

**Current Regulations Relevant to Lead and Non-toxics for Hunting, Shooting, and Fishing
As of February 2010**

<p>Migratory Bird Treaty Act</p>	<p>Provides Secretary of Interior authority to regulate how migratory birds are hunted.</p> <p>This act (16 USC 703-711, last amended in December 1989), is a Federal law that enforces international conventions for the protection of migratory birds and game animals to which the United States is a party.</p> <p>Unless permitted by regulations, it is unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export, any migratory bird, any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or in part, of any such bird or any part, nest, or egg thereof, included in the terms of the conventions for the protection and conservation of migratory birds and game mammals between the United States and the USSR, the United States and Mexico, and the United States and Japan (16 USC 703). It is also unlawful to ship, transport, or carry, by any means whatever, from one state, territory, or district to or through another state, territory, or district, or to or through a foreign country, any bird, or any part, nest, or egg thereof, captured, killed, taken, shipped, transported, or carried at any time contrary to the laws of the state, territory, or district in which it was captured, killed, or taken, or from which it was shipped, transported, or carried (16 USC 705). [NOTE: This law includes essentially all species of birds, not just those typically considered migratory. Only exceptions include Rock Dove (pigeon) and European Starling].</p> <p>Sec. 2. Definitions. For purposes of this order:</p> <p>(a) "Take" means take as defined in 50 C.F.R. 10.12, and includes both "intentional" and "unintentional" take.</p> <p>(b) "Intentional take" means take that is the purpose of the activity in question.</p> <p>"Unintentional take" means take that results from, but is not the purpose of, the activity in question.</p>
<p>Endangered Species Act</p>	<p>Secretary of Interior must act to ensure survival of endangered species</p>
<p>Bald and Golden Eagle Act</p>	<p>Secretary of Interior must act to ensure survival of Bald and Golden Eagles.</p> <p>§ 668. Bald and golden eagles</p> <p>(a) Prohibited acts; criminal penalties. Whoever, within the United States or any place subject to the jurisdiction thereof, without being permitted to do so as hereinafter provided, shall knowingly, or with wanton disregard for the consequences of his act take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle commonly known as the American eagle, or any golden eagle, alive or dead, or any part, nest, or egg thereof of the foregoing eagles, or whoever violates any permit or regulation issued pursuant to this Act, shall be fined not more than \$ 5,000 or imprisoned not more than one year or both: Provided, That in the case of a second or subsequent conviction for a violation of this section committed after the date of the enactment of this proviso [Oct. 23, 1972], such person shall be fined not more than \$ 10,000 or imprisoned not more than two years, or both: Provided further, That the commission of each taking or other act prohibited by this section with respect to a bald or golden eagle shall constitute a separate violation of this section: Provided further, That one-half of any such fine, but not exceed \$ 2,500, shall be paid to the person or persons giving information which leads to conviction: Provided further, That nothing herein shall be construed to prohibit possession or transportation of any bald eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to June 8, 1940, and that nothing herein shall be construed to prohibit possession or transportation of any golden eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to the addition to this Act of the provisions relating to preservation of the golden eagle.</p>
<p>National Wildlife Refuge System Administration Act</p>	<p>Conservation of wildlife is top priority at refuges; therefore hunting is permitted only if it is compatible with sound wildlife management practices.</p>

National Park Service Act	Ensures protection of scenery and wildlife within National Parks for future generations.
Clean Water Act	Prohibits “point source” discharging pollutants in waterways of the U.S.
Resource Conservation and Recovery Act	<p>A substance is defined as hazardous waste due to its toxic environmental impacts and is subject to regulation and remediation.</p> <p>The Environmental Protection Agency (EPA) regulates lead as a hazardous waste under the Resource Conservation and Recovery Act (RCRA).</p>
Toxic Substances Control Act	<p>Toxins subject to regulation if they pose environmental risks that outweigh the burden of potential regulations.</p> <p>Lead is regulated as a toxic substance under the Toxic Substances Control Act.</p>
Federal Food, Drug, and Cosmetic Act	<p>The United States Federal Food, Drug, and Cosmetic Act (abbreviated as FFDCA, FDCA, or FD&C), is a set of laws passed by Congress giving authority to the U.S. Food and Drug Administration (FDA) to oversee the safety of food, drugs, and cosmetics.</p> <p>Sec. 401. [21 USC §341] Definitions and Standards for Food</p> <p>Sec. 402. [21 USC §342] Adulterated Food</p> <p>Sec. 406. [21 USC §346] Tolerances for Poisonous Ingredients in Food</p>
Federal Regulation 50 CFR 30	<p>United States Fish and Wildlife Service prohibits using lead shot for taking waterfowl, coots, and certain other species beginning in 1991-1992 hunting season.</p> <p>Establishes U.S., Puerto Rico, and Virgin Islands as nontoxic zones for hunting waterfowl.</p> <p>Revises procedures for approving nontoxic shot materials (must contain <1% lead) to ensure that spent shot does not impose a significant danger to migratory birds.</p> <p>Approves bismuth-tin, tungsten-iron, tungsten-polymer, and tungsten-matrix shot.</p>
Federal Regulation 50 CFR 32	<p>National Wildlife Refuge System prohibits use or possession of toxic shotgun pellets for upland game hunting on Waterfowl Production Areas and other areas beginning in 1996-1997.</p> <p>Establishes “Lead-Free Fishing Areas” thereby prohibiting use of some lead sinkers and jigs on National Wildlife Refuges and National Parks inhabited by loons (i.e. AK, MI, MN, ME, MT, WI, FL, WY)</p>
State Regulations AR, CA, DE, FL, IA, IL, IN, KS, KY, LA, ME, MI, MO, NC, NE, NH, NM, OH, OK, OR, SD, TN, UT, WA, WY	Some non-toxic upland game hunting and/or fishing zones established. In particular Maine, New Hampshire, and New York have banned the use and/or sale of high-risk sinkers and jigs (1/2 – 1 ounce).

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