

March 4, 2024

Via e-mail

Keri Lejeune
 LDWF State Herpetologist
 Department of Wildlife and Fisheries
 klejeune@wlf.la.gov

Re: PETA’s Comments, Notice of Proposed Rule Changes to the Reptile and Amphibian Regulations

Dear Ms. Lejeune,

On behalf of People for the Ethical Treatment of Animals (PETA) and its more than 9 million members and supporters worldwide—including the over 48,000 in Louisiana—I submit these comments on the [proposed revisions](#) to the Louisiana Department of Wildlife and Fisheries reptile and amphibian regulations, La. Admin. Code tit. 76, § 101 (hereinafter Notice of Intent).

PETA supports the Louisiana Wildlife and Fisheries Commission’s (LWFC’s) effort to enhance protections for the state’s native reptiles and amphibians. The LWFC’s proposed revisions that prohibit (unless authorized via a permit) the release of captive and wild native or nonnative reptiles and amphibians within Louisiana, in combination with prohibiting importing, possessing, selling, transferring, releasing, or reproducing listed prohibited and restricted nonnative reptiles and amphibians (e.g., green iguanas and Burmese pythons), take necessary steps to preempt the costly consequences to animals and humans that stem from the establishment of high-risk nonnative wildlife—an outcome largely the result of the pet trade and its profit-driven focus.¹ Invasive species “degrade, change or displace native habitats, compete with native wildlife, and are major threats to biodiversity.”² Between 1986 and 2020, the cost of invasive reptiles and amphibians (i.e., damage, losses, and control costs) totaled

¹ See Notice of Intent, La. Admin. Code tit. 76, § 101(B)(2), (K)(2); Dario Capizzi et al., *Exotic Pet Trade as a Cause of Biological Invasions: The Case of Tree Squirrels of the Genus Callosciurus*, 10 *BIOLOGY* 1 (2021), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8533491/pdf/biology-10-01046.pdf> (“The trade of non-native pets, especially of non-domesticated and exotic animals, and their subsequent release and establishment of populations is one of the major pathways of introduction for invasive alien reptiles, amphibia, birds and mammals.”); see generally Julie L. Lockwood et al., *When Pets Become Pests: The Role of the Exotic Pet Trade in Producing Invasive Vertebrate Animals*, 17 *FRONTIERS ECOLOGY & ENV’T* 323 (2019), <https://esajournals.onlinelibrary.wiley.com/doi/epdf/10.1002/fee.2059>.

² *Invasive Species*, FWS, <https://www.fws.gov/program/invasive-species> (last visited Mar. 1, 2024).

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\$17 billion worldwide.³ In 2020, in a single city (West Palm Beach, Florida), invasive iguanas caused \$1.8 million in damages after burrowing in the dirt near an aging dam.⁴ By prioritizing an invasive species prevention management strategy, Louisiana increases its potential for minimizing control costs and maximizing the probability of success, especially since “complete eradication of vertebrate species has rarely been accomplished in large landscapes” once invasive species have established themselves.⁵

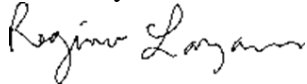
Additionally, prohibiting the wanton and willful waste of native reptiles at organized events will put an end to the mass slaughtering of snakes at the Lake Providence Snake Rodeo—an event that promotes the cruel and senseless killing of mainly non-venomous snakes—embraces snakes as part of the state’s natural heritage and recognizes the vital ecological role they play as consumers of diseased fish and as food sources for other animals.⁶

To advance the LWFC’s objectives and to meet the minimum enclosure dimension standards that reptile experts, veterinarians, and welfare organizations have recognized for years, PETA proposes an amendment, which is detailed in the attached appendix, requiring a captive snake’s enclosure to be at least as long as the snake’s body length. The ability of a snake in captivity to assume a straight-line body posture is crucial for the snake’s physical and behavioral welfare. The Notice of Intent stipulates enclosure size dimensions that do not meet this minimum standard, and compliance with the proposed dimensions could result in violating other rules (e.g., that the “living conditions of animals held in captivity shall be appropriate for that species and contribute to their health and wellbeing”).⁷ PETA’s recommendation cures these inconsistencies.

For the reasons discussed herein, PETA respectfully requests that the LWFC adopt the proposed revision included in the attached appendix.

Thank you for your time and consideration.

