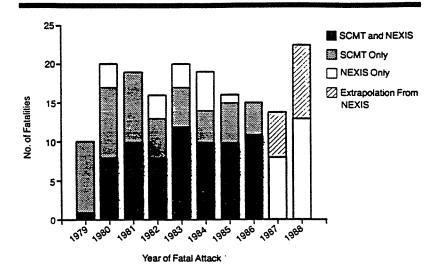


Fig 1.—Number of dog bite-related fatalities, by source of information, in the United States from 1979 through 1988. SCMT indicates single-cause mortality tape; and NEXIS, NEXIS search service of Mead Data Central.

HS were sought in NEXIS by searching for both the deceased person's name and breed of dog in the state of occurrence in the month of the death.

When multiple dogs of the same breed were involved in a fatality, we counted that breed only once. When crossbred animals were involved in a fatality, each breed in the dog's parentage was counted once. Thus, if three pit bulls killed a man, pit bull was counted once. If three pit bull-Labrador crossbreeds killed a man, the pit bull crossbreed was counted only once, as was the Labrador crossbreed.

Dogs were classified as pets, strays, or police or guard dogs. A pet was defined as a dog that at the time of the attack was in the owner's house, was confined to the owner's property by a fence, leash, or chain, or was on a restraint off of the owner's property. Free-roaming animals were defined as strays.

We excluded the following NEXIS-reported causes of death in this analysis: dying of rabies following a dog bite (n=1), being struck by a motor vehicle while being chased by a dog (n=2), strangling on a leash or scarf pulled by a dog (n=2), dying of a heart attack while a dog prevented resuscitation efforts (n=1), dying of a head injury after falling off of a bicycle while being chased by a dog (n=1), dying of anaphylaxis after being pushed into a fire ant mound by a dog (n=1), and dying of a heart attack while being chased by a dog (n=1).

The dog bite-related death rates per 100 million population were calculated for 1979 through 1988 using population

estimates from the Bureau of the Census. *7 Because 1988 figures were not yet available, we projected these figures. Newborns less than 1 month of age were assumed to represent one twelfth of the population less than 1 year of age.

We assumed that the probability of a fatal dog bite appearing in the SCMTs was independent of its probability of appearing in NEXIS. Accordingly, the "capture-recapture" statistical methods of Sekar and Deming were used to estimate the true number of DBRFs that occurred from 1979 through 1986.

Since NCHS data from 1987 and 1988 were unavailable, we projected fatality figures for 1987 and 1988 based on the cases reported in NEXIS those 2 years and the estimated sensitivity of the NEXIS system, ie, the number of cases found in NEXIS from 1979 through 1986 divided by the estimated number of deaths from 1979 through 1986.

RESULTS Epidemiologic Characteristics of

By combining the NEXIS data from 1979 through 1988 and the SCMTs from 1979 through 1986, we identified 157 deaths that occurred from 1979 through 1988 (Fig 1), a rate of 6.7 deaths per 100 million population per year. Of 106 deaths that could be classified, 3 (2.8%) involved a police or guard dog, 29 (27.3%) involved a stray dog, and 74 (69.8%) involved a pet. Of 108 deaths where the number of dogs involved was known, 76 deaths (70.4%) involved 1 dog, 20 deaths involved 2 dogs, and 12 deaths involved 3 to 22 dogs.

We found no obvious trend in number of fatalities over the years and little variation in the season of the attack (winter, 43; spring, 40; summer, 36; and fall, 38). Deaths that involved stray dogs, however, were most common in fall and least common in summer; deaths that involved pets were most common during the winter. The three states with the largest number of fatal attacks were Texas, California, and Ohio. Only 13 states had no fatal attacks during the 10 years (Fig 2). By NCHS region, the South had the most fatalities, but the West had the highest death rate.

Of those killed by dog bites, 70% were children less than 10 years of age (Table 1). The death rate was particularly high for neonates less than 1 month of age. For infants less than 1 year of age, the rate was 68.3 deaths per 100 million population per year. Males accounted for 95 (60.5%) of the 157 deaths, and their death rate (8.3 deaths per 100 million population per year) was 1.6 times that of females (5.1 deaths per 100 million population per year). Between the ages of 1 and 29 years, there were more male than female victims; after age 29 years, there were roughly equal numbers of male and female victims.

Circumstances of the attack were reported for 19 of the 25 deaths among infants less than 1 year of age. All involved pet dogs, and all but one attack occurred in the home and involved a single animal. Ten attacks occurred while the infant was sleeping or in a crib. By breed, pit bull and pit bull crossbreeds, German shepherds and shepherd crossbreeds, and husky and husky crossbreeds were each involved in four attacks.

For pet-related deaths among victims 1 year of age and older, 50 of 53 cases had a description of the circumstances. Thirty-six percent involved a child who gained unauthorized access to a fenced yard where a dog was kept, and 28.0% resulted from a child who wandered too close to a chained dog. Only 9 (17.0%) of these 53 deaths involved more than one

The following circumstances of the attack were described for 28 of the 29 deaths that involved stray dogs: 42.9% occurred on the victim's property; 35.7% involved a dog that had escaped a fence, pen, or restraint; and 10.7% involved children who were riding bicycles and were attacked by a pack of 4 to 14 stray dogs. Overall, 65.5% of the 29 deaths from strays involved 2 or more

Pit bulls and pit bull crossbreeds were involved in 42 (41.6%) of 101 deaths where the breed of dog was reported (Table 2). Although the yearly number

of DBRFs changed little from 1979 through 1988, the proportion of fatal attacks with reported pit bull involvement increased from 20% in 1979 and 1980 to 62% in 1987 and 1988. Pit bull attacks involved older victims-31% of pit bull-related deaths were among persons older than 9 years compared with 19% for other breeds. Of 41 classifiable attacks that involved pit bulls, 15 (36.6%) involved a stray, compared with 11 (18.6%) of 59 for other breeds.

NEXIS and NCHS Case Ascertainment and Overlap

From 1979 through 1986, the years for which both NEXIS and the SCMT data were available, we identified 136 DBRFs in the United States (Fig 1). Seventy deaths appeared in both systems, 51 deaths in the SCMTs alone, and 15 deaths in NEXIS alone. Overall, the SCMTs identified 121 (89.0%) of the 136 deaths and NEXIS detected 85 deaths (62.5%).

Of the 15 deaths found in NEXIS and not in the SCMTs, 2 deaths (both in women who were older than 90 years) were coded as caused by heart or vascular disease, 4 (all males, 3 less than 1 year of age) were coded as E906.8 (other specified injury caused by an animal), 7 (all less than 15 years of age, 5 were boys) were coded as E906.9 (unspecified injury caused by animal), and 2 could not be located in the death tapes at all. From 1979 through 1986, there were 537 deaths ascribed to E906.8 and 64 deaths ascribed to E906.9.

Reviewing multiple-cause mortality tapes identified an additional 17 persons not found in the SCMTs or in the NEXIS search who had E906.0 noted somewhere on the death certificate, although not as the underlying cause of death. The underlying cause of death listed in 11 cases was some form of cardiovascular disease. Of the remaining 6 deaths, one was listed as assault from a person's bite (E968.8), 1 from bicycling (E826.1), 3 from medical conditions (N310.9, N571.5, and N583.2), and 1 from leptospirosis (N100.9).

Extrapolations Based on the Data

Since neither the NEXIS nor the SCMT surveillance system was complete, we attempted to estimate the true occurrence of DBRFs. According to the SCMTs and NEXIS, the total number of dog bite-related deaths that occurred from 1979 through 1986 was 136. Based on the overlap of cases found in the systems, we estimate that there were 146.9 DBRFs during this period. For the years when only NEXIS data are available, 21 fatalities were identi-

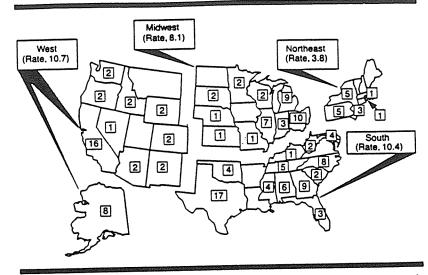


Fig 2.—Number of dog bite-related fatalities and death rate per 100 million population, by state and region of occurrence, in the United States from 1979 through 1988.

Table 1. - Dog Bite-Related Fatalities and Death Rates, by Age and Sex in the United States, 1979 Through

	No. of Do	og Bita-Related F	stainies		
Age Group	Majos	Females	Total	Cumulative %	Death Rate*
<1 mo	4	5	9	5.7	294.9
1-11 mot	6	10	16	15.9	47.7
	36	20	58	51.6	40.5
1-4 y 5-9 y	23	6	29	70.1	17.3
		1	9	75.8	1,1
10-29 y		2	5	79.0	0.8
30-49 y		<u>2</u>	17	89.8	4.0
50-69 y	<u> </u>		16	100.0	8.7
>69 y	6	10		100.0	6.7
All Age Groups	95	62	157	• • •	0.7

*Per 100 million population per year.

†There were five deaths in 1-month-old infants, five deaths in 2-month-old infants, two deaths in 7-month-old infants, and one death each in 4-, 5-, 6-, and 11-month-old infants.

Table 2.—Breeds of Dogs involved in Dog Bite-Related Fatalities by 2-Year Period in the United States. 1979 Through 1988

	No. of Deaths Where Breed Was Known					
Breed of Dog*	1979-1960 (n = 10)	1981-1982 (n = 20)	1983-1984 (n = 27)	1985-1986 (n = 23)	1987-1988 (n = 21)	Total (N = 101
Purebred Pit buil	2	5	10	8	12	37
German shepherd	2	1	5	1	0	9
Husky	2	1	2	2	0	
Malamute	2	0	3	1	0	6
Doberman pinscher	0	1	0	2	2	5
	0	0	1	1	3	5
Rottweiler	3	1	0	0	0	4
Great Dane			1	0	0	4
Saint Bernard	1					
Crossbred dogs by bloc	odlinet O	4	0	3	2‡	6‡
Pit buil			0	2	2	6
German shepherd	0			2	1	5
Husky	0	1	1			5
Wolf-hybrid	0	1	1	2	1	

^{*}Data shown only for the breed or crossbreeds involved in 4 or more fatalities; 11 additional purebreds accounted for 13 additional deaths (boxe, 1; chow chow, 1; cocker spaniel, 1; dingo, 1; English sheepdog, 1; Japanese hunting dog, 1; Labrador retriever, 1; unspecified retriever, 1; Rhodesian Ridgeback, 1; English buildog, 2; and hound, 2). Teach breed that contributed to the crossbreed is counted once.

**Cone of these fatalities also involved a purebred pit buil, so the total number of incidents with a pit buil involved in 42.

fied from 1987 through 1988. Assuming a 57.9% sensitivity of NEXIS, ie, 85 of 146.9 deaths that occurred from 1979 through 1986 were detected, the estimated number of fatalities that would have been found from 1987 through 1988 using NCHS (if it were available) and NEXIS was 36.3. The 10-year total would be 183.2.

Humane Society Case Finding

From 1979 through 1986, the HS listed 21 (15.4%) of the 136 deaths found by NEXIS and NCHS. The HS data showed a marked improvement in detection of deaths over time (1979 through 1982, 0.0%; 1983, 10.0%; 1984, 21.1%; 1985, 25.0%; and 1986, 76.5%). Two additional deaths were listed by the HS that were not found in NEXIS or the SCMTs. The first was a 4-year-old boy who died in Kansas in January 1986 after being bitten by two or three Australian shepherd crossbreeds-no NCHS record of death from any cause could be found for such an individual. The second case involved a 79-year-old man in Florida who died in April 1986 from bites by three dogs: a pit bull, a boxer, and a mixed-breed dog-the multiple-cause mortality tapes listed his underlying cause of death as arteriosclerotic heart disease, with dog bite as contributory.

The HS listed 24 deaths during 1987 and 1988 (10 in 1987 and 14 in 1988). Two of the deaths (1 in 1987 and 1 in 1988) could not be located in NEXIS, even after searching for the victims' names. One of these deaths was a 9-year-old Maryland boy who was killed by a stray Newfoundland; the other was a 3-yearold Arkansas boy who was killed by a pet German shepherd. Two HS-reported deaths did not meet our definition of a dog bite-related death-one 1987 case was reported in NEXIS as a 63-year-old Massachusetts man who had a heart attack while being chased by a pit bull and a mixed-breed dog and one 1988 case was reported as a 41-year-old Texas man who suffered a head injury after falling off a bicycle while being chased by a Doberman pinscher and a chow chow crossbreed.

For the 20 DBRFs that appeared in both NEXIS and the HS during 1987 and 1988, the breed(s) of dog listed was identical in 19 cases (95%). In the 20th case, the HS listed one dog from a multiple dog attack as a collie-German shepherd crossbreed and NEXIS listed the dog as a "collie-type."

COMMENT

The occurrence of DBRFs has been underestimated. The HS, the usually cited source of such statistics, identified

45 fatalities from 1979 through 1988. Our results suggest there were approximately 183 DBRFs from 1979 through 1988. If we include the 4 deaths uniquely found by the HS and the 17 deaths in the NCHS multiple-cause mortality tapes where dog bite was listed as a contributory but not underlying cause of death, the total is 204 dog bite-related deaths.

Each surveillance system has limitations. The NEXIS search service proved difficult and expensive to use and results were inconsistent. NEXIS was not intended for scientific purposes; given the problems in using it, its use for routine surveillance is questionable. The SCMTs from the NCHS also had disadvantages. There is a 1- to 2-year lag in their availability. Also, of the 601 deaths ascribed to E906.8 or E906.9, at least 11 persons should have been coded as E906.0 (dog bite-related death). How many more of these deaths are actually dog bite-related is unknown. The HS data included cases that did not meet our definition, and before 1986 the system missed many deaths.

The main victims of fatal dog bites were the very young and very old, those least able to protect themselves. Indeed, the death rate for neonates was almost 370 times that of adults 30 to 49 years of age; the death rate for infants was 85 times that of adults 30 to 49 years of age. In 10 cases, an infant was killed while it was asleep or in a crib—in 4 cases by a pit bull or related breed.

Forty-two percent of dog bite-related deaths in the past 10 years were attributable to pit bulls, and 37% of pit bull-related deaths involved strays. Furthermore, the reported proportion of fatal attacks by pit bulls increased from 20% in 1979 through 1980 to 62% in 1987 and 1988. Because breeds may be misclassified by news stories, our numbers may not be exact. For example, the term pit bull has been used to describe a variety of pit bull terrier and bull terrier breeds. It has also been suggested that any short-haired, stocky dog is likely to be called a pit bull. Moreover, the recent attention directed toward these dogs may lead to media overreporting of pit bull-related incidents relative to other species. However, even before 1985, when news coverage seemed to increase, pit bulls still accounted for 31% of deaths.

We would have preferred to calculate dog breed-specific fatality rates. The numerator requires accurate definition of breed as well as a full ascertainment of fatalities. The denominator requires reliable breed-specific population figures, which are not currently available. Using registration or licensing figures for a denominator is problematic be-

cause pit bull owners may be much less likely than other breed owners to register or license their animals. Better dog population data and improved surveillance for fatal and nonfatal dog bites are needed.

Despite the potential biases and lack of dog population figures, pit bulls seemed to be involved in 42% of the fatalities. We do not believe that pit bulls represent anywhere near 42% of dogs in the United States. Therefore, we believe that the pit bull excess in deaths is real and increasing.

Whether they are caused by pit bulls or not, dog bites are a tremendous injury problem. More than 2 million persons are bitten yearly—half are left scarred, one tenth require sutures, and one third suffer lost school or work time. Many of these bites and deaths are potentially preventable. For example, 27% of DBRFs were from stray dogs; more stringent animal control laws and enforcement might prevent some of these deaths. Dog owners could prevent some deaths by realizing that a chain may not be a sufficient restraint to ensure that a dog cannot escape and that a securely enclosed and locked pen or structure able to prevent the entry of young children may also be necessary. In particular, parents should be aware that very small infants left alone with a dog may be at risk of death. We support the recommendations offered by the HS as a first step toward the prevention of DBRFs. These measures call for strong animal control laws, public education regarding dog bites, and more responsible dog ownership.

We thank Ann Joly for information; and Philip Rhodes, MS, and Sue Binder, MD, for editorial advice.

References

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EXHIBIT 21

CENTERS FOR DISEASE CONTROL ANNUAL SUMMARIES OF RABIES SURVEILLANCE 1984 - 1990

701	Rabid	Horses
2240	Rabid	Dogs
2310	Rabid	Cats
3395	Rabid	Cattle
10	Rabid	Ferrets

N.B. PAGES 174, 177 175 AND 178 HAVE BEEN OMITTED

EXHIBIT ZZ

D.G. Constantne, DVH, HPH 06 March 1986

REPRODUCING FERAL FERRET POPULATIONS

Areas	References
U.S.A.	•
Ohio & many states	Dolensek & Burn, 1976 Stevens, W.F., 1979
Washington (San Juan ld.) Massachusetts	Stevens, more of
	Corbet & Southern, 1977
Scotland	Corbet, 1980
Wales	Ditto above
	Dicto above & Howes, 1980
England	Lyneborg, 1971
Southeast Europe	•
•	Corbet, 1980
Sicily	Konig, 1973
Sardinia	Ditto above
365 63	Corbet & Southern, 1977
New Zealand	Novak & Paradiso, 1983
•	King, 1985

REFERENCES

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In December 1988, the California Department of Health published a report entitled "PET EUROPEAN FERRETS: A HAZARD TO PUBLIC HEALTH, SMALL LIVESTOCK AND WILDLIFE."

The following excerpts are from that report:

"Ferrets develop feral populations and are especially destructive of poultry and small wild animals such as rabbits. As a result of this well recognized problem, the keeping of ferrets as pets was outlawed in California in 1935." (CDH 12-88 Report, p. 11)

"DFG had restrictions against entry of pet ferrets into the State ... due to the knowledge that escaped ferrets develop feral populations that have a tendency to ravage wildlife and small livestock (e.g., poultry and rabbits)." (CDH 12-88 Report, p. 2)

"It must be emphasized, though, that feral ferrets abound in other states with climates far more severe than occurs in most of California, and that California's poultry producing and game bird producing areas provide habitats especially attractive to ferrets. (CDH 12-88 Report, p. 15)

The reality is that literally no effort was made to determine the accuracy of these statements. They are what the Report's authors wanted to believe, and what they wanted the public to believe, and so the report was published without any regard for the truth. This elitist attitude is, "After all, the public will believe it to be true because we (the CDH) say it is true." Sadly, not only much of the public, but many other public health officials willingly embraced the lies.

The attached 100 + letters from the Departments of Agriculture and Departments of Wildlife from all 50 states demonstrate graphically the total falsehood of CDH's allegations. They should raise a serious question in the mind of any objective and responsible person about the ethics and acumen of the authors of the CDH 1988 Report.

In Summary, despite the fact that ferrets have been in the United States for at least 300 years:

- Feral Populations of Mustela furo in the United States: NONE.
- · Agricultural damage due to feral or stray Mustela furo

NONE. in the United States: Source: The Departments of Wildlife and Departments of Agriculture of all States in the Union, statements attached.





Cooperative Extension Service

Extension Animal Sciences and Industry Call Hall Manhattan, Kansas 66506-1600 913-532-5654

December 17, 1990

Mr. William Phillips, Sr. The California Domestic Ferret Association P.O. Box 1868 Healdburg, CA 95448

Dear Mr. Phillips:

In response to the questions in your letter dated December 10th, we have received no reports of predation of chickens or eggs by domestic ferrets. Wild coyotes, foxes, coons, possums, mink, and bobcats are problems in small flocks that are allowed to run loose.

Rodents have been shown to carry organisms that infect poultry. The main concern at the present time is a group of bacteria called Salmonella. A particularly seratype, Salmonella enteritidis, is a major threat to the commercial egg industry because it has the ability to cause food infection in humans.

The use of cats to control rodents in poultry houses is a common practice Kansas.

Sincerely,

Albert W. Adams Extension Specialist, Poultry

AWA:aa

inty Extension and U.S. Department ...culture Cooperating All educational programs and materials available without discrimination on the basis of race, color, national origin, sex, age, or handicap.

INDIANA STATE POULTRY ASSOCIATION, INC.

December 26, 1990



William B. Phillips, Esq. Executive Director California Domestic Ferret Association P. O. Box 1868 Healdsburg, CA 95448

Dear Mr. Phillips:

This is in reply to your letter requesting information on complaints received from poultry producers regarding domestic ferrets.

In my eight years associated with the poultry industry, I can truly say that I have never heard of a predation problem associated with domestic or wild ferrets. As you may know, most domesticated poultry are raised in confinement buildings which maintains a barrier to the natural environment.

Regarding your question on health problems due to rats, we can tell you that rats, other rodents and insects can harbor bacteria. Rodents and insects pose a serious health threat to domestic poultry if left unchecked. All poultry producers engage in a rodent and insect control program. Although cats are used in cage layer houses to a limited degree, it is not an acceptable alternative to a chemical control program. We are not aware of any prevalent use of cats in a rodent control program. The cats themselves can harbor disease and thus can become a disease spreading agent.

We hope this answers your questions.

Copdially.

David j Goldenberg Executive Vice President David J. Goldenberg Executive Vice President

Poultry Science Building Purdue University est Lafayette, Indiana 47907

DJG:mjj

(317) 494-8517 FAX (317) 494-6349

GEORGE POR CTRY LABORATORY

MAIN LABORATORY

PHONE 435-599h



December 18, 1990

Mr. William B. Phillips, Esq. Executive Director California Domestic Ferret Assn. P.O. box 1868 Healdsburg, CA 95448

Dear Mr. Phillips:

The attached letter has been forwarded to me for response and I will answer as best based on my poultry experience. I have not seen or had any complaints of predation on chickens or eggs by ferrets and for that matter, any other wild or domestic animal. Most all commercial poultry today are raised in confined and controlled environments.

As to bacteria spread by rats, Salmonella and Pasteurella are always at the top of the list as a potential problem. Rather than cause a flock problem, I would probably more correctly use the term of their acting as a reservoir for these bacteria thereby meaning they maintain a constant source of these bacteria to inoculate and or reinoculate environments between flocks. Thus the reason for our continual effort of rodent control as being one of the most cost effective methods of disease control in poultry. As to the use of cats in the chicken house to control rats, in the southeast this is seldom used in the broiler segments of the industry and more frequently used in the commercial layer segment of the industry. Hopefully, these are useful.

Sincerely,

M.A. Smeltzer, D.V.M.

MAS: vl

cc:Abit Massey





Virginia Poultry Federation, Inc.

21 Terri Drive • Box 552 • Harrisonburg, Va. 22801-0552 • 703-433-2451

February 19, 1991

Mr. William B. Phillips Executive Director California Domestic Ferret Association P. O. Box 1868 Healdsburg, CA 95448

Dear Mr. Phillips:

I apologize for the delay in responding to your request for information about the poultry industry in regard to domestic ferrets. Please accept the following responses to your questions:

- 1. I have received no complaints from our members in regard to predation of chickens or eggs by domestic ferrets or any other animals. That does not necessarily mean that there have not been any incidents of this nature, simply that I have received no reports.
- 2. The poultry industry is always interested about the spread of disease and certainly rats would pose somewhat of a problem in poultry health. There are lots of things that can affect the poultry markets but only a few that can put us out of business. Disease happens to be one of those few.
- 3. I have done no recent surveys in regard to domestic cats being used to contral rat populations in hen houses although I do know that some companies utilize this mechanism while others do not. Beyond that, I have no further information.

If I can be of further assistance, please do not hesitate to call.

Sincereta

Richard W. Moyers V Executive Vice President RWM: jm



NO

THE CALIFORNIA DOMESTIC FERRET ASSOCIATION

P.O. BOX 1868 HEALDSBURG, CA 95448 (707) 431-2277

December 10, 1990

Mr. William Bell Maine Poultry Federation Post Office Box 228 Augusta, ME 01862

Dear Mr. Bell:

I am interested in any information or complaints you might have received from your members of predation of chickens or eggs by domestic ferrets (M. Furo) or any other animal (wild or domestic).

I am also interested to know if bacteria spread by rats poses a health problem to poultry, and if the use of the domestic cat to control the rat population in the hen houses is a common practice within the industry.

Thank you for your time and consideration in enswering these questions.

Sincerely,

William B. Phillips, Esq.

Um. B / Rig.

Executive Director

California Domestic Ferret Association



November 28, 1990

Ms. Jeanne Carley The California Domestic Ferret Association PO Box 1868 Healdsburg, CA 95448

Dear Ms. Carley:

Thank you for your letter of November 6. I discussed your questions with some of our members and reached these conclusions.

Due to current production practices predators are now a minor problem compared to the past. Only the smallest productions are free-ranging. Almost all are housed in modern facilities. As newer-designed houses replaces older ones, pests will become even less of a problem.

Scientists have found that birds and rats carry <u>Salmonella enteritidis</u>, our most serious problem today. They believe this is a possible source of bacteria in layers.

While I wouldn't go so far as to say using cats to control rats is "common" practice, there are a number producers who feel cats kill mice in the houses and thus keep the adult rat population down of the six producers I interviewed, two said they had or still have cats in their hen houses.

I'm not sure where you're headed with your questions, but keep me informed.

Sincerely,

J.C. McLaurin President



The Washington Fryer Commission

15403-B 1ST. SO., SEATTLE, WASHINGTON 98148 / (208) 242-2229

December 18, 1990

William B. Phillips, Ezq.
California Domestic Ferret Association
P.O. Box 1868
Healdsburg, CA 95448

Dear William:

I am responding to your recent letter concerning complaints of predation of chickens or eggs by domestic ferrets or other animals wild or domestic.

While the poultry grown in this state is not done in cages, the poultry are completely protected from the elements you are inquiring about. The chicken is grown in houses which are protected from outside predation, climate and disease (including the spread of bacteria by rats). There is no rat population to contend with, so the use of the domestic cat for control is unnecessary.

I hope that adequately answers your questions. Please feel free to contact me should you have further questions.

Sincerely,

1

Pamela Williams

amola Millian _

Office Manager

/pgw



1

WEST COAST UNITED EGG PRODUCERS

9581 BUSINESS CENTER DRIVE, SUITE J, RANCHO CUCAMONGA, CA 91730 PHONE. 714/980-5114 FAX: 714/945-3575

November 28, 1990

Ms. Jeanne Carley Assistant Director The California Domestic Ferret Assn. P.O.Box 1868 Healdsburg, CA 95448

Dear Ms. Carley ...

It has been many, many years since I have heard of chickens being attacked by any animals-domestic ferrets, foxes, or dogs (to name a few). This is largely because close to 100% of our commercial chickens are in cages.

In the past, we sometimes heard about coyotes injuring chickens by pulling their feet through the cages. Haven't heard much of that lately.

Interesting that you should ask about bacteria being spread by rats and creating a health problem for the poultry industry. You likely are aware of the current Salmonella enteritidis situation in the egg industry (which is confined largely to the northeastern United States). It is well known that the principal carrier for Se is the rat (and mice). We don't know why this Se problem has arisen in the last two years because our general management practices haven't changed in recent times. Even with the best rodent control possible, it generally is accepted that it is virtually impossible to keep one's premises totally rodent-free. Throughout the years, cats have been kept on poultry ranches and in some cases in the hen houses. While I am sure you will continue to find cats on many poultry farms and ranches, very few individuals consider them as a primary rodent control.

Trust that this may be of some use to you.

With all good wishes...

Yours sincerely,

A. William Jasper Ph.D

President



11

December 19, 1990

EXECUTIVE DIRECTOR

1201 Main Street Suite 1800 Columbia, SC 29201 A112-748-1281

FAX # 803-748-1288 BOARD OF DIRECTORS

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Vice President Carcle S Ranch, Inc. P O Box 2229

Monroe NC 28110 74-283-7555 704-283-7562

ERS

prooks u a 8 Enterprises Chartie Daniel

Wes Gentry Gentry Poultry Co. Inc.

Tom Gillespie International Paper Co

Bill Hodge Cuddy Farms

Wilbur Ivey

Attantic Foods

Bi# Odom Manchester Farms

Jimmy Riggs Armen Farms

Don Sayror Louis Rich Co

Peter A. Skewas, Ph.D.

Clemson University

Chuck Smpes Agn-Bio

O Leshe Tindal

Commissioner S.C. Department of Agriculture

Eill Wattingtor. Hender Farms

William B. Phillips, Esq. Executive Director California Domestic Ferret Association

P. O. Box 1868 Healdsburg, California 95448

Dear Mr. Phillips:

In regard to your letter of December 10, 1990, I am pleased to inform you that my members suffer very little from predation of chickens or eggs.

However, I am sure that farmers, who raise poultry for their own consumption, would answer differently. members are compiled of major poultry producers who use only high-tech methods to house and protect their product. Due to this fact, there is rarely a problem of rat infestation.

If I may be of further assistance, please let me know.

Sincerely,

Cover Someth Connie P. Smith Executive Director

CPS/dnc

.in Carolina **coultry Federation** AT&T Building-Suite 1804 1201 Main Street Columbia, SC 29201



florida poultry federation, inc.





December 17, 1990

Mr. William B. Phillips, Esq. Executive Director California Domestic Ferret Association P.O. Box 1868 Healdsburg, CA 95448

Dear Mr. Phillips:

Your letter of December 10 posed some interesting questions and I will attempt to answer them.

To the best of my knowledge, there are no ferrets in the wild in Florida. Predators here include the possum, skunk, fox and snake. Most of the predation occurs on small farms/backyard type of flock.

As to bacteria spread by rats, I can safely say that all warm-blooded animals as well as humans can carry bacterial diseases. Whether the rat poses a problem or not, it has not been completely established. All poultrymen are advised to control rodent populations and to control any contact with wild birds.

We seldom see domestic cats in hen houses any more. Traps and poisons are usually adequate to control rodent population.

If I may be of further assistance, please don't hesitate to ask.

Sincereil

Edwin D. Cox

Executive Vice President

EDC:crh





The Florida Poultry Federation serves 4.750 members, employees and contract producers from its offices at 4508 OAK FAIR BLVD., SUITE 109, TAMPA, FL 33610 • (813) 628-4551.

EXHIBIT 25

Results of a survey of 48 Animal Control Agencies, Humane Societies, and local SPCA's in 29 states (in all of which ferrets were already legal).

Total number of animals received each year: ranged between 5,000 and 60,000.

Average number of domestic ferrets received each year: less than 7

CALIFORNIA DOMESTIC FERRET ASSOCIATION SURVEY OF THE IMPACT OF THE DOMESTIC FERRET ON ANIMAL CONTROL AND HUMANE SOCIETY FACILITIES

SUMMARY

Forty-eight animal control and humane societies responded to the California Domestic Ferret Association (CDFA) inquiry concerning the impact of the domestic ferret on their facilities. Twenty-one were humane societies, and twenty-seven were municipal animal control or SPCA. CDFA targeted the large population centers in a variety of states where ferrets are legally kept as pets. While not an exhaustive study, the typical response to the question of the impact of domestic ferrets on shelters was uniformly "insignificant", "negligible", or "none."

Eliminating shelters who responded "too few to count" or "none", and including only the highest estimates provided, the average number of ferrets seen per shelter per year is seven. With total incoming animal estimates in the range of 5,000-36,000, this animal clearly has not demonstrated a measurable impact on municipal animal control facilities or humane society shelters.

