

## § 90.17

execute and deliver to any officer authorized to enforce this part written assurances as follows:

(a) That grain made available to him under this part will be used exclusively for the prevention and abatement of crop damage by migratory waterfowl and that no portion of such grain will be sold, donated, exchanged, or used as feed for livestock or other domestic animals or for any other purpose;

(b) That consent is granted to any officer authorized to enforce this part, to inspect, supervise or direct the placement and distribution of grain made available under this part for the prevention of crop damage at all reasonable times;

(c) That free and unrestricted access over the premises on which feeding operations have been or are to be conducted shall be permitted at all reasonable times, by any officer authorized to enforce this part and that such information as may be required by the officer will be promptly furnished; and

(d) That the applicant will not take, nor permit his agents, employees, invitees, or other persons under his control to take migratory game birds on or over any lands or waters subject to his control, during the time such grain is placed, exposed, deposited, distributed, scattered, or present upon such lands or waters, nor for a period of 10 days immediately following the consumption or removal of such grain from such lands or waters.

### § 90.17 Compliance with other regulations.

Nothing in this subpart shall be construed to supersede or modify any regulations relating to the hunting of migratory game birds, nor to permit the transportation, installation or use of grain contrary to any applicable Federal, State, or local laws or regulations.

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AUTHORITY: 5 U.S.C. 301; 16 U.S.C. 718j; 31 U.S.C. 9701.

SOURCE: 53 FR 16344, May 6, 1988, unless otherwise noted.

## Subpart A—Introduction

### § 91.1 Purpose of regulations.

(a) The purpose of these regulations is to establish procedures for selecting a design that will be used for the annual Migratory Bird Hunting and Conservation Stamp (Federal Duck Stamp).

(b) All individuals entering the contest must comply with these regulations. A copy of the regulations, along with the Reproduction Rights Agreement and Display and Participation Agreement, may be requested from the Federal Duck Stamp Office, U.S. Fish and Wildlife Service, 4401 N. Fairfax Dr. MBSP-4070, Arlington, VA 22203-1622. These documents can also be downloaded from our Web site: <http://www.fws.gov/duckstamps/>.

(c) All contestants from the most recent contest will be sent a copy of the

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regulations, the Display and Participation Agreement, and the Reproduction Rights Agreement.

[56 FR 22815, May 16, 1991, as amended at 71 FR 39014, July 11, 2006]

### §91.2 Definitions.

*Contest Coordinator*—the contest official responsible for overseeing the judges' scores for each entry. The contest coordinator will be named by the Secretary of the Interior and will not be a past or present employee of the Fish and Wildlife Service.

*Display and participation agreement*—a document that each contestant must complete, sign, and submit with the entry. The signed agreement allows the Service to display the entry at various locations for promotional purposes, and requires the artist to participate in events on behalf of the Federal Duck Stamp Program.

*Qualifying entry*—each original work of art submitted to the contest that satisfies the requirements outlined in subpart B.

*Reproduction rights agreement*—a document that each contestant must sign and submit with the entry. The signed agreement certifies that the entry is an original work of art and stipulates how the Fish and Wildlife Service may use the winning entry.

[53 FR 16344, May 6, 1988, as amended at 56 FR 22815, May 16, 1991; 71 FR 39014, July 11, 2006]

### §91.3 Public attendance at contest.

All phases of the voting process will be open for viewing by the general public.

### §91.4 Eligible species.

Five or fewer of the species listed below will be identified as eligible each year; those eligible species will be provided to each contestant with the information provided in §91.1.

(a) *Whistling-Ducks*. (1) Fulvous Whistling-Duck (*Dendrocygna bicolor*)

(2) Black-bellied Whistling-Duck (*Dendrocygna autumnalis*)

(b) *Swans*. (1) Trumpeter Swan (*Cygnus buccinator*)

(2) Tundra Swan (*Cygnus columbianus*)

(c) *Geese*. (1) Greater White-fronted Goose (*Anser albifrons*)

(2) Snow Goose (including "white" and "blue" morphs) (*Chen caerulescens*)

(3) Ross's Goose (*Chen rossii*)

(4) Emperor Goose (*Chen canagica*)

(5) Canada Goose (*Branta canadensis*)

(6) Cackling Goose (*Branta hutchinsii*)

(d) *Brant*. (1) Brant (*Branta bernicla*)

(e) *Dabbling Ducks*. (1) Wood Duck (*Aix sponsa*)

(2) American Wigeon (*Anas americana*)

(3) Gadwall (*Anas strepera*)

(4) American Green-winged Teal (*Anas crecca carolinensis*)

(5) Mallard (*Anas platyrhynchos*)

(6) Mottled Duck (*Anas fulvigula*)

(7) American Black Duck (*Anas rubripes*)

(8) Northern Pintail (*Anas acuta*)

(9) Blue-winged Teal (*Anas discors*)

(10) Cinnamon Teal (*Anas cyanoptera*)

(11) Northern Shoveler (*Anas clypeata*)

(f) *Diving Ducks*. (1) Canvasback (*Aythya valisineria*)

(2) Redhead (*Aythya americana*)

(3) Ring-necked Duck (*Aythya collaris*)

(4) Greater Scaup (*Aythya marila*)

(5) Lesser Scaup (*Aythya affinis*)

(g) *Sea-Ducks*. (1) Common Eider (*Somateria mollissima*)

(2) King Eider (*Somateria spectabilis*)

(3) Spectacled Eider (*Somateria fischeri*)

(4) Steller's Eider (*Polysticta stelleri*)

(5) Harlequin Duck (*Histrionicus histrionicus*)

(6) Long-tailed Duck (*Clangula hyemalis*)

(7) Black Scoter (*Melanitta nigra*)

(8) Surf Scoter (*Melanitta perspicillata*)

(9) White-winged Scoter (*Melanitta fusca*)

(10) Bufflehead (*Bucephala albeola*)

(11) Barrow's Goldeneye (*Bucephala islandica*)

(12) Common Goldeneye (*Bucephala clangula*)

(h) *Mergansers*. (1) Hooded Merganser (*Lophodytes cucullatus*)

(2) Red-breasted Merganser (*Mergus serrator*)

(3) Common Merganser (*Mergus merganser*)

(i) *Stiff Tails*. (1) Ruddy Duck (*Oxyura jamaicensis*)

[71 FR 39014, July 11, 2006]