Sincerely,



Regina Lazarus
Counsel, Regulatory Affairs

³ Ismael Soto et al., *Global Economic Costs of Herpetofauna Invasions*, 12 SCI. REPS. 1 (2022), <https://www.nature.com/articles/s41598-022-15079-9>.

⁴ *Pesky Iguanas Cost Florida City \$1.8M in Emergency Repairs*, CLICKORLANDO.COM (Jan. 21, 2020, 12:20 PM), <https://www.clickorlando.com/news/local/2020/01/21/pesky-iguanas-cost-florida-city-18m-in-emergency-repairs/>.

⁵ William Pitt et al., *Challenges of Invasive Reptiles and Amphibians*, 84 U. NEB.—LINCOLN 112, 116 (2005), https://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1097&context=icwdm_wdmconfproc (Wildlife Damage Management Conference Proceedings).

⁶ See Notice of Intent, La. Admin. Code tit. 76 § 101(J)(3) (prohibiting “[o]rganized events that wantonly or willfully waste native amphibians or reptiles”); Brandon Michael, *The Snake ‘Rodeo’ Is Back for 2022 in Lake Providence, Louisiana*, K945 (May 23, 2022), <https://k945.com/louisianas-snake-rodeo-is-back/> (reporting that only 22 of 134 snakes killed in the 2019 Lake Providence snake rodeo were dangerous to humans); Trey Iles, *LDWF: Now That Spring Is Here, Keep an Eye Open for Snakes (Please, Give Me a Break, Not a Rake!)*, LA. DEP’T WILDLIFE & FISHERIES (Apr. 27, 2022), <https://www.wlf.louisiana.gov/news/ldwf-now-that-spring-is-here-keep-an-eye-open-for-snakes-please-give-me-a-break-not-a-rake>.

⁷ Notice of Intent, La. Admin. Code tit. 76, § 101(B)(1).

Appendix

Housing and Maintenance, Subsection (F)(1)(a)

Reptile experts, veterinarians, and welfare organizations recognize that, to be mentally and physically healthy, snakes held in captivity must be able to fully stretch out their bodies—meaning that they must be housed in enclosures at least as long as their body length.⁸ However, the LWFC’s proposed dimensions in Subsection (F)(1)(a) (“Snakes—minimum enclosure size shall be relative to the length of the body and tail and shall be $\frac{3}{4}$ that length on the longest side, and $\frac{1}{3}$ that length on the shortest side and in height”) would lawfully permit snakes to be confined in enclosures that do not allow straight-line body posturing. Reptile experts have found no scientific evidence to suggest that snakes are unharmed by enclosures where they cannot fully stretch.⁹ To the contrary, enclosures that deny snakes the ability to stretch out fully counter *scientific evidence-based* recommendations on necessary enclosure size, do not accommodate a snake’s well-being, and cannot coherently coexist with Louisiana’s other regulatory provisions that require the living conditions of captive animals contribute to the species’ health and well-being.¹⁰

Snakes require adequate space to stretch out and move around.¹¹ Snake locomotion, other behaviors, and the ability to avoid discomfort depend on snakes’ ability to extend their entire body length fully.¹² A leading treatise on reptile husbandry recommends providing a snake an enclosure longer than the snake’s body length.¹³ Conclusions from a 2019 study also support this standard. In that study of sixty-five individual snakes—including king snakes, ball pythons, hognose snakes, milk snakes, and corn snakes—many assumed fully stretched-out postures within just one hour of observation.¹⁴ Based on these findings and their understanding of snakes’ biological adaptations, behavior, and natural environments, the researchers concluded that straight-line body postures (i.e., the ability to stretch out) are common behaviors for snakes that are essential to their welfare.¹⁵ When natural behaviors are dramatically constricted, as they are in

⁸ See, e.g., Clifford Warwick et al., *Spatial Considerations for Captive Snakes*, 30 J. OF VETERINARY BEHAV. 37, 47 (2019), <https://www.sciencedirect.com/science/article/pii/S1558787818302211> [hereinafter *Spatial Considerations*]; Lance Jepson, *Inspecting Pet Shops*, 37 IN PRACTICE 333, 343 (2015), *Corn Snake Care*, ROYAL SOCIETY FOR PREVENTION CRUELTY TO ANIMALS, <https://www.rspca.org.uk/adviceandwelfare/pets/other/cornsnake?> (last visited Mar. 1, 2024) (noting that a corn snake needs a vivarium that “matches their length, allowing them to stretch out fully.”); *Think Twice: Is This Pet Right for You?* BRITISH VETERINARY ASS’N, <https://www.bva.co.uk/take-action/our-policies/exotic-pets-non-traditional-companion-animals> (last visited Mar. 1, 2024) (stating in the Exotic Pet Infographic that the ball python “[n]eeds enough space to stretch out in full”).