ALABAMA

Humane Society

Humane Society of Mobile, Mobile

Tel:

(205) 434-7450

Contact:

William Fassbender, Director

Impact:

Insignificant

Comments: Has seen three ferrets in 23 years

Animal Control

Montgomery Animal Control, Montgomery

Tel:

(205) 241-2970

Contact:

Bite Control Officer

Impact:

Comments: 3 bites in last 3-4 years

EXH: BIT 25

ARIZONA

Humane Society

Humane Society of Tucson, Tucson

Tel:

(602) 743-7550

Contact:

James Bassett, Operations Director

Impact:

Slight

Comments: Ferrets not a large influence on our shelter, use ferret rescue

Animal Control

Pima County Animal Control Center, Tucson

Tel:

(602) 743-7550

Contact

Art Ruff, Administrator

Impact

Insignificant

Comments: Ferrets pose no significant public health hazards or problems of any kind

Phoenix Animal Control, Phoenix

Tel:

(602) 506-2772 Dan Schriek

Contact Impact

Insignificant

Comments: Of 60,000 animals each year approx. 6 are ferrets, no problems

associated with the animal

ARKANSAS

Animal Control

Little Rock Animal Control, Little Rock

Tel:

(501) 753-4764

Contact:

Kim Tribelt, Animal Control Officer

Impact:

Insignificant

Comments: Received one ferret so far this year, 2 in the last 5 1/2 years; receive

approx 36,000 animals per year

COLORADO

Humane Society

Humane Society of Boulder, Boulder

Tel:

(303) 442-4030

Contact:

Jan McHugh, Associate Director

impact:

Insignificant

Comments:

Receive 1 or 2 ferrets every couple of months, 6-12 per year, they go to

ferret rescue

Animal Control

Denver Animal Control, Denver

Tel:

(303) 698-0080

Contact:

Dr. Pei, Public Health Veterinarian

Impact

Insignificant

Comments: 1 or 2 ferrets each month out of approx. 1,000 animals per month/ 6-12

ferrets per year vs. 12,000 animals; Dr. Pei couldn't believe the ban in

California was still in effect and considered it "ridiculous"

CONNECTICUT

Humane Society

Connecticut Humane Society, Hartford

Tel:

(203) 666-3337

Contact:

Mr. August Helberg, Director

impact:

Comments: "Don't see that many"

Animal Control

Hartford Animal Control, Hartford

Tel:

(203) 527-6300

Contact:

Ed Grodecki, Animal Control Officer

Impact:

None

Comments: Has received no ferrets

Hartford Canine Control

(203) 722-8301

Contact:

Mr. Cloutier, Canine Control Officer

Impact:

Insignificant

Comments: Receives 1 or 2 ferrets per year and those are turned over to ferret

rescue

DELAWARE

Animal Control

Newcastle County SPCA, Wilmington

Tel:

(302) 998-2281]

Contact

Kathy, Dispatcher

impact

Insignificant

Comments: Received 3 in the last 4 years

FLORIDA

Humane Society

Humane Society of Greater Miami, Miami

Tel:

(305) 696-8551

Contact

Rick Collord, Executive Director

Impact

Comments: Receive "very few"

Humane Society of Orlando

Tel:

(407) 351-7722

Contact:

Bob Byars, Operations Director

Impact:

Very Slight

Comments: 8-10 ferrets in 2 years

Animal Control

Dade County Animal Control, Miami

Tel:

(305)884-1101

Contact:

Chris Miller, Supervisor

impact:

Insignificant

Comments:

Receive 2 ferrets per year, has had one ferret bite in 14 years, "ferrets

bite very rarely"

Hillsboro Animal Control, Tampa

Tel:

(813) 744-5660

Contact:

Incoming operator

impact:

Insignificant

Comments: Perhaps 10 annually

GEORGIA

Humane Society ..

Humane Society of Georgia, Atlanta

Tel:

(404) 875-5331

Contact

James Albertson, Director

Impact

Insignificant

Comments: Receive 5 ferrets per year

IDAHO

Humane Society

Idaho Humane Society, Boise

Tel:

(208) 342-3508

Contact:

Dee Fugit, Public Education Director of Idaho Humane

impact:

Insignificant

Comments: Receive less than 10 ferrets per year of 13,000-15,000 animals total,

has had waiting lists for ferrets

ILLINOIS

Animal control

Chicago Animal Control and Care, Chicago

Tel:

(312) 744-5000

Contact:

Mr. Pahalik, Director

Impact:

Insignificant

Comments: High was 12 per year in 1986, currently only 1 or 2 per year, none so far

in 1994

INDIANA

Animal Control

Indianapolis Animal Control, Indianapolis

Tel:

(317) 633-3007

Contact:

Mr. Moore, Administrator

Impact:

Insignificant

Comments: 8 ferrets in 1992, 1 in 1993, currently 1 in the facility of 50,000 calls and

20,000 animal per year

IOWA

Animal Control ,

Des Moines Animal Shelter, Des Moines

Tel:

(515) 242-2720

Contact

Sue Stropes, Animal Handler

Impact

Insignificant

Comments: High est for ferrets would be 20 per year

Cedar Rapids Animal Control, Cedar Rapids

Tel:

(319) 848-7373

Contact

Judy, secretary

Impact

Insignificant

Comments: 2 ferrets in 1993 out of 5,977 animals

KANSAS

Animal Control

Kansas City Animal Control

Tel:

(913) 321-1445

Contact:

John Miskec, Assistant Supervisor

Impact

Insignificant

Comments: Received 3 ferrets last year out of over 5,000 animals

KENTUCKY

Animal Control

Lexington Animal Control

Tel:

(606) 255-9033

Contact:

Director of Animal Control

Impact

Insignificant

Comments: Received one ferret since Aug. 1993

MARYLAND

Animal Control

Baltimore City Animal Shelter, Baltimore

Tel:

(410) 396-4694

Contact:

Mrs. Hicks, Administrative Secretary

Impact:

Insignificant

Comments: Mrs. Hicks reported that their statistician recorded no ferrets in the last 2

years and 3 in 1991

Baltimore SPCA, Baltimore

Tel:

(410) 235-8826

Contact:

Sandy Kerrigan, Kennel Supervisor

Impact

Insignificant

Comments: 1 ferret call every 5 months, ferret delivered to ferret rescue

MINNESOTA

Humane Society

Humane Society of Ramsey County, St. Paul

Tel:

(612) 645-7387

Contact:

Celia Waldock, Executive Director

Impact:

Few Calls

Comments: Receive 1 ferret per year, work with ferret rescue

Humane Society

Great Falls Humane Society, Great Falls

Tel:

(406) 454-2276

Contact:

Linda Hughs, Operations Manager

Impact:

Insignificant

Comments: Receive 8 ferrets per year, most claimed by owners, others adopted out

quickly

NEVADA

Humane Society

Nevada Humane Society, Sparks

Tel:

(702) 331-5770

Contact

Susan Asher, Assistant Director

impact.

Insignificant

Comments: Receive 5 ferrets per year, they are "no problem"

Animal Control

Dewey Center of Clark County

Tel:

(702) 873-3455

Contact:

Jane Lokken, Assistant Manager of Operations

Impact:

Comments: Receive 6-10 ferrets per year which the owner claims or are adopted out

very quickly

NEW MEXICO

Humane Society

Animal Humane Association of New Mexico, Albuquerque

Tel:

(505) 255-5523

Contact:

Bill Mayhall, Executive Director

Impact:

Insignificant

Comments: Receive a few calls each year

NEW YORK

Humane Society

Humane Society of Albany

Tel:

(518) 434-8128

Contact:

Phil Garry, Director of Operations

Impact

Comments: Could not provide number of stray ferrets

OHIO

Animal Control

Hamilton County SPCA, Cincinnati

Tel:

(513) 541-6100

Contact

Andy Malman, Office manager

Impact

Insignificant

Comments: Receive 8 ferrets per year, use ferret rescue

OKLAHOMA

Animal Control

Oklahoma City Animal Welfare Division, Oklahoma City

Tel:

(405) 297-3108

Contact:

Dr. Cooper, Director Insignificant

Impact:

Comments: Too few to count, no known ferret rescue

OREGON

Humane Society

Oregon Humane Society, Portland

Tel:

(503) 285-7722

Contact:

Sharon Harmon, Director of Operations

Impact:

Insignificant

Comments: Receive 3 ferrets per month which go to ferret rescue out of a total or

19,000 animals per year

South Oregon Humane Society

(503) 779-3215

Contact:

Lela Chur, Assistant Kennels Manager

Impact:

Insignificant

Comments: Receives 9 ferrets per year and finds homes for all of them

Green Hills Humane Society, Eugene

Tel:

(503) 689-1503

Contact:

Mert Davis, Executive Director

Impact

Insignificant

Comments: 1 or 2 ferrets per month

PENNSYLVANIA

Humane Society

Harrisburg Humane Society, Harrisburg

Tel:

(717) 564-3320

Contact

Ed Shore, Executive Director

Impact

Very Slight

Comments: Receive 3-4 ferrets per year

Women's Humane Society, Philadelphia

Tel:

(215) 225-4500

Contact:

John Foster

Impact

Slight

Comments: 1 ferret per year

Animal Control

Pennsylvania SPCA, Philadelphia

Tel:

(215) 426-6300

Contact:

Elaine Skypala, Director of Operations

Impact

Insignificant

Comments: 6-20 ferrets per year, no problem to shelter

TENNESSEE

Animal Control

Nashville SPCA, Nashville

Tel:

(615) 862-7928

Contact: impact:

Wayne Bokovitch Insignificant

Comments: Receives 6-12 ferrets per year and 9 out of 10 times the owner comes to

claim it

TEXAS

Humane Society

Humane Society of San Antonio, San Antonio

Tel:

(210) 226-7461

Contact:

Don Huffman, Executive Director

Impact:

None

Comments: Don has been director at this humane society for 2 years and has

received no ferret calls

UTAH

Animal Control

Sait Lake County Shelter, Sait Lake

Tel:

(801) 264-2267

Contact:

John Moore, Associate Director

Impact:

Insignificant

Comments: Receives 3-5 ferrets per year

VERMONT

Humane Society

Burlington Humane Society, Burlington

Tel:

(802) 864-9004

Contact:

Pat Clark, Director of Operations

Impact:

Insignificant

Comments: Receive very few ferrets

VIRGINIA

Animal Control

Animal Welfare League of Arlington, Arlington

Tel:

(703) 931-9241

Contact:

Linda Willen, Executive Director

Impact:

Insignificant

Comments: Fewer than 5 ferrets per year

Richmond Animal Control, Richmond

Tel:

(804) 780-5397

Contact:

Bill Shaw, Director of Operations

Impact:

Insignificant

Comments: Very Few

WASHINGTON

Humane Society

Spokane Humane Society, Spokane

Tel:

(509) 467-5235

Contact:

Diane Rasmussen, Director

Impact:

Comments: 5-10 ferrets in the last year, none surrendered, all strays, uses ferret

rescue

Animal Control

Seattle Animal Control, Seattle

Tel:

(215) 225-4500

Contact:

John Foster Insignificant

!mpact:

Comments: Receives 1 ferret per year

STATE OF COLORAD

DEPARTMENT OF ACRICULTURE 1525 Sherman Sweet Denver, Colorado 60201 (303) 666-2811

April 14, 1989

William B. Phillips, Esq. Executive Director California Domestic Ferret Assn. P. O. Box 1868 Healdsburg, California 95448

Dear Mr. Phillips:

into of no impact (either adverse or positive) from domestic ferrets upon the agriculture of Colorado. On the other hand, there have been more than one instance where the keeping of these animals, as pets, has resulted in a child being mauled.

James M. Williams, DVM Director, Animal Industry millamo Sincerely,

٤

EXH: BIT 26 A

DECISOR DEVENDENCY OFFERE

June 26, 1989

1220 M Street, P. O. Box 942871 Sacramento, California 94271-0001

DEPARTMENT OF FOOD AND AGRICULTURE

BIAR OF CALFORNA

Two Different Animones William B. Phillips, Esq.
Executive Director
California Domestic Ferret Association
P. O. Box 1868
Healdsburg, California 95448

Dear Mr. Phillips:

Thank you for your latter concerning whether at not the domestic European fertee has had any adverse effect on the agricultural interests in the state.

All carmivores of the family Mustalidae are prohibited entry into California and this evers the specie putorius (Polecate). They feed on birds, rath, rabbits, and reptiles and possess a strong desire to kill. In the wilds they can be very destructive to poultry, waterfowl, game and nongame birds and mammals.

All available information to date indicates that a feral population of ferrets does not occur in California. We have not received any reports of damage to agriculture by ferrets.

If there is need for further information, please contact Lav Davis, of my staff, at (916) 445-4521.

Sincerely,

MreEtor (916) 445-7126 . Vons

American Museum of Natural History



Floyd L. Carley 3000 Sand Hill Road, 4-145 Menlo Park, CA 94025

EXHIBIT 26 B

September 25, 1995

Dear Mr. Carley,

As Collections Registrar for the Department of Mammalogy, I am responding to your letter to Dr. VanGelder, dated September 6. I am sorry to inform you that Dr. VanGelder passed on last year after several years in retirement.

Mustela furo is the domestic ferret and is not a wild species. It is probably descended from the wild species Mustela putorius, the "European Polecat". Some authorities accept the domestic ferret as a subspecies of M. putorius, M. putorius furo, but, strictly speaking, the International Code of Zoological Nomenclature is not meant to apply to domestic animals.

I hope that this answers your question.

Sincerely,

Bryn J. Mader

BETWELEY . DAVIS . IRVINE . LOS ANGELES . TUVETSIDE . SAN DIEGO . SAN FRANCISCO



SANTA BARBARA . SANTA CRUZ

SCHOOL OF VETERINARY MEDICINE DEPARTMENT OF MEDICINE

DAVIS, CALIFORNIA 95616

January 23, 1984

FXHIBIT 27

Sharon A. Dant Anchorage Community College Anchorage Community 2533 Providence Avenue Anchorage, Alaska 99504

Thank you for your letter requesting information on the ferret. The ferret has been used by man for hundreds of years. As you may be aware, it is derived from the European polecat, Mustella putorius. The references used to list it as a domestic animal are attached.

I don't know what you want on my opinion on ferrets as domestic animals. Do you mean as a pet, or do you mean does it meet the criteria that I outline in my book? As a pet, they can be quite delightful little fellows, especially if they have been hand reared. In the State of California they are illegal. In other states they may be legal. Ferrets adapt quite well to human handling and are not injured by proper handling so that I don't feel it detrimental to the ferret. They thrive on the food that humans can provide as long as it isn't food from their table.

Regulatory officials are fearful that ferrets will escape to the wild and become feral. I don't really think that is possible. Domestic ferrets will hardly catch a live mouse.

There are some good articles on the health and welfare of the ferret, I've included reference to them.

Hope this helps.

Sincerely,

M.É. Fowler, DVM

Professor

Enclosure MEF:j

Ucko, P.J & Dimbleby, G.W.
The Domestication of Florita + in
of Florita + Animals; Chicago,
Aldino Publishing, 1969.

VETERINARY ASSOCIATES, P. C. COLLEGE VILLAGE ANIMAL CLINIC 2036 E. NORTHERN LIGHTS BLVD. ANCHORAGE, ALASKA 99304

Telephone 274-3623

11/8/83

As a practicing veterinarian, I have had frequent occasion to consult text books and articles authored by Murray D. Fowler D.V.M. regarding uncommon and zoo animals. Dr. Fowler is looked to as a knowledgable authority on the husbandry and health of wild and exotic animals by the veterinary profession.

San Thami, DYL

NEVADA HUMANE SOCIETY

EXHIBIT 28

March 8, 1994

Jeanne Carley
California Domestic Ferret Association
410 Mountain Home Road
Woodside, California
94062

Dear Ms. Carley,

The Nevada Humane Society receives approxmiately 5 ferrets at its shelter each year. These animals are released to us by their legal owners when they are no longer able to keep them; we are not allowed to accept strays as this function is performed by Reno Animal Control.

As with the majority of our animals, most of the ferrets we see are brought in because their owners are moving. They tend to be altered adults with good dispositions and we are generally able to place them without difficulty. We charge \$25.00 to adopt available ferrets; we do not require surgical alteration as a condition of adoption (as we do with dogs and cats), but we do advise adopters on which veterinarians in the area handle ferrets.

It has been my experience that most ferret adopters have previously owned one or more in the past - and that they are already fairly knowledgable about them. It has been our policy to discourage those families with young children wishing to adopt ferrets. In fact, the only ordinance regarding ferrets in our area is in Carson City; a person may not purchase a ferret if there are children under the age of three in the home.

Our shelter handles approximately 4,200 animals per year and our adoption rate was 48% in 1993. For more information about the impact of ferrets on area shelters, you might try calling John Marquez, who is the director of Reno Animal Control (702-858-1616). They handle close to 15,000 animals each year and deal specifically with strays, licensing and bite reports.

I look forward to meeting you at the conference on the 16th in San Diego! If you should need anything further from me, please don't hesitate to call.

 $\mathcal{N} \mathcal{N}$

Susan Asher

Assistant Director





HUMANE SOCIETY

OAKLAND AVENUE MENANDS, NEW YORK 12204 (518) 434-8128

April 13, 1994

The California Domestic Ferret Association P.O. Box 1868 Healdsburg, California, 95448

Att. Jeanne Carley Ass. Director C.D.F.A. 410 Mt. Home Rd. Woodside, CA. 94062

Dear Jeanne,

In reply to your questionnaire re; Ferrets,

No. of ferrets in our facility last 3 years....29

No. of total of animals we handled in same period...39,000

No. of ferret bites in same period...0

No. of animal bites in same period...116

Impact on facility...Insignificant

Sincerely yours,

Todd Duncan

Assistant Director



...and you... celebrating fifty years of caring.

DATE:

4-25-94

TO:

JEANNE CARLEY

FROM:

WENDY BENNETT, HUMANE SOCIETY OF TUCSON

RE:

FERRETS

IN RESPONSE TO YOUR REQUEST I \mathtt{AM} SENDING THE FOLLOWING INFORMATION:

WE HAVE TAKEN IN 47 FERRETS IN THE LAST THREE YEARS

WE HAVE TAKEN IN 53 THOUSANDS ANIMALS IN THE LAST THREE YEARS

NO FERRET BITES IN OUR FACILITY IN THE PAST THREE YEARS

355 ANIMAL BITES IN OUR FACILITY IN THE PAST THREE YEARS

NOTE: WE TURN MOST ALL OF THE FERRETS THAT COME INTO OUR FACILITY OVER TO AN ORGANIZATION HERE IN TOWN THAT SPECIALIZES IN FERRET ADOPTIONS. WE SPECIALIZES IN DOGS AND CATS, ALL OTHER ANIMALS THAT ARE BROUGHT TO US WE TURN OVER TO THE PEOPLE WHO WILL PROVIDE THEM THE BEST FUTURE.

FERRET FRIENDS: TUCSON ARIZONA 326-8439...JUDY

WENDY BENNET ASST. MANAGER

Cheyenne Animal Shelter

. Make tracks to the Cheyenne Animal Shelter

March 24, 1994

Jeanne Carley Assistant Director C.D.F.A. 410 Mt. Home Rd. Woodside, CA 94062

Dear Ms. Carley,

Persuant to your recent query regarding ferrets in our municipality, the Cheyenne Animal Shelter is in the process of installing computers to assist us in our record keeping. Currently, all of our information is maintained on hard copy (paper) files. The following information is based on estimates:

Number of ferrets in facility, last 3 years...approximately 20 - 30.

Total animals (cats, dogs, ferrets, miscellaneous) in facility, last 3 years...18,000 (approx. 500 per month).

Number of ferret bites, last 3 years...possibly 3 reported.

Number of total animal bites, last 3 years...1,620 (average 540 per year for City of Cheyenne and Laramie County, WY, combined).

Impact of ferrets on facility...negligible.

Although these numbers are estimates, we hope they will assist you in your endeavors. If you have any questions, please feel free to contact me.

Sincerely,

Bill Hein

Executive Director

501 Parsley Boulevard Cheyenne, Wy 82007 (307) 632-6655



March 30, 1994

Ms. Jeanne Carley Assistant Director, C.D.F.A. 410 Mt. Home Rd. Woodside, Ca. 94062

Dear Ms. Carley:

This is a response to your survey.

Number of ferrets seen in facility in last 3 years	23
Number of total animals seen in facility in last 3 years	50555
number of ferret bites in last 3 years	8
Number of total animal bites in last 3 years	2342

The ferrets we have seen have had little impact on our facility. The biggest issue concerning ferrets in North Carolina is what happens when they bite. Even though there is an approved rabies vaccine for use in ferrets, when they are involved in a bite in North Carolina, they are treated the same as wild animals. Therefore, they must be euthanized and tested for rabies. For this to change, someone would need to conduct research to determine the proper quarantine period for ferrets, i.e. how long from the time a ferret has rabies virus in its saliva to the time it shows symptoms of rabies.

If I can be of any further assistance, feel free to contact me at (704) 336-6695.

Sincerely,

Mary Blum

Mary Blinn, DVM
Charlotte/Mecklenburg Animal Control

NEVADA HUMANE SOCIETY

May 16, 1994

glanne Carly Nest Director-CDFA 410 Ml. Home Rd. Woodside, Cd. 94862

Dear Jeanne:

animal control north, we don't handle bites or bite reports. However, none of our employees have been biten by any adoption ferrets.

of ferreto seen at facility in last 3 years - 5

of total animal in last 3 years - 12,000

of ferret bites - of

of total animal bites - of

Impact on facility - negligible.

Sincerely,
Sman Asher
Asst. Director

P.O. Box KIND • 200 Kresge Lane • Sparks, NV 89432 • (702) 331-5770



The Toledo Humane Society

1920 Indianwood Circle • Maumee, Ohio 43537-4001 419-891-0705

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Mary Pat Boatfield

Development Director

Wendy Spoorl

A Private, Non-Profit Organization Dedicated to the Prevention of Cruelty to Animals for over 110 Years July 13, 1994

Ms. Shelly Brewer
The California Domestic Ferret Association
PO Box 1868
Healdsburg, CA 95448

Dear Ms. Brewer:

Please find below listed the information you had requested on ferrets handled by our agency over a three year period:

1991	1992	1993
1	1	0

The total animal population over a three year period was:

1991 1992 1993

Dogs, Cats,
Wildlife &
Livestock 4,269 4,877 4,900

The 1993 Animal Bite Report for Toledo is attached. I hope the information provided will be of assistance to your survey.

. . . .

Sincerely,

•• . • -

. .

THE TOLEDO HUMANE SOCIETY

Mary Pat Boatfield Executive Director

ATT: 1993 Toledo Animal Bite Report

• • • • •

PRS 179.94

The Hamilton County Society for the Prevention of Cruelty to Animals

Harold F. Dates General Manager 3949 Colerain Avenue Cincinnati, Ohio 45223 (513) 541-6100

Ms Shelley Brewer The California Domestic Ferret Association PO Box 1868 Healdsburg, CA 95448 5 May 1994

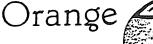
Dear Ms Brewer,

Reference your letter concerning statistics on on ferrets:

- 1. Ferrets in last three years: 20
- 2. Total animals last three years: 60,000
- 3. Total Ferret bites last three years: 2
- 4. Total animal bites last three years: 650
- 5. Impact on facility: Very insignificiant. Very few problems related to the handling of ferrets.

Sincerely,

Andrew Mahlman
Office Manager





County

Animal Services 2769 Americana Boulevard Orlando, Florida 32839-2162 Telephone (407) 352-4390

April 1, 1994

Jeanne Carley Assistant Director C.D.F.A. 4110 Mt. Home Road Woodside, California 94062

Dear Ms. Carley:

The following information is provided in response to a letter of March 13, 1994 sent by Ann Sprague from The California Domestic Ferret Association.

Number of ferrets seen in facility in last 3 years.

25

Number of total animals seen in facility in last 3 years.

35,000

Number of ferret Bites in last 3 years.

20

Number of total animal bites in last 3 years.

6,782

Impact on facility insignificant or significant.

insignificant

The state of Florida still considers ferrets as wildlife; therefore, any farret that bites is euthanized for testing.

If you need any further information please contact me at (407) 352-4395.

Sincerely,

Georgette S. Thornton, Manager Orange County Animal Services



3450 North Kelvin Boulevard Tucson. Arizona 85716 (602) 327-6088

February 3, 1994

Jeanne Carley CA Domestic Ferret Assoc. 410 Mountain Home Rd. Woodside, CA 94062

Dear Jeanne Carley,

It was good to talk to you this morning. I hope you are able to influence the powers that be to legalize sharing your home with ferrets, if for no other reason, to allow the presence of those now living in California without the fear of confiscation and euthanasia.

The Humane Society of Tucson accepts all animals brought to our facilities. We turn away no one and no animal. Ferrets recently have not been a large influence on our receiving numbers, though during their more popular years I must admit more reached our doors. Those ferrets that have been found stray and brought to us are held the same legal holding limit set for owners to find their dogs and cats. At that time, because we feel animal adoption is a matter of education, we contact a local Ferret Club to retrieve, house and then adopt the ferret to the public. Most of the public who wish assistance with their ferrets, be it information or help finding a new home, are referred by our staff to the Ferret Club.

some of your questions leaned towards the regulations that would make lifting the ban more palatable to the animal control agencies. I do support the licensing and attachment by collar or harness of licensing tags for all animals. It is my opinion that the owners of animals should bear the greater cost of increasing animal control costs. I also feel that the attachment clause gives the animal a legal right to identification, which, in the long run, benefits the animal and owner when escape occurs.

Local animal control authorities should also feel more comfortable about lifting the current ban because obviously there is already an association ready and willing to bear much of the burden of rescuing those ferrets in need. They need merely to instruct their own personnel to use the resources you offer.

Good Luck

Sincerely,

James Bassett

Operations Director



1010 25th Ave. N.E. (Shelter Address) P. O. Box 1774 (Mailing Address) Great Falls, Montana 59403-1774 Phone (406) 454-2276

> Humane Society of Cascade P.O. Box 1774 Great Falls, MT. 59403-1774

Jeanne Carley Assistant Director C.D.F.A 410 Mt. Home Rd. Woodside, CA. 94062

Dear Madam,

Since the Humane Society of Cascade County took over animal control from the city about two years ago, this information is only an estimate. Impact on this facility has been insigificant, we have seen about 20 ferrets in the last 3 years. Approximately 11,000 animals have been in and out of here in the last three years. We don't know of any ferret bites and the total number of animal bites is unknown, but approximates 500. We have been happy to help with this survey.

the animals,

Mirector



March 21, 1994

Jeanne Carley Assistant Director C.D.F.A. 410 Mt. Home Road Woodside, CA. 94062

RE: Farret Survey

Dear Ms. Carley,

Below is the requested information regarding Ferret's, I hope this information is helpful.

DETOM	To the redense.		_		
	# of Ferrets	# of Animals	# of Ferret Bites	# Animal Bites	Impact
1991	4	15,866	2	1,164	Insigificant
1992	8	17,136	1	1,094	Insigificant
1993	6	16,545	1	1,139	Insigificant
TOTAL	18	49,547	4	3,397	•

If I can be of further assistance, please feel to contact our office at 317-633-3307.

Sincerely,

Tonjua Hommel Office Manager



In cooperation with the State Department of Health

> R. A. Morse Assistant

780-5397 780-5365



Richmond City Health Department DIVISION OF ANIMAL CONTROL 3540 N. HOPKINS ROAD Richmond, Virginia 232.24

Antoinette C. Dabner Secretary

William H. Show Superintendent

May 12, 1994

Ms. Jeanne Carley Assistant Director C.D.F.A. 410 Mt. Home Road Woodside, CA 94062

Dear Ms. Carley:

In response to your recent letter, faxed to us on May 4, 1994, the information you requested is listed below: (January 1991 - January 1994)

1. Number of ferrets seen in facility in last 3 years:

 Number of total animals seen in facility in last 3 years:
 Number of ferret bites in last 3 years: 6,666

Number of total animal bites in last 3 years:

1,421

The City of Richmond, Division of Animal Control has not experienced any problems with ferrets.

Since rely yours,

William H. Shaw Superintendent

WHS/acd





Animal Control Center City of Baton Rouge Parish of East Baton Rouge

2680 Progress Road P. O. Box 1471 Baton Rouge, LA 70821

504-774-7700

CDFA

Re: Fearets

Dear Am,

Statis per your request.

1991-92 - 0

1992-93 - 2

1993-94 - 5

The year runs March-March

Best of luck.



WOMEN'S HUMANE SOCIETY

for the Prevention of Cruelty to Animals, Inc. 3025 West Clearfield Street • Philadelphia, Pennsylvania 19132

Ms. Gene Carley 410 Mountain Home Road Woodside, California 94062

February 28, 1994

Dear Ms. Carley:

Thank you for your information regarding the various rescue groups available for ferrets in the Philadelphia area. While we seldom number ferrets among our intake of animals, we recently adopted one that had been brought to our Shelter.

Over the past four years, we have only had one or two of these animals come into our Shelter each year, with all being adopted.

It is most encouraging to know that there are concerned, responsible individuals who are willing to care for and place such an animal if necessary.

Sincerely,

John G. Foster Managing Director

Dewey Veterinary Hospital

4800 W. Dewey Drive Las Vegas, Nevada 89118 873-3458

E.L. Kirshbaum, D.V.M. - co-director

Joseph A. Freer, D.V.M. - co-director

James W. Palensky, D.V.M. - resident veterinarian

March 9. 1994

Jean Carley 410 Mountain Home Road Woodside, CA. 94062

Dear Jean:

I received a phone call on Fridav March 4, 1994 from a Shelly Brewer in regards to how many Ferrets we take in at our Shelter in Las Vegas.

In response to her request I have found that in one years time we took in 17 brought in by Animal Control which all of these were either owner reclaimed or adopted. We had 2 turned in by Animal Control put under a ten day Quarantine because they had bitten someone and these were put to sleep after the ten days. Animal Control also brought us 1 that they had picked up dead on the road. This totals 20 in one year.

Bincerely,

Jane L. Lokken

Office Manager

Dewey Animal Care Center



THE ANIMAL PROTECTIVE LEAGUE 1729 Willey Avenue • Cleveland, Ohio 44113 Telephone (216) 771-4616

June 27, 1994

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Brian Forsgren, D.V.M. Vice President of Veterinary Services Ms. Jeanne Carley Assistant Director C.D.F.A. 410 Mt. Home Rd. Woodside Ca. 94062

Dear Ms. Carley:

Thank you for your inquiry regarding ferrets.

During the past three years we have record of receiving 5 ferrets. We do not keep records on animal bites these are tabulated by the County Board of Health, 1375 Euclid Avenue, Cleveland Ohio 44115.

The impact ferrets have had on our shelter is insigificant.

Thank You,

A. Martukovich Deputy Director



Charleston County Sheriff's Office Charleston, South Carolina

J. AL CANNON, JR., ESQ. SHERIFF, CHARLESTON COUNTY

3505 PINEHAVEN DRIVE CHARLESTON HEIGHTS, SC 29405-7789 TELEPHONE (803) 554-4700 FAX (803) 554-9744

The California Domesric Ferret Ass. P.O. Box 1868 Healdsburg, California 95448

Ms. Shelly Brewer

Charleston County contracts with the John Ancrum S.P.C.A. 3861 Leeds Ave. North Charleston, S.C. 29405.

The Information you request is not kept by this agency. There are seven different agencies plus private citizens transporting animals to the S.P.C.A..

This agency has not ever handled a ferret bite and only 2 to 3 stray ferrets in the past 5 years

Deani H Buso

Diane H. Nuss Supervisor Chas. County Animal Control



March 2, 1994

Jeanne Carley 410 Mountain Home Rd. Woodside, CA 94062

Dear Jeanne,

Per our phone conversation, I have checked back through our records and found that we had six domestic ferrets turned in 1992, six in 1993, and one so far this year. I hope this information is a help to you.

Thank you for the education you gave me regarding ferrets.

Sincerely,

Robert Byars Operations Manager



07 March 1994

Ms. Jean Carly, Assistant Director CDFA 410 Mountain Home Road Woodside, CA 94062

Dear Ms. Carly:

In response to your inquiry regarding the number of ferrets we process in a given year, records for 1993 indicate that we handled approximately eight (8) ferrets for this time period. These animals come into our custody for a variety of reasons, i.e. owners were placed in jail or the animal was abandoned by owners.

Overall, the number of ferrets we process is insignificant compared to the 30,500 dogs, cats, puppies and kittens who come through our doors for the same period of time. Please contact me if more information is needed.

Sincerely,

Mary Gentry, Administrative Specialist

OKC Animal Welfare Division

mfg

CITY OF GALLUP ANIMAL CONTROL P.O. BOX 550 GALLUP, NM 87301

June 7, 1994

Jeanne Carley Assistant Director C.D.F.A. 410 Mt. Home Rd. Woodside, CA 94062

Dear Ms. Carley,

In answer to your letter of May 26, 1994 regarding the impact of ferrets on our animal control shelter:

Number of ferrets seen in facility in last 3 years- 0 Number of total animals seen in facility in last 3 years-16,000

(K-9s & Feline

Number of ferret bites in last 3 years Number of total animal bites in last 3 years Impact on facility, insigificant or sigificant

131 Insigificant

0

Ferrets are not a problem in this area. Our biggest problem is squirrels, prarie dogs, and bats.

