

LII > Electronic Code of Federal Regulations (e-CFR) > Title 50—Wildlife and Fisheries  
> CHAPTER I—UNITED STATES FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR  
> SUBCHAPTER B—TAKING, POSSESSION, TRANSPORTATION, SALE, PURCHASE, BARTER, EXPORTATION, AND IMPORTATION OF WILDLIFE AND PLANTS  
> PART 10—GENERAL PROVISIONS > Subpart B—Definitions > **§ 10.12 Definitions.**

## 50 CFR § 10.12 - Definitions.

CFR [Table of Popular Names](#)

### **§ 10.12 Definitions.**

*Aircraft* means any contrivance used for flight in the air.

*Amphibians* means a member of the class, Amphibia, including, but not limited to, frogs, toads, and salamanders; including any part, product, egg, or offspring thereof, or the dead body or parts thereof (excluding fossils), whether or not included in a manufactured product or in a processed food product.

*Animal* means an organism of the animal kingdom, as distinguished from the plant kingdom; including any part, product, egg, or offspring thereof, or the dead body or parts thereof (excluding fossils), whether or not included in a manufactured product or in a processed food product.

*Birds* means a member of the class, Aves; including any part, product, egg, or offspring thereof, or the dead body or parts thereof (excluding fossils), whether or not included in a manufactured product or in a processed food product.

*Country of exportation* means the last country from which the animal was exported before importation into the United States.

*Country of origin* means the country where the animal was taken from the wild, or the country of natal origin of the animal.

*Crustacean* means a member of the class, Crustacea, including but not limited to, crayfish, lobsters, shrimps, crabs, barnacles, and some terrestrial forms; including any part, product, egg, or offspring thereof, or the dead body or parts thereof (excluding fossils), whether or not included in a manufactured product or in a processed food product.

*Director* means the Director of the United States Fish and Wildlife Service, Department of the Interior, or his authorized representative.

*Endangered wildlife* means any wildlife listed in § 17.11 or § 17.12 of this subchapter.

*Fish* means a member of any of the following classes:

- (1) Cyclostomata, including, but not limited to, hagfishes and lampreys;
- (2) Elasmobranchii, including but not limited to, sharks, skates, and rays; and
- (3) Pisces, including but not limited to trout, perch, bass, minnows, and catfish; including any part, product, egg, or offspring thereof, or the dead body or parts thereof (excluding fossils), whether or not included in a manufactured product or in a processed food product.

*Fish or wildlife* means any wild animal, whether alive or dead, including without limitation any wild mammal, bird, reptile, amphibian, fish, mollusk, crustacean, arthropod, coelenterate, or other invertebrate, whether or not bred, hatched, or born in captivity, and including any part, product, egg, or offspring thereof.

*Foreign commerce* includes, among other things, any transaction (1) between persons within one foreign country, or (2) between persons in two or more foreign countries, or (3) between a person within the United States and a person in one or more foreign countries, or (4) between persons within the United States, where the fish or wildlife in question are moving in any country or countries outside the United States.

*Fossil* means the remains of an animal of past geological ages which has been preserved in the earth's crust through mineralization of the object.

*Import* means to land on, bring into, or introduce into, or attempt to land on, bring into, or introduce into any place subject to the jurisdiction of the United States, whether or not such landing, bringing, or introduction constitutes an importation within the meaning of the tariff laws of the United States.

*Injurious Wildlife* means any wildlife for which a permit is required under subpart B of part 16 of this subchapter before being imported into or shipped between the continental United States, the District of Columbia, Hawaii, the Commonwealth of Puerto Rico, or any possession of the United States.



*Mammal* means a member of the class, Mammalia; including any part, product, egg, or offspring, or the dead body or parts thereof (excluding fossils), whether or not included in a manufactured product or in a processed food product.

*Migratory bird* means any bird, whatever its origin and whether or not raised in captivity, which belongs to a species listed in [§ 10.13](#), or which is a mutation or a hybrid of any such species, including any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof.

*Migratory game birds*: See [§ 20.11](#) of this subchapter.

*Mollusk* means a member of the phylum, Mollusca, including but not limited to, snails, mussels, clams, oysters, scallops, abalone, squid, and octopuses; including any part, product, egg, or offspring thereof, or the dead body or parts thereof (excluding fossils), whether or not included in a manufactured product or in a processed food product.

*Permit* means any document designated as a "permit," "license," "certificate," or any other document issued by the [Service](#) to authorize, limit, or describe activity and signed by an authorized official of the [Service](#).

*Person* means any individual, firm, corporation, association, partnership, club, or private body, any one or all, as the context requires.

*Plant* means any member of the [plant](#) kingdom, including seeds, roots and other parts thereof.

*Possession* means the detention and control, or the manual or ideal custody of anything which may be the subject of property, for one's use and enjoyment, either as owner or as the proprietor of a qualified right in it, and either held personally or by another who exercises it in one's place and name. [Possession](#) includes the [act](#) or [state](#) of possessing and that condition of facts under which one can exercise his power over a corporeal thing at his pleasure to the exclusion of all other persons. [Possession](#) includes [constructive possession](#) which means not actual but assumed to exist, where one claims to hold by virtue of some title, without having actual custody.

*Public* as used in referring to museums, zoological parks, and scientific or educational institutions, refers to such as are open to the general [public](#) and are either established, maintained, and operated as a governmental [service](#) or are privately endowed and organized but not operated for profit.

*Reptile* means a member of the class, Reptilia, including but not limited to, turtles, snakes, lizards, crocodiles, and alligators; including any part, product, egg, or offspring thereof, or the dead body or parts thereof, whether or not included in a manufactured product or in a processed food product.

*Secretary* means the [Secretary](#) of the Interior or his authorized representative.

*Service* means the United States Fish and Wildlife Service, Department of the Interior.

*Shellfish* means an aquatic invertebrate animal having a shell, including, but not limited to, (a) an oyster, clam, or other mollusk; and (b) a lobster or other crustacean; or any part, product, egg, or offspring thereof, or the dead body or parts thereof (excluding fossils), whether or not included in a manufactured product or in a processed food product.

*State* means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, and Guam.

*Take* means to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect. (With reference to marine mammals, see Part 18 of this subchapter.)

*Transportation* means to ship, convey, carry or transport by any means whatever, and deliver or receive for such shipment, conveyance, carriage, or transportation.

*United States* means the several States of the United States of America, District of Columbia, Commonwealth of Puerto Rico, American Samoa, U.S. Virgin Islands, Guam, Commonwealth of the Northern Mariana Islands, Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Atoll, Navassa Island, Palmyra Atoll, and Wake Atoll, and any other territory or possession under the jurisdiction of the United States.

*Whoever* means the same as person.

*Wildlife* means the same as fish or wildlife.

[38 FR 22015, Aug. 15, 1973, as amended at 42 FR 32377, June 24, 1977; 42 FR 59358, Nov. 16, 1977; 45 FR 56673, Aug. 25, 1980; 50 FR 52889, Dec. 26, 1985; 72 FR 48445, Aug. 23, 2007]



[Law about... Articles from Wex](#)

[Table of Popular Names](#)

[Parallel Table of Authorities](#)

- [About LII](#)
- [Contact us](#)
- [Advertise here](#)
- [Help](#)
- [Terms of use](#)
- [Privacy](#)