⁹ Clifford Warwick et al., *Getting It Straight: Accommodating Rectilinear Behavior in Captive Snakes—A Review of Recommendations and Their Evidence Base*, 11 ANIMALS 16 (2021), <https://www.mdpi.com/2076-2615/11/5/1459> [hereinafter *Getting It Straight*].

¹⁰ See, e.g., Notice of Intent, La. Admin. Code tit. 76, § 101(B)(1) (requiring that a captive animal’s living conditions “be appropriate for that species and contribute to their health and well-being”), (F)(1) (“Captive maintenance shall incorporate those aspects of natural habitat deemed important to the survival and well-being of the animal . . .”).

¹¹ See HEALTH AND WELFARE OF CAPTIVE REPTILES 429 (Clifford Warwick et al. eds., 2d ed. 2023).

¹² See *Spatial Considerations*, supra note 8, at 37.

¹³ John V. Rossi, *General Husbandry and Management*, in MADER’S REPTILE AND AMPHIBIAN MEDICINE AND SURGERY 109, 118–23 (2019).

¹⁴ *Spatial Considerations*, supra note 8, at 37–48.

¹⁵ *Id.*

inadequate enclosures, problematic captivity-stress-related behaviors (e.g., hyper-alertness and flattened body posture) and harmful health impacts (e.g., injuries, joint disease, constipation, and obesity) have been documented.¹⁶ In 2021, researchers corroborated earlier findings in a new study focused on corn snakes.¹⁷ The researchers noted the following before recommending that “an enclosure longer (at least) than a snake’s body length [be] provided for captive snakes”:

[W]hen the snakes had more space available they chose to use it—both during phases of activity and to stretch out when resting—suggesting a clear and valued behavioural need (Dawkins, 1988) that should be met to maximise their welfare . . . [B]ased on the preferences of the snakes and the within-enclosure behavioural observations, it appears that the provision of additional space sufficiently large to allow stretching out to their full length—especially when snakes were active—was beneficial to the behaviour and welfare of captive corn snakes, and is a requirement that cannot be satisfied in smaller enclosures.¹⁸

A 2022 survey of 744 snake owners worldwide explored the impact of housing on captive snake welfare and documented that “90.1% of owners reported observing their snakes stretch out to full length;” snakes kept in enclosures measuring less than the snakes’ length showed a “higher frequency of clinical signs of captivity stress.”¹⁹ The study’s findings led the authors to conclude that enclosures should extend at least a snake’s full length.²⁰

Arguments defending smaller enclosures are not based on scientific evidence.²¹ Claims that smaller enclosures can be better for animal welfare because snakes suffer from agoraphobia, or that some snakes are sedentary animals who do not require large enclosures, inappropriately attribute a *human* anxiety condition to a species the condition has not been recognized in, disregard the welfare benefits associated with straight-line postures and locomotion, including its potential to “alleviate gastrointestinal tension, gas, and discomfort, [and] prevent the onset of certain musculoskeletal disorders,” and ignore consistent findings that snakes will use space to stretch out fully if given the opportunity.²²

¹⁶ *Id.* at 42; see also *Getting It Straight*, *supra* note 9, at 4; B.M. Cargill et al., *A Survey Exploring the Impact of Housing and Husbandry on Pet Snake Welfare*, ANIMAL WELFARE 193, 204 (2022), <https://www.cambridge.org/core/services/aop-cambridge-core/content/view/7BED1DBAF7E7736788E3DEDAAC2A352D/S0962728600009969a.pdf/a-survey-exploring-the-impact-of-housing-and-husbandry-on-pet-snake-welfare.pdf> (describing findings from a 2022 study that “snakes kept within enclosures <1 snake length were reported to show a higher frequency of clinical signs of captivity stress.”).

¹⁷ See generally Tatjana Hoehfurtner et al., *Does Enclosure Size Influence the Behavior & Welfare of Captive Snakes (Pantherophis guttatus)?*, 243 APPLIED ANIMAL BEHAV. SCI. 1–8 (2021), <https://www.sciencedirect.com/science/article/pii/S0168159121002227>.