Respectfully,

Joseph Barber

chief Animal Control



PIMA ANIMAL CONTROL CENTER

4000 NORTH SILVERBELL ROAD TUCSON, ARIZONA 85745-9701 TELEPHONE: 743-7550

ARTHUR J. RUFF ADMINISTRATOR

FAX: 743-9581

January 27, 1994

Ms. Jeanne Carley 410 Mountain Home Road Woodside CA 94062

Dear Ms. Carley:

Based on a review of records over the past three years:

The Pima County Animal Control Center has not experienced any significant public health incidents or public safety hazards related to pet ferrets. We have not experienced any significant problems with pet ferrets related to violations of animal control nuisance or cruelty ordinances. We have not experienced any significant numbers of pet ferrets being sheltered in our facility.

Sincerely

Arthur S. Ruff, Administrator

Pima County Animal Control Center

Steven J. Englender, M.D., M.P.H. Director



DEPARTMENT OF PUBLIC HEALTH

ENVIRONMENTAL QUALITY AND COMMUNITY SERVICES AGENCY

April 12, 1994

Jeanne Carley Assistant Director C.D.F.A. 410 Mt. Home Rd. Woodside, CA. 94062

Dear Ms. Carley:

The following is the information that you requested:

Number of ferrets seen at our facility in the last three years were around 27.

Number of total animals seen at our facility in the last three years were around 175,000.

Number of ferret bites in the last three years were around 80.

Number of total animals bites for the last three years were 21,165.

The impact of ferrets bites on this facility has been insignificant.

If you need any other assistance, please feel free to contact me direct at (602) 506-2772.

Sincerely:

Daniel Schriek Acting Director

Rabies/Animal Control

KANSAS CITY KANSAS POLICE DEPARTMENT ANIMAL CONTROL DIVISION 3301 PARK DRIVE KANSAS CITY, KANSAS 66102 (913) 321-1445 FAX (913) 321-3638

April 8, 1994

Assistant Director C.D.F.A.

Jeanne Carlry:

Information requested; Animal statistics for 1991 thru 1993 incl:

- 1. Number of ferrets seen in facility 10
- 2. Number of total animal 21,964
- a.Canines 13,552
- b.Felines 7,712
- c.Miscellaneous 700 (Other than canine or feline)
- 3. Number of ferret bites none
- 4. Number of animal bites 875
- 5. Impact on facility INSIGNIFICANT

Under an agreement with a licensed veterinarian in our city, we place ferrets, hamsters, gerbils, tame rabbits and birds to be kept as pets are placed in his care and custody. The veternarian will examine the animals and place them in school project or good homes. After the profect is completed the animal will be on an adoption program to be placed with one of the participants.

For the duration and after the project the veterinarian gives free examinations and treatment to the animals, whether it be to the animals directly adopted or in a project.

I hope this helps you in your efforts and if we can provide any futher information feel free to contact us.

John Misker

ANCHORAGE ANIMAL CONTROL CENTER 4711 S. BRAGAW ST. ANCHORAGE, ALASKA 99507

ATTN: JEAN CARLEY

ASSISTANT DIRECTOR C.D.F.A.

410 MT. HOME RD. WOODSIDE, CA 94062

MS. CARLEY,

In response to your organizations inquiry, it would take extensive research to provide totally accurate figures for the subjects listed. However, I can provide estimates based on my six year affiliation with the center.

1991 - 1993	# By Status
# ferrets seen	24
# bites	3
Impact	insignificant
Total animal bites	1810

I hope the above information is useful and sufficient.

Sincerely,

MICHAEL J. CAIRY,

Kennel Manager

EXHIBIT 29

Domestic Ferrets

A Dissertation on Mustela Furo

Kenneth D. Steinberg

Sapient Solutions

July 9, 1992

1 Preface

Everyday we are gaining new insight into the world around us. What is considered common knowledge one day can become past knowledge the next day. This every changing knowledge-base forces us to constantly re-examine our assumptions about the world as it is.

One of the areas in which many assumptions and misconceptions still exist concern the nature of the Domestic Ferret (Mustela Furo). It is the intent, through scientific fact and reason, of this report to dispel those misconceptions. In addition this report will serve to answer many of the common questions concerning the acceptance of Domestic Ferrets as household pets.

2 Physiological Specifics

The following table provide general details about the Domestic Ferret.

Gender	Weight	Size (nose to tail)	Adoption Age (min)	Adoption Status
Male (hob)	3-5 lbs (1.5-2.5 kgs)	21-24 inches	6 weeks	Neutered & De-scented
Female (jill)	1.5-3 lbs (0.75-1.5 kgs)	16-18 inches	6 weeks	Neutered & De-scented

3 History

Ferrets are not a new species in North America. Three hundred (300) years ago Ferrets were brought to America by settlers from Europe. In particular they brought the species Mustela Furo or the Domestic Ferret. It is important to differentiate between the Domestic Ferret and the Black-footed Ferret (Mustela Nigripes), which is considered a non-domestic species. Many times the nature and habits of the Black-footed Ferret are confused with those of the Domestic Ferret. It is from this confusion that many of the misconceptions have arisen. Nowhere in North America does there exists a wild colony of Domestic Ferrets, despite their wide spread existence as pets. This was also true for the Black-footed Ferret until recently when a wildlife preservation group started to reintroduce them to their natural habitat. For many years the Black-footed Ferret has been on the endangered species list.

IN the 1800's Ferrets were widely used by "Ferretmeisters" as a means of rodent control. The Ferrets were brought to farms and graineries in order to drive out the rats and mice (i.e. the phrase, "to ferret out"). The common belief was that the Ferrets actually are the rodents they found, but in reality the farmers dogs would make short work of the rodents. The Ferret was not interested in the rats and mice, since it was fully domesticated at that point and was no longer a predator.

More recently the Domestic Ferret was used in WWII to run wires through the guides in the wings of fighter aircraft. Ferrets are also used extensively in research pertaining to the Common Cold, due to the fact that Ferrets are synonymous to Humans in the way in which the cold is

Currently one can locate thousands of Ferret owners in the United States. To date 45 states have contracted. laws allowing Ferrets as domestic animals.

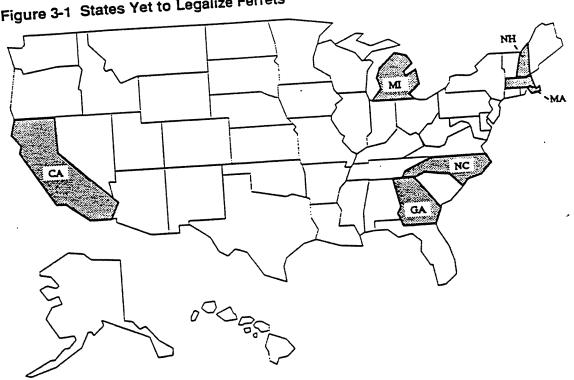


Figure 3-1 States Yet to Legalize Ferrets

4 Misconceptions

As mentioned previously, this document is primarily designed to address and dispel the misconceptions surrounding the Domestic Ferret. Each of the following sections will examine one of the more common misunderstandings and will try to provide some insight into its origin.

4.1 "There is no Rabies vacine for Ferrets"

This is one of the most commonly misstated facts. Not only are there several proven Rabies vacines, but Distemper vacines are also available:

As of 1989, the Center for Disease Control in Atlanta, GA has only recorded four (4) cased Rabies

of rabid Ferrets. All of these cases were a result of Ferrets being given a "live" Rabies vacine instead of the "dead tissue" vacines. Currently several pharmacutical companies provide "dead tissue" rabies vacines. One such company, Pitman-Morre, distributes a product called IMRAB which is used on cats, dogs, horses and ferrets. Products such as this one allow rabies to be controlled through yearly veterinary visits.

Distemper

Ferrets, like most household pets, as susceptible to distemper, both canine and feline. Feline distemper being the rarest of the two disorders for ferrets. Given this susceptibility, baby ferrets (kits) must be given a distemper shot at 12 weeks after birth to insure immunity. After this inoculation, both feline and canine vacines are given, as a precautionary measure, yearly at the local veterinarian.

Colds and Pneumonia

Much like Humans, ferrets are susceptible to the common cold and pneumonia. The symptoms are so similar to that of a human that they are typically treated in the same manner.

Summary

All of the known diseases pertaining to ferrets can be cured or prevented by standard veterinary treatment, including rabies and distemper.

4.2 "Local Veterinarians will not treat ferrets."

Recent research concerning veterinary support for ferrets in N.H. has shown that almost all of the currently practicing clinics would be able and willing to treat ferrets on a regular and emergency basis. A large number of clinics were contacted personally as well as state agencies and universities concerning this matter and their comments support our conclusion.

Summary

Most, if not all, veterinary clinics in the state have the ability and expertise to care for domestic ferrets.

4.3 "Ferrets are wild animals"

It is true that ferrets descend from a non-domestic species, as do all domesticated pets. The Domestic Ferret is a member of the Mustelidae family, along with the otter, ermine, mink and skunk. It is due to this lineage and their relation to the European and Siberian polecat, that it has been typically assumed the ferret is a wild animal. Further confusion has arisen due to comparison between the Black-footed Ferret and the Domestic Ferret, a claim scientists have all but dismissed.

Domestication of the ferret can be traced back as far as 3000 B.C, when he Egyptians would keep ferrets as house pets, as depicted in ancient hieroglyphics. More recently in history, the ferret was introduced into Europe as a result of the Crusades (10th-12th century) and have cher-

ished them as companions ever since. From Europe the ferret was brought into America and has seen widespread acceptance. In the United States, Domestic Ferrets are raised in captivity by hundreds of breeders and sold as pets all around the country. This domestication and breeding has produced a strain of ferrets so docile it is considered no more wild than the common household cat, dog, parrot or iguana.

Summary

The Domestic Ferret, not to be confused with the Black-footed Ferrets, has been domesticated for centuries.

4.4 "Ferrets frequently bite."

One of the more common and misleading notions about ferrets is related to their rumored habit of biting. Many people who are not familiar with ferrets have been beguiled by tales about ferrets persistently biting humans. As a result of this misrepresented phobia, the Health Department of Pima County, AZ started to track this information themselves, via the state hospital records. Their findings are as follows:

Figure 4-1 Number of Animal Bites, 1983-84, Pima County, AZ

Animal	# owned	#of bites	Per m Anima
Dogs	100,000	2,265	22,6.
Cats	110,000	501	4.5
Rats	unknown	37	
Rabbits	unknown	34	
Mice	unknown	33	
Hamsters	unknown	27	
Gerbils	unknown	18]
Ferrets	4,000	11	2.7
Guinea Pigs	unknown	4	

Just considering dogs, cats and ferrets the figures above imply that a cat is 1.67 times more likely to bite than a ferret and a dog is 8.25 times more likely to bit than a ferret.

In additions, kits, much like a puppy or kitten, are prone to nipping when playing, until trained to do otherwise. Ferrets, which are rated at the same intelligence level as dogs, will respond to training like any other pet and are easily trained not to nip when playing. One should not confuse the playful nipping as biting. A simple light rap on the nose and a firm word soon gets that message across. Once the kit reaches maturity this will no longer be an issue and playtime will be danger free for the owner.

Summary

Nipping or biting is a common part of play among any newborn animal and like cats and dogs, ferrets can be trained to stop.

4.5 "Ferrets kill livestock, especially chickens."

Another of the more widely held misconceptions. The Black-footed Ferret, which preys upon reptiles, rodents and prairie dogs, might consider eating a chicken if it was hungry enough, but the Domestic Ferrets coexists in many households with rabbits, mice, gerbils and numerous cats and dogs, without mishap. Many states, such as Arizona, Ohio and Kansas, states which posses far greater number of livestock than NH, have thousands of ferret owners without any incidents.

The Domestic Ferret has become so docile that they rely upon man to provide them with food and shelter. Domestication has eliminated virtually all instinctual hunting abilities. If a domesticated ferret were to escape a household and be forced to survive in the wilderness, it would most likely die of hunger.

Summary :

WATERINE 1 BY Domestication of the ferret has gone on for so long that it is no longer able to Experience in Tryinghunt for food

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5 Closure

Great care and effort was taken to research all of the information provided in this document and to present it in a way that reflects facts, not opinion. The hope is that the knowledge gained by reading this document will help to clear the air of confusion around the issue of legalizing ferrets as household pets in NH.

EXHIBIT 30

GOVERNOR WELD

FERRET BILL SIGNING

WEDNESDAY, DECEMBER 12, 1995

As of today, Massachusetts is no longer one of the last three holdouts in the Country immune to the discreet charm of the domestic ferret.

For sixty years, Massachusetts has treated these creatures as if they were outlaws on a level with Billy the Kid. Ferrets may wear masks that make them look like bandits, but the consensus is that they're usually law-abiding, litter-box-using types.

Still, the State not only made it illegal for people to harbor them -- we even threatened to yank Vets' licenses if they so much as gave a ferret a rabies shot. A typical big government move: endangering public health in the process of protecting it. The ferrets were still with us -- by some counts, there are 20,000 such fugitives in the state -- only our meddling left them vulnerable to rabies.

The Bill I am about to sign addresses public health concerns more intelligently. It legalizes pet ferrets, but requires them to be inoculated and spayed and neutered -- and requires breeders to be licensed.

With this law, ferret owners will finally be able to step out of the shadows. For years, they have lived in fear that an officer of the law would bang on the door late at night, grab the family ferret and arrest them.

Search and seizure may make sense if there's a crocodile in the tub, or a cougar in the closet -- but a ferret on the barcolounger ... well, that's what domestic bliss is made of, and any government that interrupts such benign happiness is going too far.

And ferret owners who wanted to meet, celebrate, and show their pets were forced to travel to Rhode Island and New Hampshire to exercise the simple right of assembly.

Ladies and Gentlemen, Massachusetts is the birthplace of American Democracy. As long as public health and safety are not compromised, it's our duty to allow ferret fanciers the greatest freedom possible. This bill accomplishes that end.

Therefore, in the name of liberty and justice for all, on four feet as well as two, I'm delighted to sign this Bill...

EXHIBIT 31

66-291-2191

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE

FROM

September 9, 1992

SUBJECT

FIS 800 Review - Ferrets

Regional Supervisor FISH and GAME DENT.

TO

Nancy Girard, Esquire

Steve Wheeler

SEP 10 1992

Differ to Fry Light Coopedinator COORDINATOR'S OFFICE

The New Hampshire Fish and Game Department should not regulate in any manner the keeping, propagation or sale of ferrets in this State.

This species has been domesticated for centuries. as have cats and dogs, and ferrets should be classified and considered a domestic pet. They are certainly not "wildlife" as we normally regard the possession of skunks, raccoons, etc.

only reason the State has continued to prohibit possession and sale of ferrets is based solely on personal prejudice and ignorance of a few Department individuals.

Their concerns seem to focus on feral ferrets and the fact that someone may be bitten. On the feral ferret issue, there is absolutely no discernable impact on any wildlife species from ferrets. If one was to become "wild" its diet would consist of rodents and small birds. To put this in prospective, compare the impact on wildlife (birds) of one or two feral ferrets with the current statewide impact from domestic and feral or unwanted cats. Furthermore it is unlikely that a ferret would survive a winter. Even if a ferret did become wild, what are the chances that it would find a mate of the opposite sex and reproduce in the wild? Zero. Ferrets can bite people. However, dogs have also bitten, maimed and killed humans. Therefore, should the State prohibit dogs? Of course not. Any domestic animal from horses to mice can and will bite under certain circumstances. But it is not Fish and Game's role to regulate animals that bite.

Currently ferrets may be possessed and sold in all states surrounding New Hampshire (Maine, Vermont, Massachusetts & Connecticut). It is well known that New Hampshire residents currently possess ferrets and that veterinarians are seeing and caring for them even though possession in this State is illegal. Generally law enforcement officials (after being severely ridiculed by the press on several occasions) have now turned a deaf ear to the ferret issue and therefore this law is not enforced.

The second process of the second process of

FIS 800 Review - Ferrets September 9, 1992 · Page 2

> Clearly a common sense approach is to consider ferrets a domestic animal and part of the normal pet trade. Other states throughout New England and the rest of the country take this approach. Why shouldn't New Hampshire?

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ph.

STATE OF NEW HAMPSHIRE Inter-Department Communication

TO: Steven Wheeler

Regional Supervisor, Region 4

DATE: September 10, 1992

FROM: Nancy L. Girard

Legal Coordinator

OFFICE: NH Fish & Game Hdqtrs.

SUBJECT: Fis 800 - Keeping of Ferrets

Thank you for your comments received at this office relative to the classification of ferrets and their control. I have taken the liberty of forwarding your comments to the Executive Director, the Fisheries and Wildlife Division personnel as well as Law Enforcement personnel who were involved in making that designation. I am sure that your comments will be adequately considered in the review process.

Thank you for your input.

Nancy L. Girard Legal Coordinator

NLG/jel

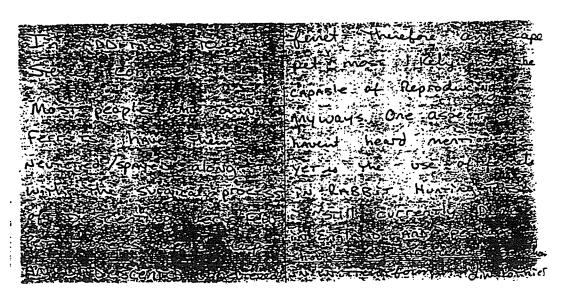
c: Donald A. Normandeau, Ph.D.

Charles F. Thoits, Chief, Fisheries & Wildlife Division

Duncan McInnes, Fisheries & Wildlife Division

Captain Ronald P. Alie, Law Enforcement Division

Comments.



IMMIGHAUT KILLERS

EXHIBIT 32 The case against the s

that such drastic effects were also going on elsewhere, and that therefore stoats must have made a very significant contribution to the historic extinctions over the whole country. This goes far towards explaining the hostile attitude of writers and naturalists towards stoats nowadays, exemplified by the Beggs and Philip Houghton, and by the correspondents quoted in Chapter 5. Houghton's assessment of the role of the stoat is perfectly understandable - but is it, in fact, true?

The contribution of stoats to the total history of decline of the New Zealand to the main and closest inshore islands. Species that were gone from the main islands avifauna can be estimated quite objectively, because they came late and are confined before they arrived, or which have gone from islands they never reached, could not have been affected by them.

Altogether, at least 153 distinct local populations of birds of the New Zealand region are known to have become extinct, or greatly reduced, in the last thousand stoats, 34 we see that, in the broad view, the part played by stoats in the total history of years. If they are listed according to whether or not they ever came into contact with extinctions in New Zealand appears almost insignificant. Of 135 separate populations, now certainly or probably extinct, only five (four per cent) could have been reduced, or at least finished off, by stoats (Table 4), and even these could in fact have been affected more by ship rats than by stoats. Of 18 separate populations whose range and numbers have been greatly reduced, and are now regarded as rare or endangered, 11 (61 per cent) could have been affected by stoats and/or rats. There as definitely and solely due to any of the mustelids, despite all that has been written concluded, 'It is actually <u>difficult to attribute the decline of any native bird</u> directly to is not a single known extinction or diminuition in New Zealand that can be regarded about them as agents of terrible destruction. An authoritative survey in 1973 mustelids; 45 Overseas the story is the same: only one per cent of 163 extinctions, recorded from islands all over the world since 1600, have been attributed to mustelids, compared with 26 per cent attributed to cats and 54 per cent to rats (Table 5).

Zealand were not capable of predation heavy enough to cause extinctions. It is This conclusion is certainly not the same as saying that the stoats brought to New although the total list of extinct and endangered birds is shockingly long, many of the species listed lived on the offshore and out-lying islands, reached by some of the drastically diminished or disappeared. It is irrational to include stoats in discussions largely that they did not have the opportunity. Over the whole of New Zealand, other agents of change, but not by stoats. Barriers of time and geography prevented stoats from even meeting 137 of the 153 distinct local populations of birds that have of the causes of the decline of native birds which were never exposed to danger from

On the mainland, the historian's evidence that steep declines in numbers of birds soon followed the spread of mustelids into the back country comes mainly from the South Island, and is entirely circumstantial. In fact, if our three weaselly friends were in the dock on a charge of murder, the chances are that they would have to be acquitted. Why? Because of a common frustration of historical research - the unfortunate coincidence which can confound and undermine even what appears to be cast-iron evidence. In this case, the coincidence is that the two predators that are

potentially the most destructive to birds that we ki to distinguish between their effects, nor between th accumulated changes wrought by the Norway rai probably moved into the South Island at about the

Big South Cape Island (p.71) were possible o specifically mentioned by the naturalists of the 1 argument that ship rats alone could have destro Fiordland quite unaided, as they could have dong certainly have done on various other much smalle: attention of contemporary observers was naturally obviously predatory mustelids, the arrival of me often remarked on, and its part in the slaug underestimated. On the other hand, one could arg predators, were able to reach enormous number: Ship rats are deadly to birds, but nocturnal

and 1900s. In New Zealand forests today, they are i podocarp/broad-leaved forests, and they do incr massive irruptions of kiore in the South Island st numbers of stoats around in summer, which co (p.127). So it seems quite possible that it was the spr-We do not know for sure what population densi normal one to three per hectare to at least ten per h seedfall, they never reach the 'prodigious' and much more numerous by spring, but that very in irruption of kiore and made it much less noticeable into the forests - which has reduced the average le trees have produced a good seed crop (recent esti mentioned by naturalists writing before the mustel could not have prevented the fat, well-fed kiore br (of all species) vary. Since then, ship rats (now certai forest) have helped to keep up pressure on birds ir. the population of stoats, as well as by occasionally d account. At present it is impossible to decide whi seems to happen to post-seedfall irruptions of

3

This complication does not, however, deny the c predators, including stoats, that caused the sudder only in probabilities: we cannot be sure that the l possibility that they were already inevitable, the fr waged by cats, dogs and Norway rats. All we c untouched forests of the south and west in the mi impact of the three mustelids and the ship rats, predators present in the later European period (Ta is persuasive, and Houghton may be right, at lean In the North Island, on the other hand, the pic substantial contribution to their combined effect. I

only had ship rats already had a start of some 30 ve

106

The later European period

EXH: BIT 33

Tuesday March 31, 1987

U.S.D.A. Rules for 1988 recognize the Domestic Ferret, (Mustela furo) as a domestic animal, a pet.



Department of Agriculture

Animal and Plant Health Inspection Service

9 CFR Parts 1 and 2 Animal Welfare; Proposed Rules





however, when used or intended for use solely for food or fiber purposes.

Sanitize

We received 4 comments from the research community stating that "semities" should be redefined so as to require removal of dirt, debris and harmful contamination, instead of requiring removal and destruction, to the maximum degree that is practical, of any agents injurious to health. The definition of "samitize" has been the same as we proposed since 1998. We do not believe it appropriate to delete the requirement its destroy injurious agents since elimination of these agents since elimination of these agents results in a more healthful environment for animals that may be exposed to them. The definition remains as proposed.

Sheltered housing facility

Three commenters from the general public stated that the definition of "sheltered housing facility" should be deleted as this type of facility could lead to mistreatment of the housed animals. In the proposed rule for Part 3—

"Standards" (see compenion docket no. 87-006 published elsewhere in this issue of the Federal Register), we have sproposed specifications for this type of housing facility which include requirements for heating, cooling, ventilation, cleaning, drainage, and lighting. We believe that a sheltered housing facility which is in compliance with these proposed standards can be effectively used to house animals in a humane manner in accordance with the

-Wild animal

We proposed to define "wild animal"

any animal which is now or historically has been found in the wild, or in the wild state, within the boundaries of the United States, its territories, or possessions. This term includes, but is not limited to animals such as: Buffalo, deer, skunk, opossum, recoons, armadilla, coyots, squirrel, fox, wolf.

One dealer and one member of the general public commented in disagreement with our proposed definition. One dealer stated that ferrets and mink should be classified as wild animals, and 9 dealers and 2 exhibitors stated that deer, llama, and buffalo should be classified as domestic animals. As explained above under "Retail pet store," we agree that mink should be considered a "wild anima." due to its vicious nature. The definition of "wild animal" will be changed to include mink. We disagree with the

comment with regard to ferrets however, since they are considered to sely handled and relatively. Pnondengerous, and are now commonly bred and kept as pet animals. We also disagree with classifying deer as domestic animals. Although some individuals may be raised in captivity and would be considered tame, most deer are found in the wild. However, we do agree with the commenters with regard to buffalo. Buffalo are nearly extinct in the wild. Most now exist in game preserves, where they are displayed in natural settings. Under these circumstances they are not wild animals. Therefore, we are removing them from the definition of "wild animal." We are making no change in the definition of "wild animal" with regard to liamas because liamos were not include as wild animals in our proposed definition of the term. We also want to make it clear that wild rate and mice are included in the definition of wild animal, as distinguished from rate and mice bred in captivity for use in research, and that wild rate and mice are regulated animals under the Act.

We received no comments concerning the remaining definitions and they remain in this rule as originally proposed.

Miscellaneous

As a result of a change in internal policy, the term "Veterinary Services" is replaced with "APHIS" wherever it appears and the definition of "Veterinary Services" is not included in this revised rule. We have defined "APHIS" to mean "the Animal and Plant Health Inspection Service, United States Department of Agriculture."

In order to be consistent with this change in policy, the term "Veterinary Services representative," is replaced with "APHIS official." We proposed to define the term, "Veterinary Services representative" to mean "any inspector or other person employed by the Department who is responsible for the performance of a function under the Act." We have added a definition of the term "inspector" in this revised rule, as explained above. For this reason, the definition of "APHIS official" does not specifically refer to inspectors. We are using the word "authorized" in place of "responsible" in the definition of "APHIS official" because the Secretary of Agriculture is responsible for performance under the Act. Department employees are authorized to perform certain functions. We are also clarifying the definition by including the performance of functions under the regulations as well as under the Act.

because the regulations are promulgated under the Act. Accordingly, "APIIIS official" is defined to mean "any person employed by the Department who is authorized to perform a function under the Act and the regulations in 9 CFR Parts 1, 2, and 3."

We are correcting the following typographical errors which appeared in the March 31, 1967 proposal:

(1) We are correcting two errors in the proposed definition of "Clase "B" licenses (dealer)". In the first sentence the reference to "§ 1.1(q)" has been changed to "§ 1.1" since we are not lettering the paragraphs, and in the second sentence "at an auction sale" has been corrected to read "of an auction sale."

(2) We are similarly changing the reference to "§ 1.1(x)" in the definition of "Class "C" licensee (exhibitor)" to "§ 1.1" since we are not lettering the paragraphs.

(3) in the definition of "endangered species," the closing parentheses are placed after the statutory citation instead of the period.

Statutory authority for this Proposed Rule

This proposed rale is issued pursuant to the Animal Welfare Act (Act), as amended, 7 U.S.C. 2131–2157. Congress recently added significantly to the Secretary's responsibilities under the Act by amendments in the Food Security Act of 1985, Pub. L. No. 99–198, approved December 23, 1985. The declared policy of the Act is to ensure that animals intended for use in research facilities, as pets, or for exhibition purposes are provided humane care and treatment; to assure the humane treatment of animals during transportation; and to prevent the sale of stolen animals.

The Act mandates that the Secretary of Agriculture promulgate regulations and standards to govern the humane handling, care, treatment, and transportation of animals by dealers, exhibitors, research facilities, carriers, and intermediate handlers. To accomplish this, the Secretary must define certain key words used in the regulations and standards so that persons subject to the Act, regulations, and standards can comply with their requirements.

The Act itself defines some of the terms which appear in this rule. The Act also authorizes the Secretary to promulgate such rules, including additional definitions, as he deems necessary to effectuate the purposes of the Act.

with a transparent material such as glass or hard plastic).

Intermediate handler means any person, including a department, agency, or instrumentality of the United States or of any State or local government (other than a dealer, research facility, exhibitor, any person excluded from the definition of a dealer, research facility, or exhibitor, an operator of an auction sale, or a carrier), who is engaged in any business in which he receives custody of animals in connection with their transportation in commerce.

Isolation in regard to marine mammals means the physical separation of animals to prevent contact and a separate, noncommon, water circulation and filtration system for the isolated animals.

Licensed veterinarian means a Doctor of Veterinary Medicine who has graduated from an accredited school of veterinary medicine and who has a valid license to practice veterinary medicine in some State.

Licensee means any person licensed according to the provisions of the Act and the regulations in Part 2 of this subchapter.

Major operative experiment means any surgical intervention that penetrates and exposes a body cavity or that has the potential for producing a permanent disability.

Minimum horizontal dimension (MHD) means the diameter of a circular pool of water, or in the case of a square, rectangle, oblong, or other shape pool, the diameter of the largest circle that can be inserted within the confines of such a pool of water.

Nonconditioned animals means animals which have not been subjected to special care and treatment for sufficient time to stabilize, and where necessary, to improve their health.

Nonhuman primate means any nonhuman member of the highest order of mammals including prosimians, monkeys, and apes.

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Outdoor housing facility means any structure, building, land, or premise, housing or intended to house animals, which does not meet the definition of an indoor housing facility or a sheltered housing facility and in which temperatures cannot be controlled within set limits.

Painful procedure as applied to any animal means any procedure that would reasonably be expected to cause more than slight or momentary pain or distress in a human being to which that procedure was applied, that is, pain in excess of that caused by injections or other minor procedures.

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Person means any Individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity.

Pet animal means any animal that has commonly been kept as a pet animal in family households in the United States.

Primary conveyance means the main method of transportation used to convey an animal from origin to destination, such as a motor vehicle, plane, ship, or train.

Primary enclosure means any structure or device used to restrict an animal or animals to a limited amount of space, such as a room, pen, run, cage, compartment, pool, butch, or chain. In the case of animals restrained by a chain (e.g., dogs on chains), it includes the shelter and the area within reach of the chain.

Protocol means an investigator's plan for the use of animals in a study of a biomedical problem.

Quorum means a majority of the Committee members.

Random source means dogs and cats obtained from animal pounds or shelters, auction sales, or from any person who did not breed and raise them on their premises.

Registrant means any research facility, carrier, intermediate handler, or exhibitor not required to be licensed under section 3 of the Act, registered pursuant to the provisions of the Act and the regulations in Part 2 of this aubchapter.

Research facility means any school (except an elementary or secondary school), institution, organization, or person who uses or intends to use live animals in research, tests, experiments, or teaching, and that: Purchases or transports live animals in commerce, or receives funds under a grant, award. loan, or contract from a Department, agency, or instrumentality of the United States for the purpose of carrying out research, tests, experiments, or teaching, A school, institution, organization, or person who does not use or intend to use live dogs or cats may be exempted by the Administrator, upon application to him in specific cases and upon his determination that such exemption does not vitiate the purpose of the Act. The Administrato will not exempt any school, institution, organization, or person who, in the opinion of the Administrator, uses substantial numbers of live animals where the principal function of such school, institution, organization, or person, is biomedical research, lesting, or teaching.

Retail pet store means any outlet where only the following animals are sold or offered for sale, at retail, for use as pets: Dogs, cats, rabbits, guinea pigs, hamsters, gerbils, rats, mice, gopher, mink, chinchilla, domestic ferrets.

domestic farm animals, birds, and coldblooded species. Such definition excludes—

- (1) Establishments or persons who deal in dogs used for hunting, security or breeding purposes:
- (2) Establishments or persons selling or offering to sell any wild or exotic or other nonpet species of warmblooded animals (except birds), such as, skunks, raccoons, nonhuman primates, squirrels, occlots, foxes, coyotes, etc.;
- (3) Any establishment or person selling warmblooded animals (except birds, and laboratory rats and mice) for research or exhibition purposes; and
- (4) Any establishment wholesaling any animals (except birds, rats and mice).

Sanitize means to make physically clean and to remove end destroy, to the maximum degree that is practical, agents injurious to health.

Secretary means the Secretary of Agriculture of the United States or his representative who shall be an employee of the Department.

Sheltered housing facility means a housing facility which provides the animals with shelter; protection from the elements; and protection from temperature extremes at all times. A sheltered housing facility may consist runs or pens totally enclosed in a barm or building, or of connecting inside/outside runs or pens with the inside pens in a totally enclosed building.

