

April 2000



U.S. Fish & Wildlife Service

Facts About Federal Wildlife Laws



This booklet is a guide to Federal laws that apply to the importation, exportation, trade, and sale of wildlife, including live and dead animals and animal parts and products.

If you're a tourist traveling in foreign countries, a hunter planning a trip abroad, an importer or exporter, a scientist

or an educator, the information in this booklet will help you comply with wildlife protection laws and make your trip the positive experience you want it to be. By observing the laws, you'll help preserve the world's wildlife resources and avoid delays in clearing Customs.

Introduction

As you read this booklet, you should be aware that the wildlife and wildlife parts and products mentioned are only a few of the species and items that are subject to Federal law. Also, while this booklet describes the basic requirements of Federal regulations, it does not cover them in full. More complete information is available from any of the U.S. Fish & Wildlife Service offices listed in the back of this booklet.

If You're Traveling Abroad...

Some of the most beautiful and interesting souvenirs offered for sale abroad are made from the furs, hides, shells, feathers, teeth, and flesh of creatures threatened with extinction. Although tourists may lawfully buy such souvenirs in a number of foreign countries, it may be illegal to import them into the United States.

Don't be fooled by the argument that "the animal is already dead so it doesn't matter if you buy something made from it." Should you buy items fashioned from endangered species, you'd be adding to the demand for such products and supporting a market for which more animals will be killed. When you consider purchasing a wildlife product during your travels, first make sure you can legally bring it home. Don't rely on assurances by the vendor. Check with the U.S. embassy or consular office, which can then contact the host government. A good rule, is "If in doubt, do without." There are no refunds if your purchase is seized by Customs or wildlife inspectors, and you might also find yourself subject to monetary penalties.

Endangered and Threatened Species

Federal restrictions on the import and export of protected wildlife also apply to hunters who take trophies, businesses that deal in the animal and animal product trade, and scientists or teachers who use animals for research or educational purposes. Some exceptions are allowed, but most imports or exports of wildlife require that a Federal permit be obtained in advance.

What Can and Can't be Imported

More than 1,000 species of animals and plants are officially listed under U.S. law as endangered or threatened. With limited exceptions, none may be imported or exported either alive, as parts or products, or as hunting trophies. One of these exceptions is for certain antiques. Other exceptions also may be granted by Federal permit for scientific research, breeding, or similar acceptable purposes that contribute to the species conservation.

Items falling into the endangered species category which are commonly sold abroad but are prohibited entry into the United States include:

Whole shells and "tortoise" shell jewelry made from shells of sea turtles.

Sea turtle soup and facial creams.



Rugs, pelts, hunting trophies, and a wide variety of manufactured articles (such as handbags, compacts, coats, wallets, key cases, etc.) made from the skins and/or fur of endangered or threatened animals, including the cheetah, jaguar, margay, ocelot, tiger, and others.



Asian elephant ivory and whale teeth decorated with etchings (scrimshaw) or made into figurines (netsuke), curios, pendants, and other jewelry.

African elephant ivory, both raw and worked.

Sea turtle and some crocodile leather shoes, handbags, belts, wallets, luggage, and similar articles. Leather products made from certain other reptiles, including caiman, may also be prohibited.

CITES Species

Under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), more than 130 nations are now regulating international trade to prevent the decline of species threatened (listed in Appendix I of CITES) or potentially threatened (listed in Appendix II) with extinction. Trade, which is defined as import, export, or re-export, of a long list of such threatened animal and plant species, is either virtually prohibited or restricted. International shipment of these species and products made from them requires an import or export permit, or both, issued in advance by the official management authorities of the countries involved.

Marine Mammals

Seals, whales, dugong (sea cows), porpoises, walrus, sea otters, polar bears, and manatees also are protected by Federal laws. These animals (alive or dead), their parts, or products made from them may not be imported in most instances except by special permit. Articles made from these animals that are commonly sold abroad include:

Sealskin toys, purses, wallets, key cases, and clothing.



*Bird and
Bird Feathers*

Whalebone and whale and walrus ivory, either in natural form or carved into figurines, curios or jewelry.

Sea otter furs and clothing

Polar bear hunting trophies, rugs and items of clothing.

Most migratory birds are protected by international treaty as well as by United States law and may not be possessed without a permit. However, game birds that are legally killed in and exported from foreign countries by United States hunters may be imported and possessed. Fully manufactured artificial flies for fishing (other than those containing protected bird species) may also be imported and possessed. Many CITES listed live birds are also controlled under the Wild Bird Conservation Act and may require U.S. import permits. Prohibited or controlled items commonly sold abroad include:

Live and mounted migratory birds, including bald and golden eagles.