¹⁸ *Id.* at 7.

¹⁹ Cargill et al., *supra* note 16, at 193, 203–04.

²⁰ *Id.* at 204.

²¹ *Id.* 194 (“[T]o our knowledge, there has been no scientific evidence to support claims that smaller enclosure sizes offer any welfare benefit.”); see also *Getting It Straight*, *supra* note 9, at 2.

²² Cargill et al., *supra* note 16, at 194; *Spatial Considerations*, *supra* note 8, at 39.

The LWFC’s proposed enclosure dimensions fail to satisfy the regulations that require animals held in captivity to be provided living conditions that are “appropriate for that species and contribute to their health and wellbeing.”²³ More specifically, the housing and maintenance subsection requires that captive environments include “necessary features to ensure all physical, social, and behavioral needs of the species are met, such as appropriate enclosure size and ventilation.”²⁴ Requiring that an enclosure’s length be at least long enough to allow a snake to fully stretch—unobstructed by any object within the enclosure—ensures that the enclosure accommodates rectilinear posturing, a behavior that is essential and fundamental to snake health and welfare. This guidance “is now *mainstream objective advice within the scientific literature*, and it is also being adopted by other evidence-based information users, such as pet insurers, DIY cage-build specifications, and the American pet industry.”²⁵ For example, in 2021, reptile supply company Zoo Med Laboratories removed misleading guidance from its website—that snakes may be held in an enclosure only half the length of their body—after PETA filed a consumer protection lawsuit against it.²⁶

Study after study has produced consistent findings that a captive snake’s enclosure must be at least as long as the snake’s length to accommodate a snake’s welfare. And, because many snake species “may reasonably be expected to move while adopting straight-line behaviour and manifest multiple activity habits (ie involve combinations of subterranean, aquatic, terrestrial, and arboreal patterns), increasingly authors are taking a precautionary view that all enclosures for all species ought to allow snakes to stretch and move in all dimensions.”²⁷ To allow for the fundamental rectilinear behavior associated with locomotion, comfort, and avoidance of discomfort, reptile expert Clifford Warwick maintains that, as an absolute minimum containment condition, terrestrial snakes must receive space equivalent to the length of the snake (primary linear dimension); the other enclosure dimensions must not be less than forty percent of the primary linear dimension.²⁸ Arboreal snakes must receive space equivalent to the length of the snake in primary linear and vertical dimensions; the width dimension must not be less than 40% of the primary dimension.²⁹

To accomplish its objectives and protect reptiles, LWFC must adequately address the basic spatial needs of captive snakes to ensure that the minimum required enclosure dimensions contribute to their health and welfare. PETA’s proposed revision advances this goal where the Notice of Intent falls short.

²³ Notice of Intent, La. Admin. Code tit. 76, § 101(B)(1).

²⁴ *Id.* § 101(F)(1).

²⁵ *Getting It Straight*, *supra* note 9, at 15 (emphasis added) (citations omitted).

²⁶ See Rachel Showalter, *Central Coast Reptile Supplier Removes Snake-Care Guidance After PETA Lawsuit*, KCBX (June 21, 2021, 5:00 AM), <https://www.kcbx.org/pets-animals/2021-06-21/central-coast-reptile-supplier-removes-snake-care-guidance-after-peta-lawsuit>; *see generally* Complaint, *PETA v. Zoo Med Laboratories*, No. 2020 CA 004123 B (D.C. Super. Ct. Sept. 24, 2020), <https://www.peta.org/wp-content/uploads/2020/10/PETA-v-Zoo-Med-Complaint.pdf>.

²⁷ Cargill et al., *supra* note 16, at 204.

²⁸ *Spatial Considerations*, *supra* note 8, at 46.

²⁹ *Id.*

Proposed Revision

In subsection (F)(1)(a), remove the stricken language and add the underlined language:

Snakes—minimum enclosure size shall be relative to the length of the body and tail and, for arboreal species, shall be at least the length of the snake in all three enclosure dimensions (i.e., length, width, and height); for terrestrial species, minimum enclosure size shall be $\frac{3}{4}$ that at least the length of the snake on the longest side, and should be at least $\frac{1}{3}$ $\frac{2}{5}$ (but shall not be less than $\frac{1}{3}$) that length on the shortest side and in height.