Standards means the requirements with respect to the humane housing, exhibition, handling, care, treatment, temperature, and transportation of animals by dealers, exhibitors, research facilities, carriers, intermediate handlers, and operators of auction sales as set forth in Part 3 of this subchapter.

State means a State of the United States, the District of Columbia, Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, or any other territory or possession of the United States.

Transporting device means an interim vehicle or device, other than man, used to transport an animal between the primary conveyance and the terminal facility or in and around the terminal facility of a carrier or intermediate handler.

Transporting vehicle means any truck, car, trailer, airplane, ship, or railroad car used for transporting animals.

Veterinary Services means the office of the Animal and Plant Health Inspection Service to which responsibility is assigned for the performance of functions under the Acceptable 1988.

Veterinary Services representative means any inspector or other person employed by the Department who is

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(1) It must be capable of controlling the temperature within the building or structure within the limits set forth for that species of animal, of maintaining humidity levels of 30 to 70 percent and of rapidly eliminating odors from within the building; and

(2) It must be an enclosure created by the continuous connection of a roof. floor, and walls (a shed or barn set on top of the ground does not have a continuous connection between the walls and the ground unless a foundation and floor are provided); and

(3) It must have at least one door for entry and exit that can be opened and closed (any windows or openings which provide natural light must be covered with a transparent material such as

glass or hard plastic).

"Intermediate handler" means any person, including a department, agency, or instrumentality of the United States or of any State or local government (other than a dealer, research facility, exhibitor, any person excluded from the definition of a dealer, research facility, or exhibitor, an operator of an auction sale, or a carrier), who is engaged in any business in which he receives custody of animals in connection with their transportation in commerce.

"Inspector" means any person employed by the Department who is authorized to perform a function under the Act and the regulations in 9 CFR

Parts 1, 2, and 3.

"Isolation" in regard to marine mammals means the physical separation of animals to prevent contact and a separate, noncommon, water circulation and filtration system for the isolated

"Licensed veterinarian" means a person who has graduated from an accredited school of veterinary medicine or has received equivalent formal education as determined by the Administrator, and who has a valid license to practice veterinary medicine in some State.

"Licensee" means any person licensed according to the provisions of the Act and the regulations in Part 2 of this

"Major operative experiment" means any surgical intervention that penetrates and exposes a body cavity or that has the potential for producing a permanent disability.

"Minimum horizontal dimension" (MHD) means the diameter of a circular pool of water, or in the case of a square, rectangle, oblong, or other shape pool, the diameter of the largest circle that

can be inserted within the confines of such a pool of water.

"Mobile or traveling housing facility" means a transporting vehicle such as a

truck, trailer, or railway car, used to house animals while traveling for exhibition or public education purposes.

"Nonconditioned animals" means animals which have not been subjected to special care and treatment for sufficient time to stabilize, and where necessary, to improve their health.

"Nonhuman primate" means any nonhuman member of the highest order of mammals including prosimians,

monkeys, and apes.

"Operator of an auction sale" means any person who is engaged in operating an auction at which animals are purchased or sold in commerce.

"Outdoor housing facility" means any structure, building, land, or premise, housing or intended to house animals. which does not meet the definition of any other type of housing facility provided in the regulations and in which temperatures cannot be controlled within set limits.

"Painful procedure" as applied to any animal means any procedure that would reasonably be expected to cause more than slight or momentary pain or distress in a human being to which that procedure was applied, that is, pain in excess of that caused by injections or other minor procedures.

"Paralytic drug" means a drug which causes partial or complete loss of muscle contraction and which has no anesthetic or analgesic properties, so that the animal cannot move, but is completely aware of its surroundings and can feel pain.

"Person" means any individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity.

"Pet animal" means any animal that has commonly been kept as a pet in family households in the United States, such as dogs, cats, guinea pigs, rabbits, and hamsters. This term excludes exotic animals and wild animals.

"Positive physical contact" means petting, stroking, or other touching which is beneficial to the well-being of the animal.

"Primary conveyance" means the main method of transportation used to convey an animal from origin to destination, such as motor vehicle, plane, ship, or train.

"Primary enclosure" means any structure or devide used to restrict an animal or animals to a limited amount of space, such as a room, pen, run, cage, compartment, pool, hutch, or tether. In the case of animals restrained by a tether (e.g., dogs on chains), it includes the shelter and the area within reach of the tether.

"Principal investigator" means an employee of a research facility

responsible for a proposal to conduct research and for the design and implementation of research involving animals.

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"Reseach facility" means any school (except an elementary or secondary school), institution, organization, or person that uses or intends to use live. animals in research, tests, or experiments, and that (1) purchases or transports live animals in commerce, or (2) receives funds under a grant, award. loan, or contract from a department, agency, or instrumentality of the United States for the purpose of carrying out research, tests, or experiments: Provided. That the Administrator may exempt, by regulation, any such school, institution, organization, or person that does not use or intend to use live dogs or cats, except those schools. institutions, organizations, or persons, which use substantial numbers (as determined by the Administrator) of live animals the principal function of which schools, institutions, organizations, or persons, is biomedical research or testing, when in the judgment of the Administrator, any such exemption does not vitiate the purpose of the Act.

"Retail pet store" means any outlet where only the following animals are sold or offered for sale, at retail, for use as pets: Dogs, cats, rabbits, guinea pigs, hamsters, gerbils, rats, mice, gophers, chinchilla, domestic ferrets, domestic farm animals, birds, and coldblooded species. Such definition excludes-

(1) Establishments or persons who deal in dogs used for hunting, security, or breeding purposes;

(2) Establishments or persons exhibiting, selling, or offering to exhibit or sell any wild or exotic or other nonpet species or warmblooded animals (except birds), such as skunks, raccoons, nonhuman primates, squirrels, ocelots. foxes, coyotes, etc.;

(3) Any establishment or person selling warmblooded animals (except birds, and laboratory rats and mice) for research or exhibition purposes; and

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with a transparent material such as

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Intermediate handler means any person, including a department, agency, or instrumentality of the United States or of any State or local government (other than a dealer, research facility, exhibitor, any person excluded from the definition of a dealer, research facility, or exhibitor, an operator of an auction sale, or a carrier), who is engaged in any business in which he receives custody of animals in connection with their transportation in commerce.

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NATIONAL HEADQUARTERS
One Waterfowl Way

Memphis, TN 38120-2351 (901) 758-3825 FAX: (901) 758-3850

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March 6, 1996

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Treasurer Julius F. Wall Clinson, Missouri

Secretary James D. Range Fairfax, Virginia

Executive Secretary Bill R. Willsey Memphis, Tennessee I have spoken with Matt Young, author of "Wetland Furbearers" in the Jan./Feb. 1996 issue of *Ducks Unlimited* magazine. Matt informs me that the Domestic Ferret (Mustela Putorius Furo) is not considered a threat to waterfowl. Though an occassional stray may be encountered, it is not a wetland creature and domestic ferrets do not eat red meat.

Thank you for writing to Ducks Unlimited. We appreciate your support of our conservation efforts and your concern for watefowl.

Julie A. Coffey

Communications Assistant

Enclosures

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Thank you the writing to Oache Contained. Whateprecises your support of we conservation efforts and your concern for waterlowl.

EXHIBIT 35

Graham Wellstead
Predatory Bird & Mammal Specialist
Ormsby, Kingsway Avenue, Woking, Surrey
GU21 1NX
Phone & Fax: 01483 776801

QUALIFICATION:

I hold the degree "Bachelor of Arts" (BA) in English History, completed with a thesis on the period of the Roman occupation of the British Isles from BC 45 to AD 300. I further hold the degree "Bachelor of Science" (BSc) in Zoology, with a thesis on the subject of the European Polecat, its distribution and its link to the Domestic Ferret. I also hold the post-graduate title "Doctor of Philosophy" (PhD) in Zoology, with a thesis on the subject of the European Sparrowhawk and its relationship with its prey.

I have kept and bred, domestic ferrets, European polecats, stoats, weasels, and other closely related members of the Mustelid group of predatory mammals for 45 years.

I was the founder of the first society ever formed to deal with the welfare and working of domestic ferrets, the Ferret and Ferreting Society. The main thrust of the organization was to encourage keepers to improve the housing, feeding and general health of the domestic ferret population as well as to encourage the veterinary profession to take a proper interest in diseases of ferrets.

I have studied in particular the requirements of housing and general care, as well as the reproductive aspect of ferret management. During the period in which I have kept these animals I have bred in excess of 1,300 animals. Between the years 1972 to 1986, I held a group of ferrets which averaged at 140 females and 10 males, being the largest group of ferrets outside a commercial fur farm or laboratory program.

I am the author of two books on the keeping of ferrets and their uses in the control of pest populations of rabbits and rats: *Rabbit Control*, published by the Game Conservancy Ltd., *The Ferret & Ferreting Guide*, published by David & Charles plc. I have also contributed a major chapter on ferret management in the world's best-selling book on falconry, *North American Falconry & Hunting Hawks*.

I am well-known throughout the world as a recognized authority on the management of ferrets. I write for a number of magazines, such as *The Field, Shooting Times & Country Magazine*,

Windows\Ferrets\Wellstea.bio

Smallholder Magazine and Pet Trade Journal.

I have been a lecturer on ferret management to gamekeeper training courses, held at the Game Conservancy for the past 15 years. I am currently employed as a Consultant Administrator to the National Council for Aviculture. I am Consultant to the Home Office on the subject of predatory birds kept within the Prison Service and I am also employed by Bristol University as a lecturer in Ecology in Her Majesty's Remand Centre. Reading.

I regularly work my ferrets as a part of a pest control team on a number of nature reserves, and also in conjunction with large birds of prey, involving them in my sporting activities as a falconer.

I served as a Commissioned Officer in the Royal Military Police and a Police Constable with the Hampshire and Isle of Wight Constabulary.

OPINION:

I have been asked to present my opinion in the case of a dispute regarding the legality of holding ferrets as domestic animals world wide.

Aside from certain parts of the United States of America, where ferrets have either yet to be recognized as domestic animals, or are the subject of a ban, there is no country in the world, to my knowledge, where ferrets are not allowed to be legally kept.

I have traveled extensively throughout Europe, the Middle and Far East, Australia, and New Zealand, and have never encountered a legal system where ferrets are proscribed animals.

Within the British Isles ferrets may be legally kept by anyone without any form of permit. I have supplied ferrets to the Royal Household for use by gamekeepers on the Royal estates as part of their rabbit control schemes. I have provided ferrets to the Duke and Duchess of Argyll for their children's pets, and for rabbit control (the same animals). I have seen and worked with ferrets in Germany, France, Spain, Italy, Australia, and New Zealand. I have exported ferrets to Ireland and Canada, and at no time have I ever encountered a law prohibiting their ownership.

Graham Wellstead

March 8, 1996

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philanthropist. in engineering construction of the Free Public

Lisbon, Port.-: poet who was ew Renaissance ongly advocated than Spanish or anguage.

: poet Francisco introduced Reo Portugal, and one else to fosexhortation and inspired by the i humanism, reof society as well tyle. His tragedy one of the first are. It deals with nne Inès de Cas-tionso IV, father reasons of state. n was a judge in live quietly, de-

Gândara dos Oli-· 17, 1992, Linda-:holar and fiction n African themes. from the Techniitary service took 341 to 1947 and int two years. Feresulted in an apes and traditions. on to African stud-'s and essays. His are and literature. vas the most thorubject. His threeenone African po-975-81), contains biographical and usophone African ied a two-volume es written in Pornas de Expressão was a professor of niversity of Lisbon outor to scholarly rt stories and nov-

o also spelled VER-Melo, Port.), Porat who turned from nore experimental of the novel.

egan during World ne 1940s were writal-realist style that · netion since about uring this phase of ni Morrendo (1944; ind Fagão J (1946; a Mudança (1949; reira moved away of his earlier fiction sy introspective and ontinued to prevail

vels published after recesses of the huing). Apariçan (1929: "Apparition"). Can tico Final (1959: "Final Song"). Estrela polar (1962: "Polar Star"), Alegria Breve (1966) "Brief Joy"), among others—the best known is .tparicao. which explores the relationship of a teacher with his students in an almost savistic manner; lengthy philosophical mone logues and dialogues characterize this quart existentialist work, which widely influenced contemporary Portuguese fiction.

Ferreira de Castro, José Maria (b. Maria 24, 1898, Salgueiros, Port.—d. June 29, 1976, Porto) journalist and novelist, considered 142 Porto), journalist and novelist, considered to be one of the fathers of contemporary por tuguese social-realist (or Neorealist) fiction.

Ferreira de Castro drew widely on his nin years' residence in the Amazon jungles Brazil (1911-19) to vividly depict the Par tuguese emigrant experience and the relation ships among rubber workers of various region and social classes in the frontier setting of the Brazilian rain forest. Two novels—Emigrani (1928; "Emigrants") and A Selva (1930; "To Jungle," translated into more than a doze languages)-launched Ferreira de Castro's li erary career and offered an almost phographic portrayal of an exotic region and human tensions and high drama. In later now els the author turned his attention to regional Portuguese themes from rural areas; typical of this period are Terra Fria (1934; "Cold") Land"), A Là e a Neve (1947; "The Wool and Survey do Estrada (1950). els the author turned his attention to regiona the Snow"), and A Curva da Estrada (1950) The Curve in the Road").

Ferreira de Castro had a long and activi career in journalism, and he considered his fiction writing to be an extension of documen tary reporting. He prized the communication of local colour and human warmth and sought to be faithful to social realism. He founded newspapers in both Pará, Brazil, and Portugal and maintained close ties with both countries throughout his life.

Ferrel, William (b. Jan. 29, 1817, Fulton county, Pa., U.S.—d. Sept. 18, 1891, May wood, Kan.), American meteorologist known for his law of the deflection of air currents of the rotating Earth.

Ferrel taught school and in 1857 joined the staff of The American Ephemeris and Nautical Almanac in Cambridge, Mass. He served as member of the U.S. Coast and Geodetic Sulvey from 1867 until 1882, when he became a member of the Signal Service; he retired in

Ferrel did research on tides, currents, and storms and invented a machine to predict tidal maxima and minima. He wrote Meteory logical Researches, 3 vol. (1877-82), Popula Essays on the Movements of the Atmosphere (1882), Temperature of the Atmosphere and the Earth's Surface (1884), Recent Advance in Meteorology (1886), and A Popular Tre-tise on the Winds (1889).

Ferrel cell, model of the mid-latitude ment of the Earth's wind circulation, posed by William Ferrel (1856). In the FER cell, air flows poleward and eastward the surface and Equatorward and westward higher altitudes; this movement is the rever of the airtlow in the Hadley cell (q.v.). Ferre model was the first to account for the western winds between latitudes 35° and 60° in both hemispheres. The Ferrel cell, however, is not a good representation of reality because it requires that the upper-level mid-latitude winds flow westward; actually the eastward flowing surface winds become stronger height and reach their maximum velocities around the 10-kilometre (6-mile) level in jet streams. See ulso tricellular theory.

ferrer, also called FITCHET, either of



Black-footed ferret (Mustela nigripes)

the weasel family (Mustelidae). The common terret (M. putorius furo) is a domesticated form of the European polecat (q.v.), which it resembles in size and habits and the common of the European polecat (q.v.) resembles in size and habits and with which it interbreeds. The common ferret differs from the polecat in the colour of its fur, which is usually yellowish white, and of its eyes, which are pinkish red. Some common ferrets have brown-coloured coats, however. The common ferrets also slightly smaller than the polecat, averaging 51 cm (20 inches) in length, including the 13-centimetre (5-inch) tail, and weighing about 1 kg (2 pounds). The female ferret bears two broods of six or seven young ach year. Domesticated ferrets have become o dependent upon humans that they cannot survive without care and if lost often die within a few days. Because common ferrets are subject to foot rot, their cages must be Lept scrupulously clean. The animals subsist son a diet of milk and meat that is similar to that given the domestic cat. Ferreting, the use by the ferret in driving rabbits, rats, and other wermin from their underground burrows, has been practiced since Roman times in Europe and even longer in Asia. The ferret's long, lithe body, short limbs, and aggressive hunting temperament made it ideal for this function. The black-footed ferret (M. nigripes) of the phorth American plains was so named by early of the ferret in driving rabbits, rats, and other Morth American plains was so named by early American settlers because it resembled the domesticated ferrets of Europe. The black-footed ferret does resemble the common ferret in peneral body colouring but has a black median general body colouring but has a black mask general body colouring but has a black mask facross the eyes and brownish black markings from the feet and tail tip. Its adult weight averages 0.7 kg (1.5 pounds). Its body length is 38-46 cm (15-18 inches), and its tail length is 41-15 cm (4-6 inches). Since the prairie dog, its main source of food, has almost disappeared, the black-footed ferret likewise faces a drastically diminished habitat. The Red Data Book lists it as an endangered species. Book lists it as an endangered species.

Ferri, Ciro (b. 1634, Rome, Papal States Italy]—d. Sept. 13, 1689, Rome), Italian Baroque painter and printmaker of the Roman school who was the chief pupil and assistant of the painter and architect Pietro da Cortona.

When he was a little past 30, Ferri completed the painting of the ceilings and other internal decorations begun by his master in the Pitti Palace, Florence. He also cooperated in or inished several other works by Pietro in both Florence and Rome. Of his own independent productions, the chief is an extensive series of scriptural frescoes in the Church of Santa. Maria Maggiore in Bergamo and a painting, considered to be his best work, of St. Ambrose healing an invalid, which is the principal alarpiece in the Church of Sant' Ambrogio in Rome. He executed a large number of etchings and frontispieces for books.

lerricrete, iron-rich duricrust, an indurated. or hardened, layer in or on a soil. Soil parlicles are cemented together by iron oxides (such as Fe₂O₃) precipitated from the groundwater to form an erosion-resistant layer. Often the soil covering is eroded from the surface of the ferricrete layer, which is exposed as a fock surface; parts of old ferrierete layers may

iron ores. The term late tuted for ferrierete but te soil rich in iron oxides an

Ferrié, Gustave-August St. Michel-de-Maurienne. 16. 1932. Paris). French general who contributed of radio communication

He was graduated from nique. Paris. in 1889 an engineers corps. From 1 vanced in the military tele Ferrié was named to a c wireless telegraph comm France and England, he i which he would focus his 1899 in Paris he particip. Marconi in experimental between France and Er proposed using the Eiffe mount antennas for lon; phy. Under his direction up in the tower, and its creased steadily from an miles) to 6,000 km (3,700 then turned to the devi transmitters to enable mil radio contact with Paris.

Ferrié created a radio : Supérieur d'Électricité. G experimented with radio aircraft to enable the ac tillery fire. When World then a colonel, was name military radio communica a corps of scientists and up a network of radio di the English Channel to th In 1922 he was named Sciences. He was promote

Ferrier, Kathleen (b. A. Walton, Lancashire, Eng London), contralto who widely beloved British sii She won a national piar age of 15 and the follo certificate as a piano teac telephone operator until a local singing competition study voice and gave facworkers, often arranging



Kathleen Ferrier

By courtesy of the British Broadcasting

In 1943, in George Fr siah, she emerged as an . rank. In 1946, at Benjai she sang the title role in of Lucretia at the Glynd also became closely ide of Orleo in Christoph G Euridice. English (1947) performances of Gustav von der Erde, conducted her to specialize in Mahl lieder recitals with Walte

EXHIBIT 37

DEPARTMENT OF FISH AND GAME 252
330 Golden Shore, Suite 50
Long Beach, CA 90802
Contact: Curt Taucher
Telephone: (213) 590-5126

An undercover investigation by the Department of Fish and Game, spanning 11 months and 4 counties, concluded Monday, March 20 with state game wardens seizing 36 European polecats, more commonly known as "ferrets", from persons suspected of trafficking and commercial breeding of prohibited wildlife. "I am very satisfied with the results of this case. When there is potential to make money off of wildlife there will be people who will take advantage, as we have seen in this case," summed up Gordan Cribbs, chief of game wardens in Southern California.

These violations relating to the illegal possession, transportation and importation of prohibited species were filed or will be filed against the following individuals. The undercover case centers primarily on the errets, however, other species (where noted) were involved.

--Robert Maurice Caudillo, 23, Sherman Oaks undercover agents purchased 1 female ferret for \$75 complaint filed in Van Nuys Municipal Court.
--Cindy Yvonne Mueller, 32, Torrance evidence seized; 3 ferrets,

1 raccoon,

6 desert tortoises

complaint will be filed with South Bay Municipal Court
--Anthony Neil Disparito, 30, Lawndale
 evidence seized; 4 ferrets

records

complaint will be filed with South Bay Municipal Court
--Alexandra Louise Hanlon, 26, Costa Mesa
evidence sized; 3 pole cats
complaint to be filed in Orange County Harbor Municipal Court.

--April Bunting Landmeier, 35, Los Angeles
undercover agent purchased 3 ferrets
complaint filed in Municipal Court of West Los Angeles.
--Patricia Louise Richards, 53, Yucaipa
evidence sized; 22 ferrets

numerous records

complaint filed in Redlands Municipal Court.

Richards is the President and co-founder of the Southern California Ferret Association, a group acknowledged as representatives of ferret owners and advocates of legalizing ferrets in California.

Landmeier is the other co-founder of the organization.

The organization boasts 300 members and began its activities a number of years ago.

The investigation began last April when an advertisement appeared in a Southern California newspaper under the heading "ferrets for sale". An undercover agent responded to this advertisement placed by Caudillo, and successfully "made a buy" of one of the illegal animals.

Caudillo led the investigator to illegal ferret breeders, who in turn referred the undercover agent to more commercial breeders and traffickers.

The European polecats, or ferrets sell for between \$50 and \$5000.

The Department of Food and Agriculture estimates between 250,000-500,000 ferrets are currently being held in California illegally. Fish and Game officials feel the numbers may be higher.

/More/

h children and general threats to public health and safety, and to native wildlife if the animals escape captivity. Numerous attacks on children have been documented by health experts, including severe mutilations of infants resting in their cribs. Polecats can also be rabies carriers, and no vaccine has yet been approved for use on these animals.

All defendants in the investigation have made statements to the game wardens acknowledging they knew their activities involving ferrets were illegal and carried penalties.

Each defendant is suspected of violating three specific code sections:

California Code of Regulations Title 14 Section 671 and
lifornia Fish and Game Code Section 2118: relates to illegal
possession, importation
and transportation of
prohibited species

Fish and Game Code, Section 2002: illegal possession of wildlife kept in violation of Fish and Game Code.

Each violation carries a maximum of \$1000 fine and/or 6 months in jail for each count.

"We have a considerable amount of documentary evidence to go through and the investigation will be continuing," said Cribbs.

EXHIBIT 38

SELECTED LETTERS FROM EXHIBIT 1E

- 1. United States Department Of Agriculture
- 2. American Museum of Natural History
- 3. The Zoological Society of San Diego
- 4. New York Zoological Society
- 5. Staten Island Zoological Society
- 6. Chicago Zoological Society
- 7. Smithsonian Institution
- 8. Mammalian Taxonomic Directory
- 9. Massachusetts Division of Fisheries and Wildlife
- 10. The American Society for the Prevention of Cruelty to Animals
- 11. University of California School of Veterinary Medicine
- 12. Riverbanks Zoological Park, Columbia, S.C.
- 13. Discovery Island Lake Buena Vista, Florida

EXHIBIT 38.1



Extension 'Service

Agriculture

Ag Box 0910 Washington, DC 20250-0910

May 3, 1994

Ms. Pamela Grant P.O. Box 1714 Springfield, Virginia 22151

Dear Ms. Grant:

You recently requested information regarding the designation of ferrets by the US Department of Agriculture. I could not determine if the Extension Service has a designation, but it is very doubtful there is a designation as there is no need for this type information for any of our activities.

I checked with the Animal and Plant Health Inspection Service (APHIS) and found that they do not cover ferrets in their regulations. The APHIS uses the state regulations regarding these designations to take precedence in any of their regulatory functions. However, under the APHIS animal care regulations, they do not consider the ferret to be wild, and do not consider the ferret to be exotic. Therefore, they must consider the ferret to be a pet, or domestic.

This is the best information available to me. I hope it is beneficial to your organization. Please contact me (202/720-4087) if you require further assistance.

Sincerely,

Richard Reynnells

National Program Leader,

Robert D. Ray

Poultry Science and Fur-bearing Animals

American Museum of Natural History



Floyd L. Carley 3000 Sand Hill Road, 4-145 Menlo Park, CA 94025

September 25, 1995

Dear Mr. Carley,

As Collections Registrar for the Department of Mammalogy, I am responding to your letter to Dr. VanGelder, dated September 6. I am sorry to inform you that Dr. VanGelder passed on last year after several years in retirement.

Mustela furo is the domestic ferret and is not a wild species. It is probably descended from the wild species Mustela putorius, the "European Polecat". Some authorities accept the domestic ferret as a subspecies of M. putorius, M. putorius furo, but, strictly speaking, the International Code of Zoological Nomenclature is not meant to apply to domestic animals.

I hope that this answers your question.

Sincerely,

Bryn J. Mader



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> Douglas G. Myers Executive Director

The Zoological Society of San Diego

April 26, 1990.

William B. Phillips, Esq. Executive Director California Domestic Ferret Association P.O. Box 1868 Healdsburg, CA 95448

Dear Mr. Phillips:

Thank you for your letter regarding the European ferret, furo. This is simply a domestic form of the European polecat. It does not exist as a wild animal.

Regards,

James M. Dolan, Jr., Ph.D.

Director of Collections

NEW YORK ZOOLOGICAL SOCIETY



Mr. William Adams

New York, NY

Dear Mr. Adams,

In your recent letter to me, you asked: "Could you tell me if the ferrets you buy in pet shops are classified as wild or domestic animals? The answer is domestic.

All domestic animals originated from wild species. After the wild animals were taken into captivity, their keepers "selectively bred" them so as to cause the expression of traits that were deemed beneficial to man (e.g. calmness, milk production, coat color, hair quality, etc.) The important point is that man chose the evolutionary direction of the species, rather than nature with its method of "natural selection." After a significant amount of change in characteristics occurred, biologist considered the species "domesticated." Domestic animals are assigned different scientific names from their original wild species.

The domestic ferret (<u>Mustela putorius furo</u>) has been selectively bred for many years from the original wild species of European ferret (<u>Mustela putorius putorius</u>). In the USA alone, this process has been going on since about 1875. The original European ferrets were captured --- and the motivation for domesticating the species --- was to produce an efficient and manageable "ratter" (i.e. to catch rats!).

I hope this information is of help to you. I have been Curator of Mammalogy at the New York Ecological Park for the last eight years.

Sincerely,

Fred W. Koontz, Ph.D. Curator of Mammalogy

Fred W. (Coonty



STATEN ISLAND ZOOLOGICAL SOCIETY, INC 614 Broadway, Staten Island, New York 10310 • Fax 718 • 981 • 8711

3 January 1996

Floyd L. Carley 3000 San Hill Road, 4-145 Menlo Park, CA 94025

Dear Mr Carley:

In response to your question concerning the domestic ferret I can offer you my opinion:

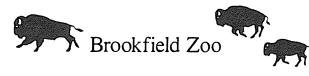
The domestic ferret and its progenitor the European polecat share the same scientific name <u>Mustela putorius</u>. To separate the two the usual practice is to use or include the common name (domestic ferret or European polecat). Since the domestic ferret has been selectively bred for many generations such that many characteristics (i.e. number of litters per year, coloration, temperament) breed true, I consider the domestic ferret to be a true domesticated animal. Some taxonomists will include the term forma following the species name but I haven't seen that in the case of the ferret. Adding <u>furo</u> is incorrect. The domestic ferret and the European polecat will interbreed and produce fertile "hybrids" and I doubt if the difference is enough to warrant subspecific names (which wouldn't apply to domestic forms anyway).

Hope this answers your question.

Sincerely,

Mark S Kuh

Mark S. Rich General Curator



Chicago Zoological Society

Date: 29 December 1995

Dear Mr Carley,

Thank you for your letter/phone call requesting information on

We are enclosing information that we hope will meet your needs. Please call or write us back if you have any more questions.

Sincerely,

Nancy Bent Library

Brookfield Zoo

708/485-0263, ext. 580

Notice: If photocopied material is enclosed it is protected by copyright law and its use will be limited to private study, scholarship or research.

As you can see from the enclosed photocopies, the ferret is a domestic form of the European polecut. This is similar to a dog, which is a domestic form of the grey welf.

I hope this helps!

Brookfield, Illinois 60513 708,485,0263 312,242,2630



Creating the Nation's first BioPark

National Zoological Park · Smithsonian Institution · Washington, D.C. 20008-2598

4 January 1996

Floyd L. Carley 3000 Sand Hill Road, 4-145 Menlo Park, CA 94025

Dear Mr. Carley,

Mustela putorius furo, the domestic ferret, is a domestic subspecies, probably bred from Mustela putorius putorius, the wild European polecat, over two thousand years ago. Ferrets have escaped and bred with polecats on many occasions, suggesting that there are no "pure" polecats remaining in Europe.

Sincerely,

Benjamin B. Beck

Associate Director for **Biological Programs**

ISIS

MAMMALIAN TAXONOMIC DIRECTORY

(Second edition, revised)

ISIS - International Species Information System
Building A, Room 6
12101 Johnny Cake Ridge Road
Apple Valley, MN USA 55124

Telephone: (612) 431-9295 FAX: (612) 432-2757 BBS: (612) 432-9292

Introduction (Second edition, revised)

This directory is part of a set used by participants in the International Species Information System (ISIS), an information system on captive vertebrates. This directory has two purposes: 1) to provide a standardized taxonomy for collection of coherent data, and 2) to provide a numeric taxonomic code for those who use it on ISIS' paper data forms.

This second edition (revised) has an improved format, and again includes indexes on genus and English language common names for genera, at the back.

This second edition (revised) is being distributed because the previous version was out of print. ISIS has plans to improve and modernize this mammalian taxonomic list, but this unfortunately must wait until resources permit.

We strongly encourage users to classify their specimens consistent with the available information - i.e. to classify at species level except in cases where information on provenance and/or pedigree makes it clear that a specimen is from a well-recognized subspecies.

Note: ISIS is currently used by about 500 zoos world-wide, including members of the American Association of Zoological Parks and Aquarinms. (January 1996)

			Domestic
14	MAMMALIA	MAMMALS	Save Rice
1412	CARNIVORA	CARNIVORES	
1412004	MUSTELIDAE	WEASELS, OTTERS, BADGERS,	/
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TaxCode	Scientific Name	Common Name	Range 181



Division of Fisheries & Wildlife

Wayne F. MacCallum, Director

Floyd L. Carley 3000 Sand Hill Road Building 4, Suite 145 Menlo Park, CA 94025

January 19, 1996

Dear Mr. Carley:

This letter is in response to your written inquiry of 29 December 1995 regarding the legal and taxonomic status of the domestic ferret.

Beginning on 6 March 1996 a new state statute will allow anyone to posses domestic ferrets as pets in Massachusetts so long as they are neutered or spayed, and are vaccinated against distemper and rabies. No state permits for pet ferrets will be required but the owner of each animal will be required to maintain veterinary certificates which verify that his ferrets have been properly sterilized and are up-to-date on their vaccinations. a state permit will be required to breed ferrets. the annual fee will be \$1,000.00

In Massachusetts the fact that these ferrets are biologically a domestic species has never had any legal relevance to our agency's authority to regulate them. Control over ferrets was given to this state's fish and wildlife agency by statutes specifically addressing ferret possession and use because of their early history as a hunting tool. The use of ferrets for hunting was first prohibited in Massachusetts in 1874 and their simple possession without a state permit was prohibited in 1924. Over the years permits for keeping ferrets have been restricted to research and educational purposes.

In recent years this agency's opposition to allowing ferrets as pets was based on the lack of a registered rabies vaccine. once a vaccine was approved the agency assisted the ferret proponents in drafting a bill which would remove the requirement for a state permit. The agency always had the authority to issue permits for pet ferrets but felt that it was inappropriate before an approved rabies vaccine was available, and after that did not wish to establish a program that would likely issue thousands of permits that the agency has no interest in tracking.

