

Ant Keeping & the Law

UNITED STATES OF AMERICA

Federal Laws & Enforcement

There are two primary federal departments involved in the rulemaking and enforcement of insect-related legislation in the United States. These are the **United States Department of Agriculture (USDA)** and the **Department of the Interior (DOI)**. The USDA's enforcement agency, the **Animal Plant Health Inspection Service (APHIS)**, is tasked with protecting agriculture in the United States. It is the primary regulatory agency that ant keepers have contact with. The DOI's enforcement agency, the U.S. Fish and Wildlife Service (USFWS), is tasked with regulating wildlife imports and exports from the United States with special emphasis on protecting endangered and threatened species under various wildlife laws and treaties.

Transporting any live ants (Formicidae) across state lines requires a PPQ 526 permit, which is awarded by APHIS' Plant Protection and Quarantine program (PPQ). PPQ considers all ants potential "plant pests" and therefore exercises regulatory authority afforded by the Plant Pest Act. Moving ants across state lines in any way, without a permit, is a **violation of these laws** and may result in **prosecution, fines, and/or jail time**. Although frustrating, these laws and enforcement are important to protecting American agriculture and natural ecosystems. Invasive species such as *Solenopsis invicta*, the Red Imported Fire Ant (RIFA), have caused billions of dollars in losses to our economy and food production and threaten our native ant species.

Most PPQ 526 permits require that the applicant provide special containment facilities and procedures to ensure that the regulated organisms cannot escape into the environment. To apply for a permit, visit the USDA's PPQ website (search: plant protection and quarantine).

This document does not constitute legal advice and should be used as a guide only. Contact your attorney for legal advice. For specific questions regarding the transport, sale, or distribution of ants in the United States, contact the USDA Plant Protection and Quarantine program: **(301) 851-2357**

Smuggling or Emergency Reporting: (919) 855-7342

State/Local Laws & Enforcement

Each state has different laws regarding the transport and removal of insects within its borders. Generally speaking, ants can be transported throughout the origin state without incident. Known invasive species, such as *Solenopsis invicta* and *Linepithema humile*, may not be transported out of the containment zone they are in.

If you are collecting ants in local parks or on city/state/county grounds, check with the relevant authorities to ensure you do not need a permit to do so. Permits are required to collect on certain lands, such as state and national parks.

Frequently Asked Questions

Does the USDA really enforce these laws?

Yes, the USDA PPQ program works with federal and state authorities to enforce these laws. Violations are serious and investigated.

Is it true that you can bring ants back to your state if they are already present/native in your state?

No, all transportation of ants between state lines is regulated, regardless if your state already has them. However, this may make obtaining a permit easier.

Is it legal to send ants abroad without a permit? Can I sell my ants to China?

No, all transportation of ants between state lines and into or outside of the United States requires a permit.

What can we do to change these regulations?

The protection of agriculture in the United States is a critical service of the USDA. These laws help them to do so. If we want to make progress to loosen regulations and make ant keeping more accessible, we need to follow the laws, respect and understand them, and represent the community professionally. People who smuggle ants damage our reputation and inhibit our ability to work with authorities to achieve mutually-agreeable regulation.

This document does not constitute legal advice and should be used as a guide only. The Ant Network assumes no legal liability for providing this information or for your actions.