The fact that these animals represent a domestic species seems biologically quite clear. The most significant support for this is the taxon's long history of captive propagation (since at least the fourth century B.C.) in concert with the fact that it has been genetically altered to the extent that it's origins are uncertain. This has been held as the performance standard for our most traditional domestic species. In the case of the domestic ferret it is generally suspected to have descended from the European polecat (Mustela putorius) but may have been derived from the Steppe polecat (M. eversmanni) or from a hybrid of the two. Skull and fur characters more closely resemble those of M. eversmanni but the karyotype is identical to that of \underline{M} . putorius and differs from M. eversmanni. It has sometimes been referred to as a subspecies of the European polecat under the name Mustela putorius furo but most mammalion taxonomists recognize it as a distinct domestic species, Mustela furo. As a career mammalogist with an interest and training in taxonomy this conclusion seems to me to be well founded. However, it should be understood that an animal's legal classification may not be consistent with its biological status. Such is the case in Massachusetts where I and the state's fish and wildlife agency consider these ferrets to be biologically domestic but where it has not been included on the states' legal list of domestic animals (321 CMR 9.02) which would serve to legally surrender all of this agency's jurisdiction over ferrets. seeming contradiction is perfectly reasonable and consistent with our goals to maintain a level of control and authority over domestic ferrets.

If you have any additional questions feel free to write or call me at 508/792-7270.

Sincerely,

Thomas W. French, Ph.D.

Assistant Director/

Natural Heritage & Endangered Species



THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

424 East 92nd Street New York, NY 10128 (212) 876-7700 Ext. 4601 (212) 876-9571 Fax

Roger A. Caras President

September 20, 1993

Mr. William Adams
Chairman
NYC Friends of Ferrets
P.O. Box 268 - Gracie Station
New York, NY 10028

Dear William,

Thank you very much for your letter of September 20th. I am somewhat bemused by the salutation "Mr. Caras: instead of the usual "Dear Mr. So and So." That type of address generally denotes hostility. I did not realize that I was considered an enemy of the ferrets.

If you saw any news clippings that resulted from reporters calling here to ask me for an opinion on the matter, you will note that I said that a) ferrets are not properly called ferrets, but rather European stoats and that European stoats are considered to have been domesticated animals for over 1000 years. They have been common animals in homes both in England and on the Continent for that length of time.

When asked about the threat from rabies, I pointed out that it was such an unlikely scenario that unless an owner had the disease and bit his ferret, it would be difficult to imagine how a housebound and frequently cage-bound animal could become exposed to the disease. I suppose it is possible that a cat or a dog in the same household might bring it back in, but the ferret would not then be the principal source of concern since the cat or dog would be symptomatic first.

The stoat or so-called ferret is, in fact, a domestic animal, and no bureaucratic fiat can change that. If some bureaucrat in the Health Department wants to say that ferrets are not domestic animals, he/she would have to fly in the face of what is known to be true.

That is the position of the ASPCA. Ferrets are domestic animals; they have been common pets for over 1,000 years. They are of no consideration in so far as the disease rabies is concerned. The

thought that they could escape and hybridize the native American ferret, i.e., nigripeds, the black footed ferret; the nearest prairie dog colony where black footed ferret could possibly be found would be southwestern South Dakota. I don't think that an escaped European stoat would make it from here to southwestern South Dakota and hybridize endangered American wildlife.

William, if you need any further information, please let me know. You will notice that I am sending a copy of this to Charles Millard. If we can get around to it -- we have a lot of things to discuss -- I will bring it up when I see him at lunch tomorrow.* If I don't, then he will have this letter.

Good luck to you,

Roger A. Caras President

RAC: vca

cc: Councilman Charles Millard

* We did discuss it

N.B. JAGE 270 HAS BEEN OMITTED

SANTA BARBARA · SANTA CRUZ

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SCHOOL OF VETERINARY MEDICINE DEPARTMENT OF MEDICINE

DAVIS, CALIFORNIA 95616

EXHIBIT 27

January 23, 1984

Sharon A. Dant Anchorage Community College 2533 Providence Avenue Anchorage, Alaska 99504

Dear Ms. Dant:

Thank you for your letter requesting information on the ferret. The ferret has been used by man for hundreds of years. As you may be aware, it is derived from the European polecat, Mustella putorius. The references used to list it as a domestic animal are attached.

I don't know what you want on my opinion on ferrets as domestic animals. Do you mean as a pet, or do you mean does it meet the criteria that I outline in my book? As a pet, they can be quite delightful little fellows, especially if they have been hand reared. In the State of California they are illegal. In other states they may be legal. Ferrets adapt quite well to human handling and are not injured by proper handling so that I don't feel it detrimental to the ferret. They thrive on the food that humans can provide as long as it isn't food from their table.

Regulatory officials are fearful that ferrets will escape to the wild and become feral. I don't really think that is possible. Domestic ferrets will hardly catch a live mouse.

There are some good articles on the health and welfare of the ferret, I've included reference to them.

Hope this helps.

Sincerely,

M.E. Fowler, DVM

Professor

Enclosure MEF: j

Ucko, P.J & Dimbleby, G.10.
The Domestication & Exploitation
of Plants & Animals; Chicago,
Aldino. Publishing, 1969.



P.O. Box 1060 Columbia, SC 29202-1060, USA (803) 779-8717 Fax (803) 256-6463 2 January, 1996

Mr. Floyd Carley 3000 Sand Hill Rd., 4-145 Menlo Park, CA 94025

Dear Mr. Carley:

Thank you for writing about ferrets and the origin of the domestic ferret. The European polecat, *Mustela putorius*, is a wild species that is native to Europe; it is still common today.

The European polecat is generally considered to be the ancestor to the domestic ferret, Mustela putorius fero (=Mustela fero); the domestic ferret is considered to be a domestic breed that has been selected from its probable ancestor for color and behavior.

It should also be noted that regardless of the fact that the domestic ferret is considered to be a bone fide domestic species by mammalogists worldwide, their possession by private individuals is variously regulated by states. In South Carolina, for instance, it is legal to possess a domestic ferret but it is not legal to sell one. This is because of the lack of a proven vaccine for rabies.

I hope this is of use to you.

Alan H. Shoemaker

Sincerely yours

Curator of Mammals



January 10, 1996

Mr. Floyd L. Carley 3000 Sand Hill Road, 4-145 Menlo Park, CA 94025

Dear Mr. Carley,

Most zoos use the International Species Inventory System (ISIS) as a taxonomic reference. The ISIS Mamalian reference lists the Mustela putorius furo subspecies as "domesticated".

I hope this is of some assistance.

Sincerely,

Mary Healy

General Curator

DISCOVERY ISLAND

mh/cah

EXHIBIT 39

ARE FERRETS A THREAT TO THE ENVIRONMENT? or IS THE ENVIRONMENT A THREAT TO FERRETS?

- 1. "Lost ferrets are rarely found and usually die soon after they escape." State of New Jersey, Department of Environmental Protection. Exhibit 4, page 102.
- 2. "...stray ferrets do not appear capable of reproducing and establishing themselves in the wild ... young European ferrets in the wild ... are probably not capable of long-term survival." United States Public Health Service Centers for Disease Control, Atlanta, Georgia; Veterinary Public Health Notes, October, 1980 Exhibit 5, page 103.
- 3. "The Domestic Ferret has been domesticated for a very long time and seldom survives in the wild for more than a few days." Robert S. Ellarson, University of Wisconsin. Encyclopedia Americana Grolier 1985.
- 4. "Domesticated Ferrets have become so dependent upon humans that they cannot survive without care and if lost often die within a few days." The Encyclopedia Brittanica Volume 4, page 746-747. Exhibit 36, page 251.
- 5. "Domesticated Ferrets (Mustela Putorius Furo) can survive only in captivity. Pet ferrets that have escaped from captivity have not appeared capable of producing and establishing themselves in the wild. I do not know how long they are capable of surviving in the wild ... Some reports ... suggest they can survive for only three days."

Leigh Ann Sawyer, DVM, MPH Veterinary Epidemiologist United States Public Health Service Letter, January 28, 1986

6. "... there has been no feral populations established or any documented impact on agriculture of native wildlife by domestic ferrets since their legalization as pets in this State in 1996. We do find strays and occasional road killed pets, but there is no evidence that any of those animals has survived for any period of time, or ever taken a wild food item."

Thomas W. French, Ph.D.
Assistant Director
Division of Fisheries & Wildlife
Commonwealth of Massachusetts
Letter, February 10, 1998

EXHIBIT 39 (Continued)

7. "I have direct experience of domestic ferrets and the planned, controlled, and supported release of captive bred, wild polecats. Maintaining a viable group of these animals from a careful release of 132 animals over 4 years has been fraught with difficulty. ... so small is the survival rate that I have ceased to release further animals to an early death."

Graham Wellstead, Ph.D.
Published Author and International Authority
on Domestic Ferrets
Letter, February 16, 1997

8. "Discussions ... with personnel in Arizona, Colorado, Florida, Massachusetts, Michigan, South Carolina, and Wyoming elicited no evidence of feral colonies of ferrets or of any significant survival of the animals in the wild, nor of reported impact on native wildlife caused by escaped domestic ferrets. ..."

California Research Bureau California State Library May 30, 1997

EXHIBIT 40

DOMESTIC FERRETS: WILD OR DOMESTICATED? FERRET LEGALIZATION IN CALIFORNIA

Excerpts From Letters In List Of Exhibits

United States Department of Agriculture

"The APHIS (Animal and Plant Health Inspection Service) animal care regulations ... do not consider the ferret to be wild " Letter 5/3/94, page 22

American Museum of Natural History

"Mustelo Furo is the domestic ferret and is not a wild species." Letter 2/25/95, page 256

The Zoological Society of San Diego

"... The European ferret, Furo. ... is simply a domestic form of the European polecat. It does not exist as a wild animal." Letter 4/26/90, page 257

New York Zoological Society

"(are) the Ferrets you buy in Pet Shops wild or domestic animals? The answer is domestic." Letter, page 258

Chicago Zoological Society

"The ferret is a domestic form of the European Polecat." Letter, 12/19/95, page 260

National Zoological Park - The Smithsonian Institution

"Mustela Putorius Furo, the domestic ferret, is a domestic subspecies, ... bred from ... the wild European Polecat." Letter 1/4/96, page 261

Massachusetts Division of Fisheries and Wildlife

"The fact that these animals represent a domestic species seems biologically quite clear." Letter 1/19/96, page 266

Riverbanks Zoological Park, South Carolina

"The domestic ferret is considered to be a bonafide domestic species by mammologists worldwide." Letter 1/2/96, page 271

Discovery Island, Buena Vista, Florida

"Most zoos, about 500 worldwide, use the International Species Inventory System as a taxonomic reference. The International Species Inventory System mammalian reference lists Musela Putorius Furo subspecies as 'domesticated.'" Letter 1/10/96, page 272

Californians For Ferret Legalization



An Umbrella Organization Representing Hundreds of Thousands of Ferret Enthusiasts in California

EXHIBIT 41

Question:

What do these organizations have in common?

United States Department of Agriculture
United States Public Health Services--Centers for Disease Control
American Museum of Natural History
American Medical Association
American Society for the Prevention of Cruelty to Animals
The Smithsonian Institute of Washington, DC
The California Veterinary Medical Association
The California Poultry Industry Federation
The New Jersey Department of Environmental Protection
The Zoological Society of San Diego
The New York Zoological Society
Ducks Unlimited

Answer:

They all have made statements which contradict the California Departments of Fish and Game and Health Services in matters regarding the domestic ferret.

The enclosed report, "THE CALIFORNIA DEPARTMENTS OF FISH AND GAME AND HEALTH SERVICES VS. EVERYONE ELSE" contains 33 of just the most egregious examples of some 200 instances where statements by these agencies have been directly contradicted by authorities in their field of expertise. (Statements available on request)

Californians For Ferret Legalization

An Umbrella Organization Representing Hundreds of Thousands of Ferret Enthusiasts in California



EXHIBIT 41

April 24, 1998

THE CALIFORNIA DEPARTMENTS OF FISH & GAME & HEALTH SERVICES VS. EVERYONE ELSE

Domestic Ferrets are legal in all the other 48 states on the continent, and in every province and territory in Canada, and in every country of the World--but not in California.

But, of course, there are always two sides to every story:

ARE DOMESTIC FERRETS A MENACE TO NATIVE WILDLIFE IN CALIFORNIA?

ONE SIDE

California Dept. of Fish & Game California Dept. of Health Services

THE OTHER SIDE

"Ferretsare very adept hunters by nature."

Boyd Gibbons, Director

California Dept. of Fish & Game

Letter and Ferret Fact Sheet

March 25, 1994

"Domestic Ferrets will hardly catch a live mouse."

M.E. Fowler, DVM, Prof.Emeritus
University of California, Davis
Letter, January 23, 1984

"... ferrets prey upon ... water fowl"

Boyd Gibbons, Director

California Dept. of Fish & Game

Letter and Ferret Fact Sheet

March 25, 1994

"The Domestic Ferret ... is not considered a threat to waterfowl."

Ducks Unlimited, Inc. Letter, March 6, 1996

Page 1

Ferrets\Ferrets.ltr

ONE SIDE

California Dept. of Fish & Game California Dept. of Health Services

"Great Britain's Bounty System of 200 years of payments to try to eradicate these mustelids offered the bounty on (ferrets)"

Jack C. Parnell, Director California Dept. of Fish & Game Letter, May 12, 1987

THE OTHER SIDE

"It had been suggested, by the California Departments of Fish & Game, that there was a bounty paid on ferrets. This is untrue - a blatant lie. There is no bounty on ferrets - nor has there ever been."

Graham Wellstead, BA, BSC, Ph.D. Published Author and Guest Lecturer on ferrets. Surrey, England Letter, August 2, 1990

"Ferrets ... have contributed to the extinction of 20 species of endemic New Zealand birds and have pushed many others to the brink of extinction."

The above statement is attributed to Carolyn King, in her book "Immigrant Killers," by Drs. Constantine & Kizer in their report (p.34) "Pet European Ferrets: A Hazard to Public Health, Small Livestock and Wildlife"

The statement on the left, attributed to Carolyn King, cannot be found in her book "Immigrant Killers." Instead, the following statement on the same subject is made on page 106:

"There is not a single known extinction or diminution in New Zealand that can be regarded as definitely and solely due to (ferrets and other) mustelids Overseas the story is the same: only 1 percent of 163 extinctions, recorded from Islands all over the world since 1600, have been attributed to mustelids (ferrets, stoats, weasels and polecats) compared with 26% attributed to cats and 54% attributed to rats."

"Immigrant Killers"
Carolyn King, Ph.D.
Scientific Editor
Royal Society of New Zealand

ARE DOMESTIC FERRETS A THREAT TO THE POULTRY INDUSTRY?

ONE SIDE

California Dept. of Fish & Game California Dept. of Health Services

"Ferrets ... prey on ... small livestock, including poultry"

Boyd Gibbons, Director California Dept. of Fish & Game Letter and Ferret Fact Sheet March 25, 1994

"The California Poultry Industry would be very seriously impacted by ferrets."

Jack C. Parnell, Director California Dept. of Fish & Game Letter, May 12, 1987

"Ferrets ... are especially destructive of poultry...."

"Pet European Ferrets:...", p.ii California Dept. of Health Services December, 1988

"They (ferrets) have proved to be exceedingly destructive to small livestock like poultry"

"Pet European Ferrets:...", p.34 California Dept. of Health Services December, 1988

"Ferrets are potential agricultural pests because they are known to prey on commercial poultry." California Dept. of Food &

Agriculture
Letter, April 3, 1996

THE OTHER SIDE

"We have not received any reports of damage to agriculture by ferrets."

Henry J. Voss, Director California Dept. of Food & Agriculture Letter, June 26, 1989

"Our Board felt that allowing Domestic Ferrets to be owned as pets will not threaten or hurt the California Poultry industry."

Bill Mattos, President California Poultry Industry Federation Letter, February 3, 1994

"We are not opposed to AB 2497 (Bill legalizing ferrets) at this time and do not expect that there will be a change in that position."

Richard C. Matters, Exec. Vice-President Pacific Egg & Poultry Association Letter, March 7, 1994

"In my eight years associated with the poultry industry, I can truly say that I have never heard of a predation problem associated with Domestic or wild ferrets."

Indiana State Poultry Association David J. Goldenberg, Ex. Vice President Letter, December 26, 1990

"I have received no complaints from our members in regard to predation of chickens or eggs by Domestic Ferrets"

Virginia Poultry Federation, Inc. Richard W. Moyers, Ex. Vice President Letter, February 19, 1991

ONE SIDE

California Dept. of Fish & Game California Dept. of Health Services

THE OTHER SIDE

"My members suffer very little from predation of chicken or eggs."

The South Carolina Poultry Federation Connie P. Smith, Executive Director Letter, December 19, 1990

"We have received no reports of predation of chickens or eggs by Domestic Ferrets"

Robert W. Adams, Extension Specialist, Poultry Kansas State University Letter, December 17, 1990

"I have not seen or had complaints of predation on chickens or eggs by ferrets"

Georgia Poultry Laboratory M.A. Smeltzer, DVM Letter, December 18, 1990

ONE SIDE

California Dept. of Fish & Game California Dept. of Health Services

THE OTHER SIDE

"Is there a 'proven' vaccine to prevent rabies (in ferrets)? No."

Boyd Gibbons, Director California Dept. of Fish & Game Letter and ferret fact sheet March 25, 1994 "Rhone Merieux is the manufacturer of IMRAB, a killed rabies vaccine which has been approved by the United States Department of Agriculture for use in six species of animals, including ferrets"

Donald G. Hildebrand, President Rhone Merieux
Letter, April 6, 1994

"The Department of Fish & Game agrees that some of the information contained in its previous (ferret) fact sheet and some correspondence provided incomplete and potentially misleading information, including reference to the efficacy of a (ferret) rabies vaccine."

C.F. Raysbrook, Interim Director California Department of Fish & Game Letter, October 24, 1995

ARE DOMESTIC FERRETS LIKELY TO ESTABLISH FERAL COLONIES?

ONE SIDE

California Dept. of Fish & Game California Dept. of Health Services

THE OTHER SIDE

"Presently a feral ferret population exists in Washington State on San Juan Island, Washington, ... where they feed on ... native animals"

"Pet European Ferrets:...", p.35 California Dept. of Health Services December, 1988

"... at least 3 widely separated feral populations of European Ferrets have been reported to be subsisting on prairie dog colonies in New Mexico.

"Pet European Ferrets:...", p.35 California Dept. of Health Services December, 1988 "... there are no ferrets living in Washington that prey upon native wildlife."

Thomas C. Juelson, Ph.D. Nongame Program Manager Dept. of Wildlife State of Washington Letter, April 14, 1988

"Has the New Mexico Dept. of Agriculture ever been made aware of any scientifically documented feral populations of Domestic Ferrets in their state?"

Letter, August 11, 1989 to Ronald J. White, Division Director New Mexico Dept. of Agriculture Letter returned with notation: "No. R.W."

"Feral ferrets abound (emphasis added) in other states with climates far more severe than occurs in most of California."

"Pet European Ferrets:...", p. 15 California Dept. of Health Services December, 1988 The Departments of Fish & Game, or equivalent, in all 50 states have stated, in writing, that there were no feral ferret colonies in their state. (Editor's note)

ONE SIDE

California Dept. of Fish & Game California Dept. of Health Services

"(There are) reproducing feral ferret populations (in): Ohio, Washington, Massachusetts."

D. G. Constantine, DVM, MPH Report, March 6, 1986

THE OTHER SIDE

Letters from the <u>same</u> states: Ohio, Washington, Massachusetts

"No feral populations are known in Ohio and they are not considered to be wild animals."

Patrick M. Roble, Ex. Administrator Wildlife Management & Research Dept. of Natural Resources State of Ohio Letter, October 5, 1987

"... there are no ferrets living in Washington that prey upon native wildlife."

Thomas C. Juelson, Ph.D. Nongame Program Manager Dept. of Wildlife State of Washington Letter, April 14, 1988

"To our knowledge there are not now, nor have ever been, any known feral populations of Domestic Ferrets in Massachusetts."

Richard Cronin, Director Division of Fisheries & Wildlife Commonwealth of Massachusetts Letter, October 8, 1987 **ONE SIDE**

California Dept. of Fish & Game California Dept. of Health Services

"Feral populations (of ferrets) seem to
have developed in California in recent years."

"Pet European Ferrets:...", p.34

California Dept. of Health Services
December, 1988

THE OTHER SIDE

"All available information to date indicates that a feral population of ferrets does not occur in California."

Henry J. Voss, Director

California Dept. of Food & Agriculture
Letter, June 26, 1989

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ARE DOMESTIC FERRETS A THREAT TO PUBLIC SAFETY?

ONE SIDE

California Dept. of Fish & Game California Dept. of Health Services

"All such species (ferrets) are characterized by a relatively high frequency of biting compared to dogs."

"Pet European Ferrets:...", p.16 California Dept. of Health Services December, 1988

THE OTHER SIDE

"The number of bites inflicted by ferrets appears to be substantially lower than those by dogs ... serious bite injuries were recorded as 44,000/year for dogs and 12/year for ferrets."

Statistics from Centers for Disease Control and Journal of American Medical Assn. Reported in Journal of the American Veterinary Medicine Association Volume 193, No. 9, November 1, 1988

"The animals (Domestic Ferrets) have been reported to then drink the victim's blood and eat the shredded tissues."

"Pet European Ferrets:...", p.i California Dept. of Health Services December, 1988 "The summary (Pet European Ferrets) states that ferrets eat the shredded tissue and drink the blood. Normal ferret feeding on meat takes the form of chewing meat off the main portion, not biting it to produce a shredded meal. I know of no animal where this can be said to be the case. The statement is nonsense."

Dr. Graham Wellstead, BA, BSC, Ph.D Published Author and Guest Lecturer on Ferrets and cited as a source of information in "Pet European Ferrets." Letter, August 27, 1995

"Ferrets,, like pit bulls, have been bred to be especially ferocious"

"Pet European Ferrets:...", p.17 California Dept. of Health Services "... ferrets are similar to domestic cats in many ways ... their behavior is docile and cat-like, unlike that which would be expected of a normal, wild mustelid."

Centers for Disease Control United States Public Health Services Veterinary Public Health Notes October, 1980

ARE DOMESTIC FERRETS WILD ANIMALS-OR DOMESTICATED ANIMALS?

ONE SIDE

California Dept. of Fish & Game California Dept. of Health Services

"The Commission has determined that ferrets are not normally domesticated in California. In California,

therefore, ferrets are wild animals."

Jack C. Parnell, Director

California Dept. of Fish & Game
Letter, May 12, 1987

"The (Calif.) Department (of Food and Agriculture) considers ferrets to be 'wild' animals"

Calif. Dept. of Food & Agriculture Letter, April 3, 1996

THE OTHER SIDE

"... under the APHIS animal care regulations, they do not consider the ferret to be wild ... they ... consider the ferret to be a pet, or domestic."

Richard Reynnells
National Program Leader
Poultry Science and Fur Bearing Animals
United States Dept. of Agriculture
Letter, May 3, 1994

"Most zoos (about 500 worldwide) use the International Species Inventory System (ISIS) as a taxonomic reference. The ISIS mammalian reference lists the Mustela Putorius Furo (Domestic Ferrets) subspecies as "Domesticated."

Mary Healey, General Curator Discovery Island Letter, January 10, 1996

"... regarding the European Ferret, Furo, this is simply a domestic form of the European polecat. It does not exist as a wild animal."

James M. Dolan, Jr., Ph.D. Director of Collections The Zoological Society of San Diego Letter, April 26, 1990

"Mustela Furo is the Domestic Ferret and is not a wild species."

Bryon J. Mader American Museum of Natural History Letter, September 25, 1995

ONE SIDE

California Dept. of Fish & Game California Dept. of Health Services

THE OTHER SIDE

"Mustela Putorius Furo, the Domestic Ferret, is a domestic subspecies ... probably bred from ... the wild European polecat over 2,000 years ago."

Benjamin B. Beck Associate Director for Biological Programs National Zoological Park Smithsonian Institution Letter, January 4, 1996

156 authoritative sources have stated, in writing, that Domestic Ferrets are not wild animals but are domesticated animals. (Editor*s note)

THE CALIFORNIA DEPARTMENTS OF FISH & GAME & HEALTH SERVICES VS. EVERYONE ELSE

Part II

ONE SIDE

California Dept. of Fish & Game California Dept. of Health Services

"The state of Massachusetts has adopted a law (with) restrictions against ferrets because...wild ferrets decimated a population of endangered terns"

> Jack C. Parnell, Director California Dept. of Fish & Game Letter, February 26, 1986

"...(the) commonly espoused advice to wear gloves when handling these animals (ferrets) ...Wellstead, 1982"

"Pet European Ferrets:...", p. 21 California Dept. of Health Services December 1988

THE OTHER SIDE

"(The) report that there are certain colonies of ground-dwelling terns that have suffered depredation by domestic ferrets comes as a surprise to this agency.

...there has never been a recorded case of tern predation by a ferret in Massachusetts. In fact, I have never heard of such a case anywhere in North America."

> Thomas W. French, PhD Assistant Director Division of Fisheries & Wildlife Commonwealth of Massachusetts Letter, February 20, 1991

"I strongly object to my name being used to suggest a ferret is best handled with gloves (page 21). Nowhere in my book do I suggest that gloves are required when handling ferrets. The reverse is true."

Dr. Graham Wellstead, BA,BSc,PhD Published author and guest lecturer on ferrets and cited as a source of information in "Pet European Ferrets"

Letter, August 27, 1995

ONE SIDE

California Dept. of Fish & Game California Dept. of Health Services

"Ferrets were bred to be bold, savage fighters..." December 9, 1987

Denny G. Constantine Co-author of "Pet European Ferrets..." Published by the California Dept. of Health Services, 1988

"Ferrets free ranging in the wild" ...are going to feed themselves.

Terry Mansfield, Chief Wildlife Management Division California Dept. of Fish & Game Fish & Game Commission Meeting November 2, 1995

"Training of ferrets and persons who handle them is required to avoid ferret bites or more extensive attacks. Ferret owners and handlers must learn to avoid behavior which elicits attacks.

...Wellstead 1982..."

Denny G. Constantine, DVM December 9, 1987

THE OTHER SIDE

"...ferrets are considered to be easily handled and non-dangerous, and are now commonly bred and kept as pet animals"

US Dept. of Agriculture Animal Welfare, Proposed Rules March 31, 1987

"...there have been no feral populations established or any documented impact on agriculture or native wildlife by domestic ferrets since their legalization as pets in this state in 1996. We do find strays and occasional road killed pets, but there is no evidence that any of these animals has survived for any period of time or ever taken a wild food item."

Thomas W. French, Ph.D. Asst. Dir., Div. of Fisheries & Wildlife Commonwealth of Massachusetts Letter, February 10, 1998

"Ferrets were artificially selected to hunt in concert with man, acting as flushers to scare rabbits out of warrens. They only hunt effectively in confined spaces and mostly have a low capture success"

> "The Domestic Ferret as a Threat to Wildlife" 1988 Dr. V. J. Fitzgerald Dept. of Biological Sciences University of Iowa

"I have kept domestic ferrets...for 45 years. During that time, I have never, at any time, been attacked by domestic ferrets, nor have any of my family, friends or associates."

> Dr. Graham Wellstead, BA,BSc,PhD Published author and guest lecturer on ferrets Letter, August 27, 1995

ONE SIDE

California Dept. of Fish & Game California Dept. of Health Services

"This Department's position is based on problems caused by wild populations of European ferrets in other states...two states, Massachusetts and Washington are examples of states with ferret problems"

Jack C. Parnell, Director California Dept. of Fish & Game Letter, February 1986

THE OTHER SIDE

Massachusetts

"To our knowledge there are not now, nor have ever been, any known feral populations of domestic ferrets in Massachusetts"

> Richard Cronin, Director Division of Fisheries & Wildlife Commonwealth of Massachusetts Letter, October 8, 1987

Washington

"...there are no ferrets living in Washington that prey upon native wildlife"

Thomas C. Juelson, PhD Nongame Program Manager Dept. of Wildlife State of Washington Letter, April 14, 1988

"Ferrets...are classified as wild animals according to the Centers for Disease Control (CDC)"

Weekly Report 1 Infectious Disease Branch California Dept. of Health Services Weekly Report March 24, 1989 "Ferrets have been domesticated for centuries..."

US Public Health Services Centers for Disease Control Veterinary Public Health Notes October 1980

May 30, 1997

EXHIBIT 42

Ferrets: a Selective Overview of Issues and Options

Prepared By Kenneth W. Umbach, Ph.D.

This is a selective review of background and issues, drawn primarily from existing documents and articles, supplemented by interviews with state and federal personnel in several states.

What is a ferret?

"Ferret" is the common name for Mustela putorius furo, a subspecies of the polecat, Mustela putorius. (The skunk, sometimes incorrectly called a "polecat" is a different species from the polecat, although both species emit a malodorous spray.)

The black-footed ferret, Mustela nigripes is a different species, and is endangered. In 1986, only 18 individuals of the species remained, although an effort is underway to breed and reintroduce the species into the Midwest area of the U.S.

Except as otherwise specifically noted, the information below refers to the domesticated ferret, often kept as a pet where allowed (currently in all states but California and Hawaii) and sometimes used for hunting and pest control. This discussion does *not* encompass the black-footed ferret or the polecat except as explicitly mentioned.

Ferrets are sometimes humorously called "carpet sharks" and described as "fur-covered Slinkies" (in recognition of their flexibility) or "sock-puppets with legs." They are widely viewed as playful, curious, highly active, and sociable, although not inclined to become attached to a home ("lacking a homing instinct"). They are carnivores and require a meat-based diet. Their teeth are unusually sharp, even when they are quite young, and they tend, as one biologist put it, to "explore the world with their mouths."

The domestic ferret can interbreed with the European polecat and is related to a family of animals that include weasels, skunks, the black-footed ferret, and the steppe polecat. Evidence on the origins and biological pedigree of the domestic ferret is subject to some disagreement in the literature. Ferrets are claimed to have been domesticated for over two thousand years, and have been used as aids in hunting, especially rabbits.

Ferrets are permitted as pets in all states of the continental U.S. except California, and some observers estimate that there are from 100,000 to 500,000 domestic ferrets kept as pets in California despite the prohibition. A Michigan official noted that Michigan went

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from zero ferrets (officially, as they were prohibited) to 200,000 overnight when they were legalized a few years ago, and "they did not all just come in over the state line that day."²

What Are the Asserted Issues With Respect to Ferrets?

Three primary points have been raised by the California Department of Fish and Game in "Department of Fish and Game Ferret Fact Sheet, March 25, 1994." Views expressed in this fact sheet may be summarized as follows:⁴

- 1. Ferrets may bite (and perhaps otherwise attack), and may be especially prone to bite or scratch children and infants.
- 2. There is no proven vaccine against rabies in ferrets.
- 3. Ferrets may threaten native wildlife.

The discussion below summarizes these views, responses to them, and available information.⁵

1. Bites and other attacks

DFG Views

The Department of Fish and Game has asserted that ferrets have a proclivity to bite and may bite in a frenzied fashion that is especially dangerous to small children and infants.

Ferret Proponents' Response

Proponents respond that ferrets are less likely to bite than are dogs and cats and have not exhibited large numbers of bite incidents.

Evidence and Discussion

A few incidents of severe attacks on children or infants by ferrets have been cited. Among these was an attack on a young girl who testified at the April 15, 1997, hearing of the Assembly Committee on Water, Parks, and Wildlife. The attack had taken place when the girl was an infant. That incident caused severe facial damage, only partially repaired through plastic surgery. The most egregious incident cited by DFG, one that resulted in death, involved two starved ferrets reportedly left alone with an infant through parental neglect.⁶

By comparison, a 1989 article in the *Journal of the American Medical Association* reported that "more than 2 million persons are bitten [by dogs] yearly," with a particularly high death rate for infants.⁷

May 30, 1997

After adjusting for comparative numbers of the animals, dogs are at least 200 times more likely to bite than are ferrets, according to data for 1978 to 1988 reported in the *Journal of Veterinary Medicine* and calculations based on estimated numbers of dogs and ferrets.⁸

Conclusion

Ferrets have not been demonstrated to pose an unusual risk of bites, but like all domestic animals are capable of inflicting injury, have done so in documented cases, and should never be left alone with infants or small children. Pet ferrets should be raised in a way that discourages biting and other aggressive behavior and encourages docility.

2. Rabies

DFG Views

The Department of Fish and Game has asserted that there is no proven vaccine to prevent rabies in ferrets.

Ferret Proponents' Response

Proponents respond that a rabies vaccine (IMRAB-3) exists and meets standards for effectiveness.

Evidence and Discussion

Rhone Mirieux, the producer of the rabies vaccine IMRAB-3, has formally advised the Department of Fish and Game (by letter, April 6, 1994) that its vaccine exceeds U.S. Department of Agriculture requirements in ferrets, and has advised the department to cease claiming otherwise.⁹

It should be noted, however, that ferrets are typically sold at 6 to 7 weeks, but cannot be inoculated against rabies until 12 weeks. ¹⁰ This puts the burden of assuring inoculation on the new pet owner. ¹¹ The same burden applies to those who acquire kittens and puppies, which are typically taken to a new home at about 8 weeks but not inoculated until age 4 months. ¹²

Documented cases of rabies in domestic ferrets appear to be extremely rare (only 21 documented from 1958 to 1996). This may in part be the result of domestic ferrets, unlike cats and dogs, being almost exclusively housebound. (They tend to wander away from home if left outside, and rarely find their way back.) Pet ferrets, therefore, are relatively unlikely to encounter a rabid animal from which they might acquire the disease. Statistics cited above appear to bear this out.

Conclusion

Rabies vaccination should be required for domestic ferrets, just as it is for domestic cats and dogs. Ferrets sold at or after 12 weeks of age should be vaccinated before sale. For those sold at the typical 6 to 7 weeks, it is vital that owners be advised of the requirement to have the animals vaccinated at 12 weeks.

3. Hazard to wildlife

DFG Views

The Department of Fish and Game has asserted that domestic ferrets may escape their homes, form feral colonies, and prey on native wildlife. The Department also asserts that ferrets may carry diseases that could threaten native wildlife.

Ferret Proponents' Response

Proponents respond that ferrets do not ordinarily survive more than about 3 days outside the home and are not known to have established feral colonies anywhere without substantial, concerted efforts to create such colonies.¹⁴

Evidence and Discussion

Robert S. Ellarson, of the University of Wisconsin, asserts in the article "Ferrets" in *Encyclopedia Americana* that ferrets do not survive more than about 3 days in the wild.

Some experts believe on the basis of observation and experience that ferrets could survive longer than 3 days, but that survival would be in weeks, not months. One wildlife biologist, however, did assert that he has seen the killing ability and instinct in ferrets personally, and offered the opinion that individual ferrets could survive and predate. Dean Biggins, a leading expert on the black-footed ferret and project leader for the black-footed ferret project, U.S.G.S. Biological Resources Division, did explain how difficult it has been to reestablish those animals in the wild, even though they are much closer to their wild progenitors (in terms of generations in captivity) than are domestic ferrets. He noted that ferrets keep their ability to hunt and kill better than the ability to elude predators. He asserted that escaped domestic ferrets (like the black-footed ferrets) are more likely to become prey than to survive long as predators in any area with predators (including cats and dogs).

The latter point bears on the feral colonies of ferrets in New Zealand. Ferrets (and other predators) were introduced there to combat unwanted rabbit populations. The feral colonies could be established and maintained there because of a lack of predators that in other places would kill the ferrets. New Zealand, therefore, differs from the United

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States. In the United States, ferrets would likely fall prey to cats, dogs, various wildlife, and even some raptors (birds of prey, such as hawks).¹⁷

Discussions (by telephone) with personnel in Arizona, Colorado, Florida, Massachusetts, Michigan, South Carolina, and Wyoming elicited no evidence of feral colonies of ferrets or of any significant survival of the animals in the wild, nor of reported impact on native wildlife caused by escaped domestic ferrets. This is consistent with the reports from various state wildlife agencies included in the California Domestic Ferret Association compilation.¹⁸

Conclusion

It appears improbable that domestic ferrets could establish feral colonies in California, given the risks of ferrets themselves being prey. While individual ferrets might survive up to a few weeks in the wild, they are very unlikely to survive longer than that. Despite the lack of documented examples, 19 the possibility cannot be excluded that escaped ferrets might do significant damage to wildlife, such as ground-nesting birds, and possibly including endangered species, during a period up to a few weeks of survival, even without establishing continuing colonies. Ongoing releases or escapes of domestic ferrets might replenish the population in the wild, even if the animals were not reproducing, and this could contribute to a continuing hazard to wildlife.

Ferrets would be less likely to pose a hazard of "going feral" if (1) sales of ferrets within California were limited to licensed breeders and suppliers; (2) ferrets were required to be spayed or neutered (possibly with a registration requirement to encourage compliance); (3) any pet ferret brought into the state (not purchased from a recognized, in-state breeder or supplier) were required to be spayed or neutered (and registered, if appropriate); and (4) a public education campaign were conducted within the State to inform Californians of proper care for ferrets, including the importance of keeping them indoors or under proper supervision when outdoors, and the requirement that they be spayed or neutered.

No one can predict with certainty whether ferrets would damage native wildlife in California. California Department of Fish and Game wildlife biologist Ronald Jurek noted that even 20 years ago, the red fox, which was introduced into the state (though not as a domestic animal) a century ago, was not viewed as a threat, although it has clearly become one since.²⁰

How Could the Issue of Wildlife Impact be Tested?

Following are options for consideration. These are not intended as recommendations.

Wildlife biologists might be able to fit a number of ferrets with miniature transmitters and set them loose in a designated area to track their movements. If the ferrets do not survive, that would tend to support the view of the proponents. If they in fact attack wildlife or

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endanger habitat in the designated area and if they survive for a significant period, then that would be significant evidence against legalization. Alternatively, a number of ferrets could be set loose in secured areas (but not fitted with monitoring devices) and their survival and impacts observed over a period.²¹

Alternatively, and easier to accomplish, the Legislature could commission an extensive and impartial survey of states in which possession of ferrets is legal, conducted by an agency or organization, such as the California Research Bureau, that is not a party to the dispute over legalization, to determine what impacts have been observed. Such a survey could query academic experts, state wildlife officials, state and local chapters of wildlife organizations, veterinary organizations, and farm organizations.

Selected Policy Options

The following are options, not recommendations.

- No change—continued prohibition. Continue to prohibit domestic ferrets in California. One risk of this option is that the ferrets that are already kept as pets in California would be less likely to receive necessary and appropriate vaccinations and veterinary care than they would if permitted.
- End the prohibition without restriction or qualification. One risk of this option is the possibility of escaped or released ferrets becoming a nuisance or a hazard to wildlife.
- Permit ownership of pet domestic ferrets (Mustela putorius furo), with requirements that they (1) be provided only through licensed breeders/sellers (or through animal welfare agencies, such as local animal control departments and humane societies), (2) be vaccinated against rabies (and other diseases as may be appropriate as a public health concern), (3) be spayed or neutered before being sold or given to pet owners, 22 and (4) be the subject of a public education campaign designed to assure that pet owners understand the circumstances under which ferrets are and are not appropriate pets. This option might reduce the risks of the previous option, but would involve potential costs of regulation, enforcement, and education.
- Permit ownership of pet domestic ferrets, with requirement for a subsequent formal study of impact on wildlife. This option was proposed in the April 15, 1997, hearing of the Assembly Water, Parks, and Wildlife Committee as an amendment to AB 363 (Goldsmith). Under this option, details yet to be announced, a formal scientific study would be commissioned for completion within five years of legalization of pet ferrets. The study would determine what impact on native wildlife, if any, had resulted from the change in the law through infiltration of escaped ferrets into natural settings.

This option raises a possible concern that, if the study found detrimental effects, it would be too late or too difficult to correct them and disruptive to attempt at that time to again prohibit ownership of domestic ferrets in California. It is possible that legalization would lessen the care with which current (but illegal) ferret owners assure that their pets do not leave their homes, and that there might therefore be increased risk of predation by ferrets upon native wildlife or even establishment of feral colonies.

On the other hand, this option would provide at least some assurance that impacts would be studied properly within a defined and reasonably near-term period while enabling ferret owners to have their pets vaccinated, spayed or neutered, and provided with other necessary and appropriate veterinary care, which is not currently available in California.

Those who are confident, on the basis of existing data, that domestic ferrets do not pose a risk to native wildlife in California may favor the choice to legalize now, with the safeguard of follow-up study of impacts. Those who feel that the evidence indicates a demonstrated threat to native wildlife may prefer to study potential impacts more thoroughly before legalization in California. Such a prior study could take the form of (1) scientific testing of ferret survival capacities in California under controlled conditions, (2) systematic examination of evidence from other states and nations and preparation of an impartial and thorough report on the findings, or (3) both.

Sources

This overview has drawn from encyclopedias and newspaper, magazine, and journal articles; information (unverified but consistent with other sources consulted) posted on various ferret-related sites on the Internet; a compendium of documents labeled "Ferret Legalization in California" provided by the California Domestic Ferret Association (apparently 1995); an interview with California Department of Fish and Game wildlife biologist Ronald Jurek; and interviews with state officials and staff members in Arizona, Florida, Massachusetts, Michigan, and South Carolina, and federal wildlife biologists in Colorado and Wyoming. I have also spoken online with some ferret owners in other states (by way of America Online) and with the President of the Great Lakes Ferret Association (by telephone).

Notes

- Wildlife Biologist Ronald Jurek, of the California Department of Fish and Game, disputes this assertion, and believes that the ferret has been domesticated for a far shorter period. (Personal communication, April 25, 1997.)
- ² Dr. Stephen Halstead, head of the Companion Animal Program, within the Division of Animal Industry, personal communication, April 4, 1997.
- ³ The Department of Fish and Game provided this two-page fact sheet in April 1997.
- ⁴ Other issues are addressed in the fact sheet as well. The ones listed here appear to be the most prominent in public discussion of ferret legalization.
- ⁵ This is by no means an exhaustive review of the literature regarding ferrets. Wildlife biologist Ronald Jurek, of the Department of Fish and Game, has advised me that a review of evidence regarding ferrets is being prepared for publication (and is currently in draft form) by researchers with the University of California at Davis. (Personal communication, April 25, 1997.)
- ⁶ See letter from Dr. Graham Wellstead to Floyd L. Carley, August 27, 1995. This is "Exhibit 18" (pp. 157-162, of the compilation titled "Ferret Legalization in California," prepared by California Domestic Ferret Association and cited below simply as "the compilation." See particularly at p. 158, last paragraph.
- ⁷ Jeffrey J. Sacks, Richard W. Sattin, and Sandra E. Bonzo, "Dog Bite-Related Fatalities From 1979 Through 1988," JAMA, September 15, 1989 (Vol. 262, No. 11), p. 1492. This is "Exhibit 20" of the compilation, pp. 170-173.
- See, for example, Michael Lynch, "Ferreting out the Facts on the California Department of Fish & Game War on the Domestic Ferret" (Pacific Research Institute for Public Policy briefing, May 1996, p. 15), which in turn cites 193 JAVMA 1031 (1988). An extract from the latter is included in the compilation as "Exhibit 17," p. 154.
- ⁹ "In February 1990, the first rabies vaccine was approved by the U.S. Department of Agriculture for use in ferrets. Rhone Merieux, with their IMRAB-3 was shown to be at least 94.4% effective in preventing rabies in ferrets for up to one year following vaccination. This was verified through testing 90 ferrets, 3 times the number of animals required by the USDA. The vaccine has a proven effectiveness greater than required (86.7%, a number derived for the dog.)" Richard K. Bossart, "Ferret Rabies Information Summary," http://www.acmeferret.com/infobank/research.htm. See also Charles E. Rupprecht. et al., "Current issues in rabies prevention in the United States: health dilemmas, public coffers, private interests," Public Health Reports, September 19, 1996 (Volume 111, No. 5). The latter report alludes to rabies vaccination for ferrets (not mentioning IMRAB specifically), and cites (at note 17) a 1990 publication in the Journal of the American Veterinary Medical Association (196:1614-1616) reporting "Evaluation of an inactivated rabies virus vaccine in domestic ferrets" (M. Niezgoda, et al.). The Rupprecht, et al., article noted that "Since 1958, only 21 rabid ferrets have been documented by CDC through national surveillance activities" (in contrast to 146 cases for dogs in 1995 alone).
- The State of Michigan, which legalized ferrets in 1995 and modeled its laws after those of other states where the animals were already permitted, requires that ferrets 12 weeks of age and over be vaccinated against rabies by a veterinarian. (Marsha Weld, Companion Animal Program, personal communication, April 28, 1997). Vaccination of ferrets against rabies is required in all nine states with which Micki Wingate, President of the Great Lakes Ferret Association (headquartered in Michigan) is familiar. Ms. Wingate believes the rabies vaccination requirement to be typical of virtually all states that permit ferrets. (Personal communication, April 28, 1997.)
- ¹¹ Bob Arini, Division of Fisheries, Wildlife, and Environmental Law, State of Massachusetts, by telephone. April 2, 1997. Mr. Arini added that ferrets are less effectively socialized at age 12 weeks, so pet stores (and ferret buyers) prefer not to wait until the animals are old enough for vaccination.

May 30, 1997

12 Information provided by Greenback Veterinary Clinic, Orangevale, California.

¹³ See note 8.

¹⁴ I have not seen responses specifically related to DFG's expressed concerns about spread of disease to native wildlife by ferrets. DFG expresses concern that ferrets "could expose native California wildlife to" Aleutian disease [emphasis added], but does not cite examples of such spread in its fact sheet.

¹⁵ This view, expressed explicitly by Dr. Stephen Halstead, head of the Michigan state "Companion Animal Program," is consistent with comments offered by wildlife research biologist Dean Biggins, project leader for the black-footed ferret project, U.S.G.S. Biological Resources Division.

¹⁶ Mike Lockhart, U.S. Fish and Wildlife Service, personal communication, April 3, 1997.

¹⁷ These comments reflect views of federal wildlife biologist Dean Biggins (personal communication) and of ferret expert Graham Wellstead, of England, who testified at the April 15, 1997, hearing of the Assembly Committee on Water, Parks, and Wildlife.

These reports are reproduced in "Exhibit 2" of the compilation, but are all about 9 to 10 years old.

¹⁹ Excluding the unusual cases of deliberate introduction of ferrets in New Zealand and on San Juan Island, off the coast of Washington State.

²⁰ Interview, April 25, 1997. For additional information on the red fox in California, see "Managing Non-Native Species in California: The Red Fox," California Department of Fish and Game (undated).

²¹ I have not attempted to determine whether these options are actually feasible.

²² Ferrets may be spayed/neutered as early as 6 to 7 weeks, the age at which they typically might be sold to pet owners.

Adoption of this option would not preclude other precautions, such as mandating of spaying/neutering, requirement of vaccination, and public education about any risks associated with domestic ferrets.



EXHIBIT 43

TELEPHONE: FACSIMILE:

(09) 379-9735 (09) 379-7230

POSTAL: HEAD OFFICE: P.O. Box 130, Albany, Auckland, New Zealand. 113 Vincent Street, Auckland 1.

27 August 1997

KPING ISO 9001 Registered





Californians for Ferret Legalisation 410 Mountain Home Road Woodside California 94062

Facsimile No.: 001 415 8540213

Dear Sir,

Re: Ferrets In New Zealand

Further to our conversation I write to confirm my understanding of the ferret situation in this country.

My company is responsible for animal control work in a number of Cities within the greater Auckland Area.

These cities include high density urban areas as well as less populated rural communities.

In my twenty three years of experience with animal control work in New Zealand, ferrets have never been a problem.

I recently attended a National Animal Control Conference and as I was aware of the legislation in your state re ferrets, I questioned many animal control personnel as to whether or not they had or were experiencing problems with ferrets.

The answer from each and everyone of these people involved in Animal Control professionally was that, Ferrets did not create a problem.

I have been in touch with a number of official agencies in this country about the topic and no one knew of any problem with ferrets.

In New Zealand ferrets are kept as a domestic pet, we have feral ferrets and they are also farmed.

In the world of animal control in New Zealand, ferrets are not a problem.

ANIMAL CONTROL SERVICES

Please call me if I can be of any further help to you or if you require and additional information.

Yours sincerely,

Kenneth J. Muir

GOVERNING DIRECTOR

EXHIBIT 44

STATEMENTS IN DEPARTMENT OF FISH AND GAME REPORT TO FISH & GAME COMMISSION FEBRUARY 26, 1986

STATEMENT

COMMENTARY

1. "This Department's position is based on problems caused by wild populations of European Ferrets in other states ..."

There <u>are</u> no wild populations of European Ferrets in other states. This has been confirmed in writing by the Dept. of Fish and Game, or equivalent, in all 50 states, including California. (Ex. 2) There are no agricultural problems (e.g., poultry) in other states. This has been confirmed in writing by the Department of Agriculture, or equivalent, in all 50 states, including California. (Ex. 3)

"Wild populations of European Ferrets have greatly reduced certain native populations of birds in New Zealand."

There is not a single known ... diminution in New Zealand that can be regarded as definitely and solely due to (ferrets and other) Mustelids. . . . An authoritative survey in 1973 concluded, 'It is actually difficult to attribute the decline of any native bird directly to Mustelids.'"

Carolyn King, Ph.D., Scientific Editor Royal Society of New Zealand "Immigrant Killers" p. 106

"Two states, Massachusetts and Washington, are examples of states with ferret problems."

MASSACHUSETTS:

"To our knowledge there are not now, nor have ever been, any known feral populations of Domestic Ferrets in Massachusetts."

Richard Cronin, Director Dept. of Fisheries & Wildlife Commonwealth of Massachusetts Letter, October 8, 1987

STATEMENT

COMMENTARY

WASHINGTON:

"There are no ferrets living in Washington that prey upon native wildlife."

Thomas C. Juelson, Ph.D. Nongame Program Manager Dept. of Wildlife State of Washington Letter, April 14, 1988

4. "A wild population of ferrets developed (in Washington) on the San Juan Island..."

Domestic Ferrets were deliberately released in the late 70's in the wild in the San Juan Islands in an effort to control exotic European rabbits. This introduced population dwindled down and disappeared by the mid 80's.

Juelson letter, 4/14/88

5. a. "By 1985 the European rabbit was decimated (by Domestic Ferrets) on San Juan Island...

"The San Juan rabbit population ... suffered a decline associated with reduced reproduction ... possibly (of) a specific disease of the reproductive tracts..."

W. Frederick Stevens, May, 1982

b. ... as was the native mink population on San Juan Island."

"Mink are vicious fighters ... the attempt of a ferret to attack a mink is unlikely to be repeated."

V. Jean Fitzgerald, Ph.D. Dept. of Biology University of Iowa Letter, February 2, 1997

6. "California's restrictive laws (on ferrets) are suddenly becoming the model to which other states look with envy."

Other states began abolishing restrictions on Domestic Ferrets in 1985 (Maine) and by 1995 California was the only remaining state on the continent where ferrets were not legal.

7. "Wild ferrets decimated a population of endangered terns (in Massachusetts)."

"There has never been a recorded case of tern predation by a ferret in Massachusetts. In fact, I have never heard of such a case anywhere in North America."

> Thomas W. French, Ph.D. Assistant Director Commonwealth of Massachusetts Division of Fisheries and Wildlife Letter, February 19, 1991

Mémorandum

EXHIBIT 45

304

Fish and Game Commission

Date: February 26, 1986



From : Department of Fish and Game

Subject: Requested Analysis of Potential Problems Associated With Commission Authorization to Utilize European Ferrets for Pet Purposes in California

The Fish and Game Commission, at their November 1, 1985 meeting in San Diego, requested an in-depth analysis of potential problems anticipated if the Commission authorized the importation and possession of European Ferrets for pet purposes in California. At that same meeting, the Commission approved the request of Paul and Gloria Himmelberger to possess two neutered female ferrets.

Section 2116.5 of the Fish and Game Code clearly identifies the intent of the State Legislature as that section reads, in part, "...It is the intention of the Legislature that the importation, transportation, and possession of wild animals shall be regulated to protect the health and welfare of wild animals captured, imported, transported, or possessed to reduce the depletion of wildlife populations, to protect the native wildlife and agricultural interests of this state against damage from the existence at large of certain wild animals, and to protect the public health and safety in this state." The Legislature also emphasizes the prevention of damage to native wildlife and agricultural interests in Sections of the Fish and Game Code:

2118 (b) "... families Viverridae and Mustelidae in the order Carnivora are restricted because such animals are undesirable and a menace to native wildlife, the agricultural interests of the state, or to the public health or safety." (the family Viverridae includes mongooses and Mustelidae includes ferrets);

2120 directs the Fish and Game Commission to promulgate regulations in cooperation with the Department of Food and Agriculture "... to prevent damage to the native wildlife or agricultural interests of the state...".

The Departments of Health Services, Food and Agriculture and Fish and Game all provided position statements to the Fish and Game Commission at their November 1985 meeting that unanimously requested the Commission to retain existing regulations that restrict the importation, transportation and possession of ferrets in California. All three Departments are prepared to reaffirm that unanimous position after holding two investigative/coordination meetings; one with the ferret owner's representative and one with U. S. Fish and Wildlife with the ferret owner's representative. Additional information relating to the Animal Damage Control representative. Additional information relating to the undesirability of ferrets has been assembled that support an even stronger statement from the three Departments.

The Department of Fish and Game is opposed to the addition of female ferrets, even when neutered, to the present exemption that allows neutered males (Section 671.2, Title 14) under Department permit. We believe that a retraction of any of the present restrictions on ferrets will result in numerous wild populations of ferrets becoming established in California to the serious detriment of native mustelids and a great many species of native birds.

This Department's position is based on problems caused by wild populations of European ferrets in other states and countries. California has had minimal problems to date and we would like to keep it that way. Wild populations of European ferrets have greatly reduced certain native populations of birds in New Zealand. Two states, Massachusetts and Washington are examples of states with ferret problems. One had laws to regulate wild animal possession before their problems (Washington) and the other (Massachusetts) adopted laws after their ferret problems developed. The State of Massachusetts has adopted a law that is somewhat similar to the California restrictions against ferrets because 1) ferrets were being used illegally to hunt game birds and mammals and 2) wild ferrets decimated a population of endangered terms. The State of Washington has restrictive laws against wild animals ownership (Dr. Stanley L. Diesch, DVM, 1982) like California and does not have a ferret problem on the mainland. However, European ferrets were purposaly released on the San Juan Island, Washington to control European rabbits (a pest species). A wild population of ferrers developed during the mid to late 70's that produced 2 road kills (by vehicles) per year in 1977, 4 road kills in '78 and 15 in '79 (Report - San Juan Environmental Studies, W.F. Stevens, October 15, 1979). By 1985 the European rabbit, once a common pest, was decimated as was the native mink population on San Juan Island (phoned report, Robert Everett, December 1985).

Assemblywoman Mojonnier and Assemblyman J. Lewis and J. Eaves have written to indicate their support of the ferret owners interests. We are not aware of any proposed legislation to change the Fish and Game Code to relax regulations affecting ferrets, however, we will be surprised if such legislation isn't introduced in the near future.

As ferrets are becoming more numerous across the nation, California's restrictive laws are suddenly becoming the model to which other states look with envy. We are thankful for the foresighted wisdom that recommended restrictive laws to regulate the importation, transportation and possession of European ferrets in California. We are indebted to the California Legislature and the Administration that approved and adopted these laws.

Jack C. Parnell

cc: Kenneth W. Kizer, MD., MPH
Director of Health Services
Clare Berryhill, Director
Department of Food and Agriculture



Division of Fisheries & Wildlife

Wayne F. MacCallum, Director

20 February 1991

William B. Phillips
The California Domestic Ferret Association
P.O. Box 1868.
Healdsburg, CA 95448



Dear Mr. Phillips:

Your report that there are certain colonies of ground-dwelling terns in Massachusetts that have suffered depredation by domestic ferrets comes as a surprise to this agency.

The Massachusetts Division of Fisheries & Wildlife has coordinated the annual survey of all tern colonies in the state for many years. These surveys currently monitor nearly 14,000 pairs of four tern species at about 70 sites. Although predation and colony disruption by striped skunk, raccoon, and red fox is frequently encountered, there has never been a recorded case of tern predation by a ferret in Massachusetts. In fact, I have never heard of such a case anywhere in North America.

Our State Ornithologist, Brad Blodget, feels that he may have been the source of the seeds from which this report has evolved. Brad remembers a phone conversation with a person that he believes represented the California Department of Fish & Game that occurred about 1980. The person in California was calling to ask if domestic ferrets were legal to keep as pets in Massachusetts and was interested to learn of any wildlife problems that might have been caused by ferrets.

Ferrets were not (and are still not) legal to keep as pets, and Brad was unaware of any wildlife problems caused by ferrets in Massachusetts. However, Brad remembers relating a law enforcement case which had recently occurred in which a Mr. John McGraw operated a boat service from the mainland of Cape Cod to Monomoy Island which was then our largest tern colony. Mr. McGraw illegally possessed a ferret and took it with him on all of his boat trips. When efforts were made by law enforcement officers to seize this ferret, the welfare of the Monomoy tern colony was cited as a particular concern in this case. When asked by the person from California if he thought the escape of this ferret on Monomoy Island could have been disruptive to the tern colony, Brad stated that he thought it could have been.

Although Brad stated his concerns that a ferret in a tern colony would likely be disruptive, to date no ferret has ever been documented within a colony.



Natural Heritage & Endangered Species Program 100 Cambridge Street, Boston, MA 02202 (617) 727-9194, (617) 727-3151 An Agency of the Department of Fisheries, Wildlife & Environmental Law Enforcement W.B. Phillips Ferrets\2/20/91

Please let me know if I can help clarify any other questions that you may have about ferrets or wildlife in Massachusetts.

Sincerely,

Thomas W. French, Ph.D.

Assistant Director/and Director,

Natural Heritage & Endangered Species Program

TWF/dll

PLEASE NOTE: MASSACHUSETTS FISHERIES AND WILDLIFE HAS CO-AUTHORED A BILL TO LEGALIZE NEUTERED AND SPAYED FERRETS IN MASSACHUSETTS. THAT BILL IS NOW IN THE LEGISLAGURE, AND IS

EXPECTED TO PASS EASILY.

EXHIBIT 46

QUESTIONABLE STATEMENTS IN LETTER TO SENATOR KOPP FROM THE CALIFORNIA DEPARTMENT OF FISH & GAME MARCH 9, 1990

STATEMENT NO. 1

FACT

populations in other states."

"(Domestic) Ferrets have established wild There are no wild populations of domestic ferrets in other states. All 50 states, including California, have so stated in writing.

are i

STATEMENT NO. 2

FACT

" substantiated our fear that ferrets could survive and breed in the wilds of California."

"All available information to date indicates that a feral population of ferrets does not occur in California."

> Henry J. Voss, Director Dept. of Food & Agriculture State of California Letter, June 26, 1989

STATEMENT NO. 3

FACT

" Ferrets will prey on poultry,"

All three poultry associations in California state in writing that they have had no problem with ferrets and have no objections to a bill legalizing Domestic Ferrets in this State.

> Letters in "Ferret Legalization in California" Book of Exhibits

STATEMENT NO. 4

FACT

"(Domestic) Ferrets pose a threat to ... agriculture"

All 50 states, including California, have stated, in writing, that ferrets are no threat to agriculture in their state.

FACT

"We have not received any reports of damage to agriculture by ferrets."

Henry J. Voss, Director Dept. of Food & Agriculture State of California Letter, June 26, 1989 (attached) California 🚔 💛 🚣 🦠 ...



STATE SELATION OUT NOT USE A COMMENT OF USE A COMMENT OF

FEB 27 RECT

February 23, 1990

Mr. Peter Bontadelli Director Department of Fish and Game 1416 Ninth Street Sacramento, CA 95814

Dear Mr. Bontadelli:

I write in behalf of a constituent, Ms. Mary Wolfe of Pacifica, respecting the prohibition against the ownership of ferrets in California.

Ms. Wolfe informs me that ferrets are domestic animals that do not survive in the wild. She inquires how these animals could damage crops and compete with other species of wildlife if they are completely domesticated. Do recent documented examples exist of the ferrets' adverse effect on California?

I write to request an inquiry into the matter and would appreciate being apprised of the results of your investigation at your earliest opportunity. Thank you for your time and attention.

Sincerely yours,

QUENTIN L. KOPP

QLK:jxr cc: Ms. Mary Wolfe DEPARTMENT OF FISH AND GAME P.O. BOX 944209 SACRAMENTO, CAUFORNIA 94244-2090 (916) 445-3531 Fale WPD in Funct Consequent

MAR 09 1990

The Honorable Quentin Kopp Member of the Senate State Capitol, Room 3056 Sacramento, CA 95814

Dear Senator Kopp:

This letter is in response to your recent inquiry about legalizing the possession of ferrets in California.

California has a responsibility primarily to its native wildlife and, therefore, is concerned about allowing ferrets into the State. A number of wild animals, including ferrets, have been prohibited in California since 1935. Ferrets are prohibited because they pose a threat to native wildlife, agriculture, and public health and safety.

The Legislature and the Fish and Game Commission decided long ago that the possible consequences of introducing an exotic animal into the wild, even if that possibility is remote, is not worth our taking a chance. We know ferrets have established wild populations and are threatening native wildlife in other states. In fact, we have even received reports of feral populations of ferrets in California. A few years ago, the discovery of a ferret kitten near its dead mother, in the wilds of Kern County, substantiated our fear that ferrets could survive and breed in the wilds of California. We feel that these situations indicate California is justified in restricting the importation and possession of ferrets. After receiving public testimony, the California Fish and Game Commission adopted regulations to not allow ferrets into California.

California's poultry industry supplies much of the poultry to the eleven western states. Since most of the mustelides, including ferrets, will prey on poultry, the California Department of Food and Agriculture supports our prohibition against importing or possessing ferrets.

-2-

The California Department of Health Services has gone on record as supporting prohibitions against importing and possessing ferrets because of known cases of rabid ferrets in California. While feline rabies vaccines are used on ferrets, there is no vaccine specifically tested and approved for ferrets. This, coupled with a number of attacks by ferrets on young children in recent years, leaves us more concerned than ever about allowing ferrets into California.

The Defenders of Wildlife and other conservation organizations also support California's position on banning ferrets.

For these reasons, we feel not allowing ferrets into California is appropriate. If you have any other questions, our staff has accumulated considerable literature on the subject which we would be pleased to share with you.

Sincerely,

Original Signed By:

COPY P. T. January

FOR

Pete Bontadelli Director

CUSHMAN:sl:bs

File: D, EXFILE, LU, WDD/AW,

WS #12, C:37 REF. L-802

CHRON

EXHIBIT 47

ARE DOMESTIC FERRETS A THREAT TO WATERFOWL?

772

In the California Department of Fish and Game letter and Ferret Fact Sheet of March 30, 1994, Boyd Gibbons, Director, states:

"Ferrets prey upon ... waterfowl"

All available evidence from both private and government sources indicates that this statement is false. See attached report.

Californians For Ferret Legalization



An Umbrella Organization Representing Hundreds of Thousands of Ferret Enthusiasts in California

DOMESTIC FERRETS ARE NOT A THREAT TO WATER FOWL (OR ANY OTHER NATIVE WILDLIFE)

WHO SAYS SO?

Ducks Unlimited, Inc.

"The Domestic Ferret is not considered a threat to water fowl." Letter, March 6, 1996

Ducks Unlimited, Inc.

"... we are unaware of any locations in the United States where domestic ferrets currently constitute a major direct threat to waterfowl. ..."

Letter, May 9, 1996

Delta Waterfowl Foundation

"Lloyd Jones, the Vice President of Delta Waterfowl and a waterfowl biologist ... informed me that he has never heard of any problem with domestic ferrets destroying waterfowl (duck) eggs, and in conducting our predator research these past two years, we have never encountered any domestic ferrets in the fields." Letter, February 11, 1997

Delta Waterfowl Foundation

"Delta is currently undertaking the largest project ever conducted on the effects of predators on duck production."

Delta Waterfowl Report Summer, 1996

Page 1

Ferrets\DomFerr.stm

North Dakota Game and Fish Department

"I am not aware of any Domestic Ferret depredation on migratory game bird nests in North Dakota."

Michael A. Johnson, Supervisor Migratory Game Bird Management Fax, February 11, 1997

Northern Prairie Science Center United States Department of Interior

"In the 30 year history of research conducted by Northern Prairie Science Center on nesting waterfowl, Domestic Ferrets have never been identified nor considered as a predator of duck nests."

Marsha A. Sovada Wildlife Biologist Letter, February 19, 1997

Greylodge Wildlife Area

"In my 50 years at the Greylodge Wildlife Area (a large and well-known waterfowl hunting area in California) I have never seen a Domestic Ferret."

John Cowan Former Manager

Letters available on request.

EXHIBIT 48

ARE DOMESTIC FERRETS A THREAT TO THE POULTRY INDUSTRY?

ONE SIDE

California Dept. of Fish & Game California Dept. of Health Services

THE OTHER SIDE

poultry'

Boyd Gibbons, Director California Dept. of Fish & Game Letter and Ferret Fact Sheet March 25, 1994

"The California Poultry Industry would be very seriously impacted by ferrets."

Jack C. Parnell, Director California Dept. of Fish & Game Letter, May 12, 1987

"Ferrets ... are especially destructive of poultry...."

"Pet European Ferrets:...", p.ii California Dept. of Health Services December, 1988

"Ferrets ... prey on ... small livestock, including "We have not received any reports of damage to agriculture by ferrets."

> Henry J. Voss, Director California Dept. of Food & Agriculture Letter, June 26, 1989

"Our Board felt that allowing Domestic Ferrets to be owned as pets will not threaten or hurt the California Poultry industry."

Bill Mattos, President California Poultry Industry Federation Letter, February 3, 1994

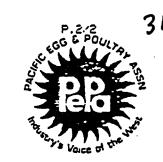
"We are not opposed to AB 2497 (Bill legalizing ferrets) at this time and do not expect that there will be a change in that position."

Richard C. Matters, Exec. Vice President Pacific Egg & Poultry Association Letter, March 7, 1994



"INDUSTRY'S VOICE OF THE WEST"

Pacific Egg & Poultry Association 1620 N. Carpenter Rd., Bulle A-4 Moderso, CA 95351-1145 209/524-9666 FAX: 209/524-3047



ONTICUES

PRESIDENT
MALY RUBINSTEIN
NOME RANCE, BE
NOME CA

15T VICE PRESIDENT GLOXGE LAMONT Laton's Federal Futtos Cobury, OR

IND VICE PRIXIDENT BUCKARD ZACKY Zerby Farma France, CA

TREASURER
JOE ARIAS
Valoy Frank Foods, Inc.
Trisoit, CA

DINYCTONS

DAVID BAILEY Moron Fred Company Moroni, UT

Day Curningham Wildere Est Ferma Cardy, Ok

VERN DILLON Plus, ive. Frame, CA

JIM FORD Court Fackaging Co. Mrs Lotta, CA

Caly Postel Les Wes West Corose, Ca

LUXE FRIESEN
SENDERS HELINERY LEE
CLIMITEROOU NG, CN

HERBERT M. HELL Nicholas Turkey Breeding Farms Schools Ca.

PETER CLICH Claus Factus, Inc. Counce, CA

KON ORLOFF
Orlopp Tukey Breeding Faces
Oros, CA

JACKI PEDERSON Pederson Fryst Farms Tandena WA

LAKKY PICKERING Smessie Ferre Turkek, CA

IDA SELZLER MCANIN ENERPRIES Yusana, CA

ROBERT SPILLER Spile Learpren Cristie, CA

ATIVICAL MONTO

CHARLES CAMPBELL Virilia Ranch Si Crusia CA

ar Vici FORS Lair Farmi, Bre Product WA March 7, 1994

The Honorable Jan Goldsmith California State Assembly Room 2002 State Capitol Sacramento, CA 95814

Dear Mr. Goldsmith:

We have polled the Pacific Egg and Poultry Association Board of Directors with regard to your bill AB 2497. Although our polling is not completed, we have found there is little to no concern about your bill placing the poultry and egg industries in jeopardy.

In light of the above we are not opposed to AB 2497 at this time and do not expect that there will be a change in that position.

Should you have any questions you may call me at (916) 441-2272.

75. 7

Sincerely

Richard L. Matteis

Executive Vice President



February 3, 1994

The Honorable Jan Goldsmith Assemblyman, 75th District Room 2002 State Capitol Building Sacramento, CA 95814

Dear Assemblyman Goldsmith:

I am writing to inform you that our Executive Committee confirmed this week that the California Poultry Industry Federation does not oppose your legislation, AB 2497, regarding domestic ferrets.

Our board felt that allowing domestic ferrets to be owned as pets will not threaten or hurt the California poultry industry. Our board supports the requirement in your bill that says "The owner of a ferret maintains, and can produce, documentation showing that the ferret has been vaccinated against rabies with a vaccine approved for use in ferrets by the United States Department of Agriculture and administered in accordance with the recommendation of the vaccine manufacturer."

Please phone me at your convenience if you should have any questions and/or concerns.

BILL MATTOS

President

EXHIBIT 49

"PET EUROPEAN FERRETS: A HAZARD TO PUBLIC HEALTH, SMALL LIVESTOCK AND WILDLIFE"

California Department of Health Services

This report, prepared at the request of the Department of Fish and Game, was not based on contemporary, spontaneous reports from the field. Rather, it was retrospective and anecdotal in nature. The limitations of such an "after-the-fact" approach are easily recognizable.

Retrospective Reports

The U.S. Public Health Service comments on the limitations of retrospective study designs as follows:

"... important confounding variables may be difficult to identify and adjust for, clinical outcome is already known and may influence the measurement and interpretation of data (observer bias), and participants may have difficulty in accurately recalling past medical history and previous exposures (recall by us)." Report of U.S. Preventive Services Task Force, 1989.

Anecdotal Reports

Anecdotal information is almost useless from the standpoint of scientific inquiry. Stanford University expert, L.E. Moses comments as follows:

"The limitations of the anecdote are quite substantial, and include: incompleteness of coverage, absence of denominator information [i.e., total number of events or cases], nonstandard observation, and, if not written up as a case report, liability to distortion over time, both through memory degradation and transmission errors." (L.E. Moses: International Journal of Technology Assessment & Health Care 2:27, 1986.)

In other words, "The plural of 'anecdote' is not 'data.'"

This was, in effect, an advocacy piece, requested by the Department of Fish and Game to support their long-standing policy against ferrets. It was never peer--reviewed. Graham Wellstead, published author and lecturer on the Domestic Ferret (see qualifications, Ex. 18) who is listed several times in this report as a source of their information, called much of it "nonsense."

K.R. Marshall, DVM, writes as follows:

"I was astonished when I learned about calling the authors (Drs. Kizer and Constantine) that they freely acknowledged that they were engaged to especially write a biased report in order to discredit the use of ferrets as pets. Specifically, I was advised that the authors' clear instructions were to write a sensationalist 'National Enquirer' type of report which would paint the ferret in a negative light. Furthermore, the authors acknowledged that they have been long-time foes of use of ferrets as pets, and believe their engagement to prepare this report was principally because of that long-term opposition."

No Control Groups For Comparison

Finally, the Department of Health Services report fails to use a "control" or comparison group. Ferrets are reviewed without comparison to other commonly owned house pets, such as the dog or cat, which are known to impose risks to humans. Such a deficiency in a study design makes it of questionable usefulness. The report refers to "425 ferret attacks spanning the 10 year period 1977 through 1987" in California, Oregon and Arizona alone. During the same time period, 1978-1988, the Journal of American Veterinary Medical Association reported only 12 serious bite injuries by ferrets in the entire United States (see below).

The enormous disparity in figures provides a very interesting contrast.

"... statistics were compiled from 1978--1988 and were reported on a yearly basis: between 1 and 3 million dog bites, compared to 65 ferret bites in 10 years. Serious bite injuries were recorded as 44,000/per year for dogs and 12/per year for ferrets. Severe facial injuries requiring plastic or reconstructive surgery numbering 16,000/per year for dogs and 12/per year for ferrets ..." Journal of American Veterinary Medical Association. 193 (9:1031, 1988)

Other states didn't seem to have a very high regard for the report. After it was published in 1988, the several remaining states with restrictions on ferrets started lifting the ban and by 1996 California was the only state left on the continent with such restrictions.

This report is remarkable for the extent of its errors. There is hardly a page lacking in misinformation of one sort or another.

Ferrets. Exhibit. 49 Page 2

EXHIBIT 50

THE EXPERIENCE OF THOSE STATES WHICH HAVE LIFTED THE BAN ON DOMESTIC FERRETS

Since 1984 all states on the continent which had previously banned the domestic ferret legalized domestic ferrets in their state, except California.

<u>State</u>	Legalization
Alaska	1984 (LETTER ON FILE)
Maine	1985
Georgia	1990
Vermont	1991
New Hampshire	1992
Utah	1993
Michigan	1994
Massachusetts	1996

In the attached letters all of these states report that no feral populations have developed and that there have been no negative impacts to agriculture or native wildlife.

Inland Fisheries & Wildlife

Inland Fisheries & Wildlife 284 State Street 41 State House Station Augusta ME 04333-0041

Phone: 207-287-5252 FAX: 207-287-6395

email: henry.hilton@state.me.us

Tuesday, April 28, 1998

Floyd L. Carley Californians For Ferret Legalization 3000 Sand Hill Road 4-145 Menlo Park, CA 94025

Dear Mr. Carley:

With regard to your recent inquiry, we have no information to suggest that the recent status change for ferrets in Maine has any impact on native wildlife or wildlife habitat in this State. The relatively low number of animals involved, the extreme (winter) climate, and the low incidence of their release into the wild may account for this neutral stance at this time.

The concern for public health and safety has been the greatest concern and efforts have been made to regulate the exposure of ferrets to the public. However, at this time, frankly, the private ownership of domestic ferrets as pets is not an issue of concern to this agency.

Henry Hilton

Sincerely,

Staff Wildlife Biologist

cc: Commissioner Lee Perry

Lonice C. Barrett, Commissioner David Waller, Director

Georgia Department of Natural Resources Wildlife Resources Division

Game Management Section 2150 Dawsonville Highway, Gainesville, Georgia 30501 (770) 535-5700

February 2, 1998

Floyd L. Carley 3000 Sand Hill Road 4-145 Menlo Park, CA 94025

Dear Mr. Carley:

This is in response to your request for information regarding ferrets in Georgia. Your interest is appreciated.

Georgia law prohibits possession of ferrets as pets unless they are neutered. Therefore, the risk of feral populations of ferrets becoming established from domestic stock is minimal. To our knowledge, no feral populations of ferrets exist in Georgia and there have been no reported negative impacts to agriculture or native wildlife.

If you have inquiries in the future regarding ferrets or other exotic animals, please contact Mr. Ken Riddleberger at 2070 U.S. Highway 278 SE, Social Circle, GA 30025 or by phone at (770)918-6404.

Sincerely,

Bill Fletcher

Regional Supervisor

BF:kp

cc: Ken Riddleberger



State of Vermont

AGENCY OF NATURAL RESOURCES

DEPARTMENT OF FISH AND WILDLIFE 103 South Main Street, 10 South Waterbury, Vermont 05671-0501

> Tel.: (802) 241-3700 TDD: 1-800-253-0191

February 9, 1998

Mr. Floyd L. Carley - Californians For Ferret Legalization 3000 Sand Hill Road, 4-145 Menlo Park, CA 94025

Dear Mr. Carley:

Department of Forests, Parks and Recreation Department of Environmental Conservation

I am responding to your enquiry about ferrets, dated January 30, 1998. To the best of my knowledge, there are no feral populations of ferrets in Vermont.

Sincerely,

Ronald J. Regan Director of Wildlife

RJR/lh

CC: Allen A. Elser, Commissioner



State of New Hampshire Fish and Game Department

2 Hazen Drive, Concord, NH 03301 TDD Access: Relay NH 1-800-735-2964 (603) 271 3421

Wayne E. Vetter Executive Director

March 16, 1998

Mr. William B. Phillips California Domestic Ferret Association PO Box 1868 Healdsburg, CA 95448

Dear Mr. Phillips:

I received your questionnaire last week and should apologize for the delay in returning the results to you.

- 1. Domesticated ferrets are legal to own in this state.
- 2. Ferrets were legalized in NH in 1992.
- 3. Ferrets have never had any verified adverse effects on wildlife populations in NH.
- 4. Does not apply.
- 5. No adverse effects on agriculture by ferrets has ever occurred.
- 6. Does not apply.
- 7. Ownership of ferrets has had no quantifiable adverse effects on public health in NH.
- 8. Does not apply.
- 9. There are no accounts of ferrets preying upon wildfowl or their eggs in NII.
- 10. Does not apply.
- 11. There has been no quantifiable negative impact of ferrets on shelters in NH.
- 12. Does not apply.

The previous ban on ferret ownership had no overall impact on this agency's operation or relations with the public. The actual caseload or number of incidents annually were negligible and therefore it would be impossible to show a fiscal impact.

The person completing this survey is Steve Wheeler, Biologist, NII Fish and Game Department, 2 Hazen Drive, Concord, NH 03301. You may reach me at (603) 271-2501 or fax number (603) 271-1438.

Sincerely

Steve Wheeler Wildlife Biologist

SW/vI

Discover New Humpshire

Californians For Ferret Legalization



An Umbrella Organization Representing Hundreds of Thousands of Ferret Enthusiasts in California

January 30, 1998

Kenneth D. Elowe Mammals Program Coordinator State of Utah Natural Resources/Wildlife Resources 1596 West North Temple Salt Lake City, Utah 84116-3154

Dear Mr. Elowe:

I am writing to ask if any feral populations have developed or if there has been any documented impact on agriculture or native wildlife since the domestic ferret was legalized in your State in 1993?

Sincerely,

Floyd L. Carley

FLC:jw

* None that we are aware of to date.
B
2-11-98

Ferrets\State.Lrs

STATE OF MICHIGAN

NATURAL RESOURCES COMMISSION

JERRY C. BARTNIK KEITH J. CHARTERS NANCY A. DOUGLAS
L. THORNTON EDWARDS, JR.
PAUL EISELE WILLIAM U. PARFET LLOYD F. WEEKS



JOHN ENGLER, Governor

DEPARTMENT OF NATURAL RESOURCES

STEVENS T MASON BUILDING, PO BOX 30028, LANSING MI 48909-7528 WEBSITE: www.dnr.state.mi.us

K. L. COOL, Director

REPLY TO:

WILDLIFE DIVISION PO BOX 30444 LANSING MI 48909-7944

February 27, 1998

Mr. Floyd L. Carley Californians For Ferret Legalization 3000 Sand Hill Road, 4-145 Menlo Park, California 94025

Dear Mr. Carley:

Thank you for your letter requesting information on ferrets in Michigan.

We know of no feral populations of ferrets in Michigan since they were legalized and have no documentation that they have yet caused any problems with domestic animals or native wildlife species.

It must be remembered that it has only been a relatively short time since ferrets were legalized, and it would likely take several years for a noticeable wild ferret population to develop. Therefore, we need to be somewhat cautious in stating that they will not cause problems in the future or that feral populations will not result.

Sincerely,

Thomas F. Weise

Endangered Species Coordinator

Wildlife Division

517-373-1263

weiset@state.mi.us

TFW



Division of Fisheries & Wildlife

Wayne F. MacCallum, Director

February 10, 1998

Floyd L. Carley
Californians for Ferret Legalization
3000 Sand Hill Road
4-145 Menlo Park, CA 94025

Dear Mr. Carley:

In response to your inquiry of January 30, 1998 there have been no feral populations established or any documented impact on agriculture or native wildlife by domestic ferrets since their legalization as pets in this state in 1996. We do find strays and occasional road killed pets, but there is no evidence that any of these animals has survived for any period of time or ever taken a wild food item.

If you have any further questions, I can be reached at (508)792-7270, ext. 163.

Sincerely,

Thomas W. French, Ph.D.

Assistant Director



VERTEBRATE MUSEUM



SHIPPENSBURG, PENNSYLVANIA 17257 / (717) 532-1407

28 February 1986

Mr. Robert L. Smith 4350 Executive Drive Suite 231 San Diego, CA 92121

Dear Mr. Smith:

This letter is in response to our telephone conversations of 19 and 20 February 1986, regarding the forthcoming administrative proceedings on the status of the domestic ferret to be held by the California Department of Fish and Game. In reviewing this matter, I see three pertinent questions that need to be addressed. One involves the taxonomic status of the domestic ferret. The second concerns whether the animal in question is, in fact, domesticated. The third is whether these animals, after having escaped or been released by their owners, have the potential to found feral populations that would pose a threat to native species of wildlife in California.

The taxonomic status of the domestic ferret has been addressed in three recent publications on mammalian taxonomy. In all three cases, the authors refer to the European ferret as the domestic ferret. Corbet (1978) designates the domestic ferret as Mustela putorius-furo; whereas, Corbet and Hill (1980) refer to the domestic ferret as Mustela furo. Honacki et al. (1982) do not accord full specific status to M. furo, but refer to it in their coverage of the polecat (Mustela putorius) and the steppe polecat (M. eversmanni). The former is considered to be the "probable ancestor of domestic ferret, furo", whereas the latter is considered to be the "possible ancestor of domestic ferret, furo". It is evident from these assessments that mammalian taxonomists believe the domestic ferret to be distinct from any of the wild mustelids.

There also seems to be little doubt the animal in question is domesticated. Kowalski (1976) lists the ferret as one of three species of domesticated econiumose, the others being the dog and cat. One of the problems that we, as Americans, have in dealing with this question is that these animals have not been part of our cultural history. Nevertheless, the ferret has been kept and bred as a domesticated animal for centuries in Europe and western Asia. Ewer (1973) notes that Strabo described the use of ferrets to flush rabbits from their burrows, and that Aristotle mentioned how easily tamed they were. Kowalski (1976) reports that the ferret has been known as a domesticated animal in Palestine since at least 1000 years B.C., and that its use in Europe dates from the Middle Ages. Kowalski further notes that the ferret's

Page Two

role in fighting rodents was gradually eclipsed by the domestic cat. Such comments document a considerable history of domestication in the ferret.

The family Mustelidae is comprised of many of the most efficient and intractable of the modern carnivores. This is especially true of members of the subfamily, Mustelinae, of which the domestic ferret is a member. The fact that the domestic ferret evinces such an incredibly docile nature suggests a long history of intense artificial selection to produce a domesticated animal that has virtually mone of the aggressive tendencies of its close relatives. While a doctoral candidate of all his on that a functionality, I had occusion to work at some length with several ferrets that had been confiscated by the Department of Natural Resources from hunters in northern Michigan. These animals seemed to crave contact with humans and would follow us wherever we went at The Museum. What amazed me most was the fact that no matter how roughly we handled them, they would never bite. In this respect, their deportment was far superior to that of many dogs and cats. Ever since that first contact with domestic ferrets, I have considered them to be a superior pet.

Inamuch as all domesticated animals are derived from wild, free-living ancestors, virtually all of them retain some potential for establishing feral populations. The probability of this happening varies substantially among species. We know that the frequency of feral populations is high in pigs, goats, horses, dogs, and cats. The potential for successfully establishing feral populations decreases in proportion to the degree to which a species or breed has diverged from its ancestral phenotype. For example, breeds of dogs developed for hunting are much more likely to establish feral pupulations than are such breeds as the Chihuahua and Pekinese. Given the docile temperament evinced by domestic ferrets and their strong bonding to humans, the probability of their establishing feral populations would appear to be considerably less than that of many other species. The apparent paucity of feral populations of the domestic ferret would seem to confirm this assessment.

As I recall from our conversations, one of the concerns of the California Department of Fish and Game is the possibility of ferrets establishing feral populations in the state and wreaking havoc on the native fauna. I also understand that this concern is occasioned by the establishment of feral populations of ferrets in New Zealand and apparently on San Juan Island in Washington. One must remember that both of these examples are from islands, and as such they are not necessarily comparable to what can or will occur in mainland situations. Because of the fundamental differences between islands and mainlands in terms of their physical characteristics, geological histories, and especially the evolutionary histories of their biotas, it is not valid to use data from islands to make predictions about what might or might not happen in mainland situations, or vice versa.

As exemplified by New Zealand, a key characteristic of islands is that their faunas often evolve in the absence of terrestrial predators. Not having ever had to evolve adaptations and behaviors to avoid predators, island species typically have no innate defenses against them. Thus, it is not surprising that island species are at the mercy of introduced predators, such as cats, dogs, mongooses, and weasels, and consequently have suffered severe depredations following the introduction of exotic predators.

Page Three

This is not the case in mainland biotas, where native prey species have coevolved with predators and thereby have evolved various strategies to avoid predation. Given the fact that California's native prey species have evolved in a rigorous selective environment characterized by a diverse assembledge of native predators, it is extremely unlikely, if not highly improbable, that domestic ferrets would have any significant negative impact on native California species, even if they could establish viable populations in the wild. It must be remembered that the rigorous selective environment that produces highly adapted prey species also places correspondingly harsh environmental demands on predators. In view of the docile temperament of domestic ferrets, I seriously doubt that they would stand much of a chance of surviving in the wild in mainland California when faced with the dual problems of having to capture highly efficient prey species, while at the same time being subjected to predation from a host of native predators, such as coyotes, foxes, bobcats, hawks, owls, and eagles.

I hope that you will find this assessment of the domestic ferret useful in your dealings with the California Department of Pish and Game during its administrative review of the status of the domestic ferret in California. I have enclosed for your files a copy of my current curriculum vitae.

Sincerely,

Gordon L. Kirkland Jr., Ph.D. Curator/Professor of Biology

Literature Cited

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and J. E. Hill. 1980. A world list of mammalian species. Comstock Publ. Assoc., Cornell Univ. Press, Ithaca, NY, 226 pp.

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Enclosure

EXHIBIT 52

BRIEFING--PACIFIC RESEARCH INSTITUTE FOR PUBLIC POLICY MAY, 1996

Ferreting Out The Facts On The California Department of Fish & Game's War on the Domestic Ferret

EXHIBIT 52



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Ferreting out the Facts on the California Department of Fish & Game's War on the Domestic Ferret

> by Michael Lynch, Public Policy Fellow

> > May 1996

Executive Summary

The Domestic Ferret, which is considered a pet in the 48 other continental states, is illegal in California. This prohibition posed few problems for many years. But as ferrets have become popular pets nationwide, California's law is now causing senseless problems for California residents and visitors from other states. As a result, there is a movement to properly classify the Domestic Ferret as domestic, and permit the ownership of neutered and spayed ferrets. The California Department of Fish and Game (DFG), the California Department of Health Services (CDHS), and the California Department of Food and Agriculture (CDFA) oppose the legalization of ferrets in California. The main reasons for this opposition are ferrets' supposed threat to native wildlife if they escape or go feral, their threat to people from attacks and disease, and their threat to California's poultry industry. To support these assertions, these agencies rely primarily on a 1988 report from CDHS entitled "Pet European Ferrets: A Hazard to Public Health, Small Livestock and Wildlife."

There is perhaps another reason why the DFG refuses to recognize that ferrets are domestic animals. As the Legislative Intent Service has verified, the DFG was not created to have any jurisdiction over domestic animals. That is why even though cats often prey on wild animals, the DFG still does not regulate them. It is virtually beyond dispute that Domestic Ferrets are domestic, not wild. Yet perhaps due to bureaucratic turf hoarding, the DFG refuses to accede to this fact. If it did, it would have one less critter under its control.

This briefing reviews available evidence and finds the state's case lacking in merit. The CDHS report was so full of exaggerations, mischaracterizations, and sloppy methodology, that even an expert source on which it relied wrote a six page letter refuting its thesis and characterizing some of its conclusions as "nonsense." Much of the DFG's case and the CDFA reasoning, which is reflected in this study, suffers from the same defects. In particular, this briefing finds:

- Ferrets have been domesticated for over 2,000 years. In the words of one expert, "they can hardly catch a live mouse." (page 6)
- Although the state agencies repeatedly claim that ferrets exist in the wild and pose a threat of going feral, there are no feral populations in the United States. The only feral population that definitely exists, which is in New Zealand, was intentionally established more than 100 years ago. (page 9)
- It is certainly proper for the DFG to be concerned about the status of endangered species, but since ferrets cannot exist in the wild, the risks they pose in this area are negligible. Public policy should be made on sound facts, not speculative "what ifs?" (page 7)
- Although the state claims ferrets are a threat to poultry, California's two major poultry associations have no memory of any problems with ferrets. Poultry associations and university researchers in ten other states, in which ferrets are legal pets, report no problems with ferrets as well. (page 16)
- Although the CDHS study supposedly chronicled ferrets' proclivities to bite, it was so seriously flawed as to call into question any of its conclusions. In addition to soliciting stories and relying on hearsay testimonials, the study lacked a benchmark with which to compare incidence of ferret bites. Unfortunately, most animals bite occasionally. The important question is "compared to what?" Comparing ferrets to dogs, for 1978 to 1988 there were 44,000 serious dog bites and 12 serious ferret bites. Adjusted for population size, the incidence rate of serious bites for dogs was 8.8 bites per year per 10,000 dogs and just

.04 serious bites per year per 10,000 ferrets. In other words, dogs were over 200 times more likely to bite than ferrets. (page 15)

- The DFG and CDHS have fanned public fears about rabies and ferrets. The facts, however, reveal these charges to be ethereal. There is a proven rabies vaccine for ferrets, just as there is for dogs and cats. Experts testify that it is highly unlikely for a ferret, which, unlike a dog or cat, is a cage bound animal, to have contact with a carrier of rabies. Even in the unlikely event that a pet ferret contracted this disease, ferrets do not secrete rabies in their saliva, according to a study by the French National Center for the Study of Rabies, so it is unclear how it would transmit it to humans. From 1984 to 1990, according to the Centers for Disease Control, there were 701 cases of rabid horses, 2,240 cases of rabid dogs, 2,310 cases of rabid cats, 3,395 cases of rabid cattle, and 10 cases of rabid ferrets. (page 11)
- The costs of the California's prohibition of ferrets are both fiscal and human. On the fiscal side, the state expends resources producing and distributing reports maligning the ferret, and enforcing the ban. The DFG expends law enforcement resources and the CDFA expends resources at its border inspection stations. From 1980 to 1995, the number of ferrets intercepted by the CDFA increased over 260 percent, from 70 to 256. (page 18)
- The human costs include the anguish pet owners suffer when losing their pets to law enforcement or when they must give up their family pet when moving to California. In an extreme case, an individual was even sentenced to jail for attempting to take a ferret into California. (page 19)
- Upon reviewing evidence, five other continental states which mis-classified the Domestic Ferret as wild have since legalized them as pets since 1991. The last state to do so was Massachusetts in 1995. (page 6)

Although this report deals with an endearing furry critter, the issues involved are much larger than a person's right to choose an appropriate pet. In refusing to legalize ownership of the Domestie-Ferret, the state-of California, primarily through the Department of Fish and Game (DFG), has exhibited most of the abuses of government power that occupied the minds of this nation's founders and, in recent years, has caused a serious erosion of pubic confidence in the administrative state.

Introduction

"Search and seizure may make sense if there's a crocodile in the tub, or a cougar in the closet -- but a ferret on the barcolounger... well, that's what domestic bliss is made of, and any government that interrupts such benign happiness is going too far."

Massachusetts Governor William Weld

The Domestic Ferret is an outlaw in California. Most likely the victim of a case of mistaken identity with the wild European polecat, the Domestic Ferret (ferret) was mis-classified in California as a wild animal in 1932. Anyone caught owning or bringing a ferret into California has his or her pet confiscated, which may be euthanized, and the owner faces fines and, in extreme cases, prison. This prohibition posed few problems for many years. But as ferrets have become popular pets nationwide, California's law is now causing senseless pain for an increasing number of Californians and visitors from other states. The problems are senseless because it is entirely within the power of the state, either administratively or legislatively, to properly reclassify Domestic Ferrets as domestic animals. The reasons that they aren't and the machinations that the state is using to prevent this reclassification, is the subject of this report.

Although this report deals with an endearing furry critter, the issues involved are much larger than a person's right to choose an appropriate pet. In refusing to legalize ownership of the Domestic Ferret, the state of California, primarily through the Department of Fish and Game (DFG), has exhibited most of the abuses of government power that occupied the minds of this nation's founders and, in recent years, has caused a serious erosion of pubic confidence in the administrative state. Specifically, by prohibiting ferret ownership the DFG violates Californians' constitutionally protected right to private property. In so doing, it has wasted public resources in the enforcement of the ban on ferrets. It has also wasted resources in its refusal to reclassify the ferrets, with the expense of public hearings and position papers and reports that do such violence to the facts that they are soon discarded under threat of legal action.

History and Facts

"Facts are stubborn things -- and the facts are that 48 other states did their research, reviewed the evidence, surveyed their sister states and have all legalized or maintained the legality of the Domestic Ferret in their states -- and not one has ever reversed its decision."

Floyd Carley, November 2, 1995 Testimony to the Department of Fish and Game

The European Domestic Ferret (Mustela Putorius Furo) is a member of the weasel family. Like the mink and the otter, it has short legs and a long furry body and weighs one to five pounds. Ferret enthusiasts characterize them as cats without the attitude. The Domestic Ferret has been domesticated for at least 2,000 years. According to the authoritative Walker's Mammals of the World, the Domestic Ferret "was bred in captivity as early as the fourth century B.C. It is usually tame and playful, and is used to control rodents and to drive rabbits from their burrow. It is now found in captivity in much of the world." There are mentions of what are probably ferrets in Aristotle's writings as well as in Greek plays.

More than 155 authoritative books, government agencies, and experts classify the ferret as a domestic animal.² The American Museum of Natural History, The Smithsonian Institution, the Zoological Society of San Diego, the New York Zoological Society, and the American Veterinary Medical Association all classify the ferret as a domesticated animal. Publications which categorize the ferret as domestic include, F.E. Zeuner's A History of Domesticated Animals, George Jennison's Natural History: Animals, The Encyclopedia Britannica, Colliers Encyclopedia, Comptons Encyclopedia & Fact Index, and the Encyclopedia of Mammals. The U.S. Department of Agriculture considers the ferret domestic³ as do the vast majority of the wildlife and agriculture departments in the other forty-nine states. Unlike other common domesticated animals such as dogs, cats and horses which are also found in the wild in what are called feral populations, letters from the Department of Fish and Game or its equivalent in all 50 states,4 including California, conclude that ferrets do not exist outside of human care in the United States. This is also the conclusion of The U.S. Congressional Office of Technology Assessment, whose publication included such feral animals as the cat, dog, goat, hog and horse but not the ferret.⁵ In congruence with their domestic status, ferrets are accepted pets in every continental state except California. The Pet Industries Joint Advisory Council (PIJAC) estimates the United States' ferret population at five million. Even in California, where ferrets are illegal, the Department of Fish and Game estimated the ferret population at upwards of 500,0006 in 1989. Ferrets Anonymous, a clandestine group of law-breaking ferret owners, claims a membership of 2,200 Californians.

The California Domestic Ferret Association mails its newsletter to nearly 5,000 California households.

The Domestic Ferret was mis-classified as a wild animal, despite its descriptive name, in the early 1930s. Although the exact reason for the classification can't be definitively established, it is reasoned that the Domestic Ferret was confused with its close relative, the European Polecat. At this same time, at least eight other states mis-classified the Domestic Ferret as a wild animal as well. The mis-classification didn't cause many problems in an age in which government was both smaller and less intrusive. But as ferrets became more popular as pets and bureaucracies more emboldened, the pet owners began to clash with government officials. In every state but California, this prompted an objective investigation into the issue from which the final result was the proper reclassification of the Domestic Ferret. The most recent states to reclassify the ferret are Massachusetts in 1995, Michigan in 1994, Utah in 1993, New Hampshire in 1992, Vermont in 1991 and Georgia in 1990. California is the last holdout on the continent.

Just as we may never know why the Domestic Ferret was originally misclassified, we may also never know why the DFG has been so insistent on considering the Domestic Ferret as a wild animal. Mistakes happen, which explains the original mis-classification, but every other state corrected its mistake. In the face of overwhelming evidence, the DFG remains resolute in its error. One reason for this may be the familiar phenomenon of bureaucratic turf hoarding. Although admittedly a small issue, if ferrets are reclassified as domestic, the DFG will no longer have jurisdiction over them. As the Legislative Intent Service has verified, the DFG was not created to have any jurisdiction over domestic animals. But whatever the reason, the price for DFG's intransigence is paid in broken hearts, citizen inconvenience, and wasted government resources on justification and enforcement of the ban.

The Department of Fish and Game's Case

"A distinguishing characteristic of these carnivores [Domestic Ferrets] is that they are by nature very adept hunters."

Boyd Gibbons, Director, CA Department of Fish & Game

"Domestic Ferrets will hardly catch a live mouse."

M.E. Fowler, DVM, Professor, UC Davis School of Veterinary Medicine

The DFG justification for its wild classification of what is considered a pet worldwide, has shifted over the years from "The Domestic Ferret is wild," to, "It could become wild (feral)," to "it must eat."

At first, the DFG claimed that the Domestic Ferret was really a wild animal. As this position crumbled under an accumulation of facts, the DFG maintained that while ferrets may not be wild, they could go feral. But this too, is untenable, as ferrets have been domesticated so long that, according to experts in the field, they can "hardly catch a live mouse." Today, the DFG has fallen back on perhaps the only truism it could muster on its side of the issue: that if they escape, they must eat. That escaped ferrets must eat is said to be a threat to California's endangered species, such as the Kangaroo Rat. That escaped ferrets must eat to survive is, of course, true. But it misses the other half of the picture. After 2,000 years of domestication, ferrets have lost their hunting instincts and are likely to starve in the wild if they don't first fall prey to just about any predator.

That the Domestic Ferret is more likely to be prey than predator is borne out in the federal government's own effort to bolster the endangered Blackfooted Ferret (a truly wild animal) population in Wyoming. In the 1980s, the U.S. Fish and Wildlife Service, in an attempt to preserve a dwindling colony of Blackfooted Ferrets, created a captive breeding program. Unfortunately, the ferrets bred in captivity are not adept enough hunters to survive in the wild. In 1991, a reintroduction attempt in Shirley Basin, Wyoming, was less than successful. In 1994, 40 Blackfooted Ferrets were released in the C.M. Russell Wildlife Reserve in Montana and another 40 were released in the Badlands Wildlife Reserve in South Dakota. The thirty-day survivor rate of these colonies was roughly 15 percent. Jerry Godbey, a field biologist for these programs, attributed these failures to two principal causes: predation by other animals and the loss of the hunting ability after 10 years in captivity. According to Godbey, although the captive ferrets were fed mink food and were carefully separated from any human imprint, they still seem to be losing their hunting instinct and don't know that they are supposed to hunt prairie dogs when they are released.9 Hunting skills, according to Godbey, are a combination of learned behavior and genetic instincts. It was the genetic instincts that seem to be lost due to the captive breeding. A 1995 release has been much more successful, with a thirty-day survivor rate of 44 percent, due to a fence to keep out predators that feed on the Blackfooted Ferret. Godbey also reports that he is having some success teaching Blackfooted Ferrets how to hunt when they are young. Still, the U.S. Government's experience trying to revive the hunting skills of the Blackfooted Ferret illustrates that ferrets can-be prey just as they are predators.

The DFG is right to be concerned about threats to endangered species posed by household pets gone feral. But public policy should be made on sound facts, not speculative "what ifs?" As this briefing will demonstrate, the facts available on ferrets indicate that they are hardly a threat to California's mice, much less the Golden State's treasured Kangaroo Rats. Even if it were a threat, as a domestic animal, the DFG has no more right to control the ferret than the housecat. In

fact the DFG recognizes that cats, which do go feral, hunt and breed in the wild, pose a threat to wildlife and endangered species in particular instances. Still, they do not control them because as a domestic animal they are private property.

Wild Ferrets or Wild Imaginations at the DFG

"Although proponents of Domestic Ferret ownership claim that through extensive captive breeding ferrets have lost the ability to survive in the wild, no credible scientific evidence exists to support this claim." 10

Boyd Gibbons, Director, CA Department of Fish & Game

The three main reasons the DFG gives to support the illegal status of the Domestic Ferret are that ferrets could establish a feral (wild) population, that ferrets could be vectors of disease, and that ferrets could endanger the safety of children through vicious bites. The best way to investigate the merits of these claims is to examine a letter dated March 30, 1994 by then-DFG director, Boyd Gibbons, which was sent to every member of the Assembly explaining why Domestic Ferrets are outlaws in California. An analysis of a California Department of Health Services' 1988 publication, Pet European Ferrets: A Hazard to Public Health, Small Livestock and Wildlife, is also instructive. 12

In the above statement taken from the March 30, 1994 letter, Mr. Gibbons insinuates that proponents of Domestic Ferret ownership, if they are to satisfy his so-called experts at the DFG, must prove a negative: that no ferrets exist in the wild. With this standard of proof, it's surprising that any pets are legal in California. Still, proof of this negative exists if Gibbons was willing to accept authoritative published sources. Perhaps the world's most authoritative source on taxonomy, the ISIS Mammalian Taxonomic Directory lists the range of the Domestic Ferret as "Domesticated," meaning it is found in cages in homes, not in the wild.¹³

Mr. Gibbons follows the above assertion with, "Cats and dogs which have also been bred and kept as personal pets for hundreds of years clearly demonstrate the ability to survive and establish populations in the wild." Besides being a complete non-sequitur, this statement begs the question: "If dogs and cats have established feral populations, why doesn't the DFG prohibit their ownership?" At any rate, Mr. Gibbons is guilty of confusing apples and oranges, or cats, dogs and ferrets.

To date, ferrets have proven to be failures in the wild. They were domesticated more than 2,000 years ago and experts (those on the DFG payroll excepted), generally agree that they have long since lost the ability to survive outside human care. The United States Public Health Service Centers for Disease

Control, states "... stray ferrets do not appear capable of reproducing and establishing themselves in the wild." The New Jersey Department of Environmental Protection, concludes "lost ferrets are rarely found and usually die soon after they escape." According to the Encyclopedia Britannica, "The Domestic Ferret has been domesticated for a very long time and seldom survives in the wild for more than a few days." 16

Mr. Gibbons claims that his letter was based on the latest information available to the DFG. But if his experts would have bothered to query colleagues in the 48 states in which Domestic Ferrets are pets, they would have found out that while there are an estimated 3 to 5 million Domestic Ferrets, there are no feral populations in the United States.¹⁷ In fact, the feral population on which Gibbons relies is that of New Zealand's, which was intentionally established more than 100 years ago. This, it seems, is the most current information.

V.J. Fitzgerald, a professor of Biology at the University of Iowa, examined the Domestic Ferret's ability to survive in the wild in a 1988 paper entitled "The Domestic Ferret as a Threat to Wildlife."18 Examining 11 characteristics that facilitate the establishment of feral populations, Dr. Fitzgerald found that the Domestic Ferret exhibited only one: that it is commensal with humans. Domestic Ferret characteristics that work against the successful establishment of wild populations include its trusting nature and falling "prey to any terrestrial predator which is at least as big as a fox as well as birds of prey." Fitzgerald continues, "Domestic Ferrets, renown for their trusting nature around other animals, are particularly susceptible to dogs, cats and hysterical humans. These are the predators an escaped pet is most likely to encounter." Fitzgerald also found that ferrets, due to their breeding to hunt in concert with humans primarily as flushers, are not very "proficient as predators." Fitzgerald concluded, "Taken in concert, information on the biology, recent history, and current status of the Domestic Ferret lead to the conclusion that the fear of drastic ecological impacts from the keeping of these animals in North America is an unwarranted speculation."

Gibbons' letter and the DFG position disregards this information. Mr. Gibbons wrote: "Contrary to claims, numerous scientific reports document the existence of feral populations of ferrets intentionally or accidentally released into the wild. These reports ... come from around the world including England, Wales, Scotland, mainland Europe, Eurasia, several Mediterranean Islands, New Zealand and the United States." This is quite an assertion and the DFG has failed, despite repeated requests from individuals including this author, to produce these reports. A little research indicates that the DFG is basing this claim on passages in Pet European Ferrets: A Hazard to Public Health, Small Livestock and Wildlife from the CDHS. But after tracking down the sources

cited in this publication, it is not clear whether the feral populations discussed are of Domestic Ferrets or Fitch-Ferrets, which are a cross-breed of polecats and ferrets, whether they were established intentionally, as is the case in New Zealand, or serendipitously, or whether they even still exist.

The only citation which appears to have merit is New Zealand, which is a special case. Fitzgerald writes:

The perfect conditions for the establishment of a feral ferret population would accommodate their biological limitations. The ideal region for introduction would have moderate climate, a superabundance of preferred prey (rabbits or possibly rats) and be devoid of competitors and possible predators. The ferret population introduced would be large and the introductions repeated frequently. ¹⁹

This is exactly the situation in New Zealand. Faced with an wild rabbit population that was wreaking economic havoc on ranchers, the New Zealand government set up a program to intentionally establish a wild population of ferrets to control the rabbits. From 1882 to 1912, the New Zealand Department of Agriculture released hundreds to thousands of ferrets annually. Even under these conditions, however, the ferret was unable to proliferate in the wild. This caused the Chief Rabbit Inspector to recommend the importation of stoats and weasels, two truly wild animals, to do the job. Today, the Domestic Ferret is a legal pet in New Zealand and feral populations are found only in areas dense with rabbits. In Australia, where there is an abundance of rabbits and where thousands of ferrets have no doubt escaped from hunters into the wild, no feral population of ferrets has ever been established.

Instead of traveling halfway around the globe and back in time 100 years to find an example, the DFG should look at the rest of the country for feral ferrets. It could also look to the Blackfooted Ferret re-introduction program in Montana and Wyoming which illustrates that even wild ferrets, after a few years of captivity, can lose their ability to hunt successfully while avoiding predation.

A DFG Ferret Fact Sheet, dated March 25, 1994, and released with Gibbons' letter, cites an example of a feral population on the San Juan Islands in Washington State. This is an extremely duplicitous representation of reality. Not only were the ferrets intentionally introduced to control the European Hare population on this island, a fact which wasn't acknowledged by the so-called fact sheet, but they died out approximately ten years ago, unable to survive in the wild.²⁰ This San Juan example, too, appears to come from the CDHS's so-called study, which states "Presently, a feral ferret population exists on San Juan Island, Washington, where the animals feed on introduced European rabbits, native animals, and possibly barnyard fowl."²¹

In a letter dated April 14, 1988, eight months prior to the CDHS's publication of its study, Dr. Thomas C. Juelson, the Nongame Program Manager for Washington State's Department of Wildlife, wrote, "I have questioned a number of persons on the subject of feral ferrets in Washington . . . to the best of my knowledge, there are no ferrets living in Washington that prey upon native wildlife." Dr. Juelson continued, "I am convinced that the only way a European ferret can survive in the wild in Washington is in conjunction with the concentration of an exotic colonial species, such as the European rabbit." So much for DFG or, for that matter, the CDHS, relying on the latest facts.

Disease of the Body, Spirit or Mind?

"Is there a "proven" vaccine to prevent rabies? No."

Department of Fish and Game Ferret Fact Sheet, March 25, 1994

"Rhone Merieux is the manufacturer of IMRAB, a killed rabies vaccine which has been approved by the USDA for use in six species of animals, included ferrets. It has come to our attention that your Department has been publishing false and misleading information . . . we ask that you cease and desist any further publications or commentary which do not accurately reflect the proven efficacy or safety or our IMRAB product. We also request that you issue retraction of your statements."

Letter from Donald G. Hildebrand, President, Rhone Merieux to Boyd Gibbons, dated April 6, 1994

With few facts on its side, the DFG has resorted to fanning public fears of disease. Although Gibbons said his letter and presumably his fact sheet were based on the latest information, his expert staff was unable to uncover even this basic fact, which was no doubt just a phone call away to a veterinarian. Or perhaps one of his experts could have called The American Society for the Prevention of Cruelty to Animals. When asked about the threat of rabies in ferrets, Roger A. Caras, the president of this group, responded:

I pointed out that it was such an unlikely scenario that unless an owner had the disease and bit his ferret, it would be difficult to imagine how a housebound and frequently cage-bound animal could become exposed to the disease. I suppose it is possible that a cat or a dog in the same household might bring it back in, but the ferret would not then be the principal source of concern since the cat or dog would be symptomatic first.

Even in the unlikely event that a pet ferret contracted rabies from a wild animal, according to a study by the French National Center for the Study of Rabies,

ferrets do not secrete rabies in their saliva, so it is unclear how it would transmit the rabies to humans.²³

Some real facts on rabies and animals. From 1984 to 1990, according to the Centers for Disease Control, there were 701 cases of rabid horses, 2,240 cases of rabid dogs, 2,310 cases of rabid cats, 3,395 cases of rabid cattle, and 10 cases of rabid ferrets.²⁴

In addition to fanning fears of rabid ferrets, the DFG also claims that "ferrets carry Aleutian disease, which is caused by a parvovirus and is rapidly fatal to mink." Again, ferrets would have to get this disease from contacting mink in the wild. Since, as established above, few ferrets are found in the wild, it is highly improbable that this issue could ever become a problem. Ferrets are also susceptible to distemper, which is a common disease among dogs. But unlike dogs, ferrets die quickly from distemper so are unable to pass it along. They can also be inoculated against it. It is true that ferrets, like all living things, are susceptible to disease. But like much of the DFG's case, this begs the question: So what?

Ferret Bites and other CDHS Ghost Stories

"Ferrets were developed by man from polecats, which have a reputation for being extremely bloodthirsty, killing far more than they can devour and indiscriminately attacking any and all animals within range... The savage characteristics of polecats were highly valued and emphasized in man's selective breeding and development of ferrets... Man's development of ferrets to be a more ferocious and effective predator than its polecat progenitor cannot be construed to be a form of domestication like that of animals designed to be pets, beast of burden, or food animals." ²⁵

Pet European Ferrets: A Hazard to Public Health, Small Livestock and Wildlife, California Department of Health Services

"As pets, ferrets are similar to domestic cats in many ways. Like cats, they are fastidious in their toilet, self-training easily to a litter box or paper. Their behavior is docile and cat-like, unlike that which would be expected of a normal wild mustelid." ²⁶

United States Public Health Service, Centers for Disease Control

In its full court press to keep ferrets illegal in California, the DFG, with the help of the California Department of Health Services, is distorting at least three other issues. First, that ferrets are prone to bite and pose a heightened danger to children, in comparison with other pets. Second, that ferrets are burdening

Humane Societies in other states and will do the same in California. Third, that ferrets pose a risk to barnyard poultry.

Before we examine the merits of these specific claims, it is important that we step back and examine the tone and accuracy of the whole report. As we shall soon see, while ferrets do indeed bite on occasion like most animals, are susceptible to diseases like all mammals, and may eat chicken if fed to them in pellet form in their cage, the CDHS report is so full of exaggeration, hyperbole, and inaccuracies that it is hardly a reliable source for gauging the magnitude of any risk ferrets may pose to children, adults or farm animals.

It is not clear why the CDHS expended public resources researching, writing, and producing this report, although the fact that other state agencies, the DFG and the Department of Agriculture, asked for a report is mentioned twice in the report. From the tone of the report, illustrated by the quotes above, it is clear that this report was much less of a scientific inquiry than an intellectual hatchet job on the ferret. In fact, reading this report calls to mind the classic government propaganda turned cult film "Reefer Madness," which so exaggerated the very real dangers marijuana smoking posed that it singlehandedly discredited government information on this subject for at least a whole generation.

Besides its sensational tone, the portion of the report which purports to be a scientific inquiry into the incidence of ferret attacks, suffers from severe methodological defects which preclude it from being taken seriously as a scientific document. These defects include: the lack of a control group, such as cat or dog bites, with which to compare ferret bites; deficiencies in methods of collecting data; use of anecdotal and retrospective reports; failure to define terminology; and biased analysis.²⁸ In fact, this report was so biased that one of the sources of information from which it was supposedly based, Dr. Graham Wellstead, wrote a six page critique of the document which, among other things, called portions of the report "nonsense."²⁹

A few brief examples of slights of truth should suffice before we get to the specific "threats" ferrets supposedly pose. According to the scholars at the CDHS:

"At this time, the available information suggests that if feral ferret populations exist in California, they may not yet be beyond control. It must be emphasized, though, that feral ferrets abound in other states with climates far more severe than occurs in most of California..."30

As we have already shown, contrary to CDHS assertions, there are no feral populations of ferrets in the United States.

The CDHS also asserted, "Presently, a feral ferret population exists on San Juan Island, Washington, where the animals feed on introduced European rabbits, native animals and possibly barnyard fowl." Even if this statement were true, it would be intentionally misleading for its sin of omission: Not disclosing the fact that ferrets were intentionally introduced on San Juan Island, as in New Zealand, to control a rabbit population. But, as we have shown above, the statement that "a feral ferret population exists," is simply wrong. This must either be attributed to poor research or pure duplicity.

In another outright inversion of the truth, the CDHS report states,

Ferrets, and other introduced predators, now feed on native animals and have contributed to the extinction of 20 species of endemic New Zealand birds and have pushed many others to the brink of extinction.³²

This fact, which has been cited by politicians as evidence of the need to keep ferrets out of California, is simply untrue. The only thing that saves it from being a bald lie, is the use of "and other introduced species." Here's what the supposed source of this fact did state:

There is not a single known extinction or diminution in New Zealand that can be regarded as definitively and solely due to any of the mustelids [ferrets, weasels and stoats], despite all that has been written about them as agents of terrible destruction... Overseas the story is the same; only one percent of the 163 extinctions, recorded from islands all over the world since 1600, have been attributed to mustelids, compared with 26 percent attributed to cats and 54 percent to rats. 33

Again, whether this mistreatment of the facts was due to poor research, a shallow grasp of the facts or pure duplicity must be left to conjecture. It is clear, however, that this report is a tainted document, one which gets as high marks for inflated rhetoric as it gets low marks for its factual accuracy. As such, although its data collection cannot be reproduced or checked in any reasonable time frame, a healthy dose of skepticism, especially in regards to retrospective stories, appears advisable.

A central contention of the CDHS report is that ferrets pose a hazard to children because they bite. To support this claim, they came up with 452 ferret bites (it uses the word "attack") from 1978 through 1987. Of these bites, 64 were on infants. While it is certainly tragic when someone gets bitten by a ferret or any other animal, these statistics, as presented in this report, are egregiously misleading. The question that must be asked is, compared to what? As already

stated, the CDHS report didn't provide a control group. It did, however, make this statement:

Ferrets that have undergone training not to bite persons find a near parallel with other wild species that have received similar rearing or training. All such species are characterized by a relatively high frequency of biting compared to dogs, and some (e.g., wolves, wolf-dog hybrids, coyotes, raccoons and ocelots) have killed human infants and/or eaten their tissues ³⁴ (emphasis added).

Again, we find characteristically poor research or duplicity. Compared to dogs, which few people would propose we outlaw due to their threat to children, ferrets look pretty good, something the CDHS should have reported if they had bothered to check. From 1978 to 1988, according to the *Journal of Veterinary Medicine*, serious bite injuries for dogs were recorded at 44,000 per year and 12 per year for ferrets. When corrected for the relative sizes of the populations, we find that dogs are more than 200 times more likely to bite than ferrets. Using population figures of 50 million dogs and 3 million ferrets we find that bite incidence rate for dogs is 8.8 serious bites per year per 10,000 dogs. The rate for ferrets is .04 serious bites per year per 10,000 ferrets.³⁵

This is not to say that ferrets won't ever bite. Like all animals they do bite on occasion and care should be taken when they are around infants, just as it is with cats and dogs. But many of the sensational stories contained in CDHS report probably reflect as much parental neglect as ferret viciousness. Indeed, Lee Wittek, a Carson City Animal Control Officer, testifies, "From my own experience, I know that ferrets are significantly less dangerous to children than dogs," something which is borne out by data. He continued, "I will state categorically that my own knowledge of ferret behavior would indicate that there would have to be a great deal of gross parental irresponsibility for any child to be seriously injured by a ferret." Putting it in proper perspective, Dr. Wellstead, a supposed source for the CDHS report, wrote:

Ferrets do not, in my experience slash and bite in a frenzy of rapid fire bites. If a ferret does bite it is most usually a single hold bite producing the typical lock hold of the mustelid, and that of many breeds of dog. I view the situation where infants have been left with ferrets as a very serious dereliction of parental duty. I would not leave an infant, or young child alone with a ferret, a cat, a dog, a large parrot, or even a pet rodent such as a gerbil.³⁷

Next, in a naked political move to align agricultural interests against ferrets, the CDHS trumped up the issue of ferrets as a threat to "small livestock," primarily

poultry. In a deliberate conflation with polecats, which will kill livestock, the report states:

In addition to killing native animals, polecats also have been reported to ravage small livestock, such as rabbits and poultry. . . Feral ferrets behave as polecats and have been known to engage in wholesale slaughtering of livestock. 38

California's two main poultry associations and their members don't seem to harbor the same fears as the CDHS. The California Poultry Industry Federation writes "our board felt allowing domestic ferrets to be owned as pets will not threaten or hurt the California poultry industry." The Pacific Egg & Poultry Association also had "little to no concern" about the prospect of ferrets becoming legal pets in California.

Recalling that Domestic Ferrets are accepted pets in every continental state except California, if they are a threat to California poultry they too should already be harming poultry industries in other states. This is decidedly not the case. Letters inquiring about ferret related problems to universities and poultry associations in ten other states were all responded to in the negative. That is, not one of the organizations which responded could even recall ever having a ferret related problem.⁴¹

Still, the CDHS report served at least one purpose. It gave ferret opponents in the DFG a study to cite. It also seemingly convinced the California Department of Food and Agriculture (CDFA) that ferrets pose a threat to the CDFA's constituency. When asked for its position on ferrets, the CDFA replied with a letter that closely mirrored the CDHS report. "Ferrets are potential agriculture pests because they are known to prey on commercial poultry," stated the CDFA in explanation of its opposition to ferret ownership.⁴² The CDFA also cited ferrets' alleged tendency to feast on endangered species and their proclivity to attack humans. "Obviously, pet ferrets that escape or which are released into the wild represent a serious risk to California's agriculture and environment. A third consideration is that they also represent a health risk to humans," the CDFA letter concluded.⁴³

Finally, there is the false issue of ferret overcrowding at local Humane Societies, an issue independent of the CDHS report. Mr. Michael Winikoff of the Humane Society of the United States, a national lobbying organization with loose, if any ties, to local Humane Societies, testified at the Fish and Game Commission's November 2, 1995 meeting that "Ferrets are not going to animal control agencies. They are going to Humane Societies," which, he said, "can't afford it." He stated that local Humane Societies were having to go back to members to ask for more money to handle all the ferrets that were coming in. "Humane

Societies are across the country and they do not want ferrets," Mr. Winikoff implored.⁴⁴

Faced with similar accusations, ferret enthusiasts did what the DFG rarely does, they investigated. Surveying 48 animal control agencies in 1994, of which 21 were Humane Societies, in 29 states in which ferrets are legal, they found that while the average number of animals received each year ranged from 5,000 to 60,000, the number of ferrets received each year, on average, was less than seven. Not one of these organizations cited ferrets as a problem. When asked about the impact of ferrets on their operation, the only four words used in response were "little," "insignificant," "negligible," and "none."

Sample responses include:

- Receive less than ten per year. "Have waiting list for ferrets." Humane Society of Boise, Idaho;
- "Most ferrets claimed by owners. Others quickly adopted." Humane Society of Great Falls, Montana;
- ➣ "Find Homes for all of them." South Oregon Humane Society; and
- □ 1 to 2 per year -- "All adopted out." Women's Humane Society of Philadelphia.

So much for Mr. Winikoff's ferret-driven Humane Society crisis. It seems that this is similar to the CDHS poultry crisis.

Costs: Both Fiscal and Human

"Aren't there more important and sensible laws to be made than the one which robs both children and adults of a loving relationship with a harmless pet such as a ferret? Where is your heart, California?

Letter from Brenda Sheppard, whose stepson had his ferret "Trouble" confiscated at the California border

"August 1st I am going to jail in Blythe California for four days for bringing my pets with me to my mother's house. I could take them to 48 other states but I just happened to go to summer school in California. So now I'm going to jail... But it is still worth it, because I loved my pets. If you want to know how I feel, let someone shoot your family dog, cat or horse. Then you'll know."

Letter from Brent Utley, who was convicted of ferret ownership at the California border

"How can I take my children to the local pet store where they witness a 20 foot long python suffocating a little rabbit for food and see all of these horrible deadly poisonous tarantulas from South America as "legal" but their two cute little loving, playful, docile ferrets that are completely harmless to anyone and anything as "illegal?"

Letter from Sharon Bittle, whose pets "Rascal and Bandit" were being shipped to Tennessee to avoid being euthanized

"Most of the laws we, or any law enforcement agency, enforce were enacted based on need, facts, public pressure, etc. The law regarding ferrets is based on none of that. Instead, it is based on lies, rumors, misinformation, dishonesty and self-serving interests, which we stand against."

Letter from Dave Allen, President, Deputy Sheriffs'
Association of San Mateo County

The DFG's intransigence certainly produces fiscal costs. The Department of Food and Agriculture must enforce the ban at its inspection stations. From 1980 to 1995, the number of interceptions has increased more than 260 percent, from 70 to 256. While the Department of Agriculture won't put a price on enforcing this policy, it no doubt exists. Similarly, the CDHS spent a considerable sum producing its report and still spends money distributing it. The DFG itself has squandered public resources holding meetings, producing supposed fact-sheets and writing letters in opposition to the legalization of ferrets. It also wastes money enforcing the law, sending as many as five law enforcement officers to a single "ferret bust." All this expenditure is unnecessary and the Department of Agriculture excepted, these agencies should be embarrassed to have wasted public resources in what can only be seen as a poorly planned and researched public relations campaign. These costs notwithstanding, however, the most important costs are non-monetary. These costs are incurred by individuals who have to forgo plans of moving to California in order to keep their pets, suffer the anguish of having their houses raided as if they were selling drugs, and suffer the emotional distress that comes from the untimely and artificial loss of a beloved pet. In an extreme case, the cost was even a jail sentence.

Occasionally, the human and fiscal costs intersect, as was the case in Fresno, on November 26, 1995. On this date, Ilona T. Maggard -- after having placed an ad in the local paper "Found: Exotic Animal" a few days earlier -- found herself facing two Fresno Police officers and three Fish and Game Wardens armed with a search warrant. Although her ferrets greeted the officers and surrendered uneventfully, according to Ms. Maggard the officers proceeded to ransack her home, searching her kitchen cabinets, her children's closets and dresser drawers. They opened sealed boxes, looked through picture albums and even threatened to break the locked door of her motorhome, the key for which was safely with her husband. One can only wonder how many grams of cocaine were sold in Fresno

during the two hours the two police officers were occupied with this search. Or, for that matter, how many duck hunters bagged a few over the limit or how many deer were poached, while the game wardens were busy confiscating a couple of ferrets.

Consider the case of Brent Utley, the Arizona resident who, headed to California for summer school but neglected to check California's statutes to discover that his two pets were considered contraband in the Golden State. After being turned back at the California border, Utley, like many other vacationers who make the mistake of taking their pets along, faced the unpalatable options of returning home to find a ferret sitter or trying again to cross the border. Utley, in his enthusiastic youth, chose the latter, made a run for the border and was caught. For this, a judge demanded three years probation and \$500. Utley, unable to pay, was sentenced to four days in jail. He actually spent only one night as the jailers came to their senses upon press coverage.

There are many people who simply can't, or won't, move to California as it necessitates either giving up the beloved family pet or becoming a criminal, subject to police raids. Thus while Governor Wilson and the California Trade and Commerce Agency are working tirelessly to attract new and keep existing businesses in California, the DFG's senseless regulations are repelling prospective Californians.

"I've tried to instill in my sons a sense of respect for our country's system of laws and authority," writes Sondria Stephens, a Washington D.C. resident and ferret owner who needed to move to California because of her job. "The boys and I often talk about how laws are made to protect our rights and the rights of others or to protect our safety. I'm teaching my sons to grow up to be responsible, law-abiding citizens," Stephens continued. "I'm at a loss when I come across a regulation such as the one in California that I can't understand myself, let alone explain to my sons. We've owned Max for two years and now we have to give him up -- why?" Stephens asked. "No one's rights are being infringed upon by our having Max as a pet here in Virginia. Why is it any different in California? Or should I give in and decide to break the law by 'smuggling' him into California like so many other ferret owners in California? That's not what I want to teach my kids!!"

Bad law, as Ms. Stephens attests, undermines public respect for the rule of law, which is corrosive in a free and democratic society. As evidenced by the law enforcement officer's quote, this law doesn't even garner the respect of some of the very people bound by duty to enforce it.

Conclusion

"It is always difficult to take on a government bureaucracy. They can spend their 8 hour days and our money causing havoc for good people who must battle them on time borrowed from their jobs, businesses, families and friends." Ferret supporter in letter to then-State Senator Tom Campbell

In our democracy, government administrators serve the people, the people are not subjects of the administrators, elected or otherwise. While the legal status of the Domestic Ferret is not one of the larger issues facing our republic, the abuses of government power and squandering of public resources point to a larger problem of an administrative state that often forgets its purpose. There is nothing more repugnant in a democracy than public officials who use public money to mislead the public. Unfortunately, that appears to be the case with the Department of Fish and Game and the California Department of Health Services in their war against the Domestic Ferret. Like Bill Murray who will stop at nothing short of blowing up the golf course with dynamite to kill groundhogs in the classic comedy movie Caddyshack, the DFG seems to be driven by an age-old grudge against the ferret. This grudge has prevented it from fulfilling its mission of providing scientifically-derived analysis and management of the state's wildlife. Indeed, the DFG seems impervious to the facts on this issue. Given that there are already 500,000 ferrets in California and that there is neither a feral population here nor anywhere else in the United States, the DFG should immediately reclassify the Domestic Ferret as domestic and legalize its ownership. Indeed, as the DFG has been dragging its feet, six other states have already legalized the ferret since 1982. If they continue to resist this simple administrative move, the legislature should overrule them and reestablish the proper rule of authority in our Democracy.

^{1.} George Robeson "A young criminal's offense: Possession of two pet ferrets," Press Telegram, August 1, 1995.

^{2.} These sources included 33 books and encyclopedias, 41 government entities and agencies, and 81 biologists, zoologists, mammologists, veterinarians, university researchers and private individuals and organizations. A complete list is available for copy upon request.

^{3.} See Federal Register, Vol. 54, No. 49/ Wednesday, March 15, 1989, p. 10830; Federal Register, Vol. 52. No. 61, Tuesday, March 31, 1987, pp. 10297 & 10654.

^{4.} Mississippi replied with a phone call.

^{5.} U.S. Congress, Office of Technology Assessment, Harmful Non-Indigenous Species in the United States, OTA-F-565 (Washington, DC: U.S. Government Printing Office, September 1993)

^{6.} Department of Fish and Game Press Release, March 22, 1989, p. 2.

^{7.} Letter dated February 27, 1991 from Jan S. Raymond, Director, Legislative Intent Service, to Mr. Joe Kouri.

^{8.} The International Species Information System (ISIS) Mammalian Taxonomic Directory, perhaps the world's most authoritative source on taxonomy, lists the Domestic Ferret as domesticated. Indeed, in classifying the natural range for the Domestic Ferret, it simply states Domesticated, which means it doesn't exist outside a cage. ISIS Mammalian Taxonomic

FERRETS ON SAN JUAN ISLANDS

"Reports and phone conversations with Washington State Departments of Agriculture and Game verify continuing existence of a viable population of feral ferrets on the San Juan Islands, Washington. Presently that population is increasing to the point of serious problems. Washington State Game Department is considering a program of ferret reduction at this time."

Eldridge G. Hunt, Chief
Wildlife Management Division
California Department of Fish & Game
Memorandum to Pete Bonadelli
Chief Deputy Director
Dept. of Fish & Game
May 13, 1986

"I am prepared to state that, to the best of my knowledge, there are no ferrets living in Washington that prey upon native wildlife.

I understand that there have been attempts to use ferrets to control populations of exotic European rabbits on San Juan and Hat Islands of Puget Sound. Those rabbit populations dramatically decreased a few years ago, and I have been unable to find anyone who has observed a ferret there since."

Thomas C. Juelson, Ph.D. Nongame Program Manager State of Washington Department of Wildlife Letter, April 14, 1988