Feathers in a variety of forms, including flower pictures, wearing



*Wildlife Taken
in Violation of
State, Federal,
Foreign, or
Indian Tribal
Law*

apparel, Indian artifacts, necklaces, headbands, and curios decorated with feathers.

Most psittacine birds (parrots, macaws, etc.).

The Lacey Act helps foreign countries and our individual States enforce their wildlife conservation laws.

Under the Lacey Act, it is a violation of Federal law to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any wildlife, including fish, that was taken, transported, possessed, or sold in violation of any State or foreign law, or taken or possessed in violation of other Federal law or Indian tribal law.

Many countries prohibit the export of certain species, and the United States may also ban the importation of wildlife from individual foreign nations. Travelers should check with the U.S. Fish & Wildlife Service about such restrictions before their trip.

*Injurious
Wildlife*

Several live animals, including but not limited to the fruit bat, mongoose, walking catfish, and java sparrow, may not be imported because they are deemed to be harmful to the environment, to people, or to animals and plants in the United States. This prohibition applies to animals in captivity, including pets, but does not apply to domesticated dogs, cats, or rabbits. Many States also have strict prohibitions against the introduction of non-native wildlife.

Health certificates must accompany all imports of fresh or frozen fish produced commercially and salmon and trout harvested recreationally outside North American waters. Live salmon eggs also require health certificates. For a list of such certifying officials, contact the nearest U.S. Fish & Wildlife Service Law Enforcement Office.

Lists of Species

A list of wildlife and plants that specifically require a Federal permit in order to be imported may be obtained by writing to the offices listed in the back of this booklet. These lists include species that are:

- endangered or threatened
- protected by CITES
- injurious migratory birds
- and marine mammals.

In addition, travelers will need to be sure that they have any necessary foreign permits to establish that the wildlife they are importing into the United States was lawfully exported.



Designated Ports

Where in the United States Can Wildlife be Imported or Exported?

To maintain control over importation and exportation, wildlife and wildlife products must enter or exit the United States at one of the following designated ports unless specific permits allow otherwise or unless conditions exist that allow entry or exit at a Canadian or Mexican border port, or a special port.

- | | |
|-----------------|-------------------|
| Atlanta, GA | Miami, FL |
| Baltimore, MD | New Orleans, LA |
| Boston, MA | New York, NY |
| Chicago, IL | Newark, NJ |
| Dallas, TX | Portland, OR |
| Honolulu, HI | San Francisco, CA |
| Los Angeles, CA | Seattle, WA |

Canadian and Mexican Border Ports

Wildlife, including parts and products, other than marine mammals or endangered, threatened, CITES, or injurious species, which is imported or exported for commercial purposes and whose origin is the United States, Canada, or Mexico, may enter or exit at any of 31 specified border ports in addition to the nine designated ports listed above. A list of these 31 border ports may be obtained from the U.S. Fish & Wildlife Service.

Special Ports

Wildlife including parts and products, may be imported or exported from Juneau, Anchorage, Fairbanks, or Alcan, if Alaska is the origin or final destination; through San Juan, if Puerto Rico or the Virgin Islands are the origin or final destination; and through Agana, if Guam is the origin or final destination. The use of these ports is not permitted for marine mammals, or endangered, threatened, CITES, or injurious species.

Any Customs Port

Personal or Household effects

Wildlife products or manufactured articles that are not intended for sale may enter or leave the United States through any Customs port if they are:

Worn as clothing.

Contained in accompanying personal baggage.

Part of a household move.

The exception for personal or household effects does not apply to:

Packages mailed into the United States.

Raw or dressed furs or skins.

Game trophies.

Endangered or threatened wildlife.

Injurious wildlife.

Certain CITES species.

Marine mammals.

Trophies

Wildlife, other than marine mammals or endangered, threatened, or CITES Appendix I species, which is lawfully taken by United States residents in the United States, Canada, or Mexico, may be imported or exported for non-commercial purposes at any Customs port.

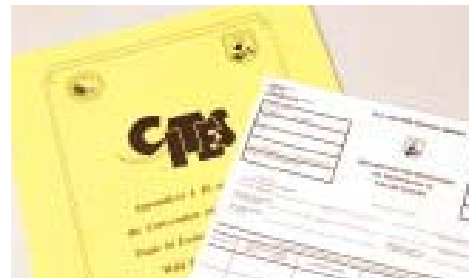


Import and Export Declarations

Is Documentation Required?

Most persons who import or export wildlife must file a special declaration and may be required to have certain documents from foreign governments as well.

In most cases, anyone importing or exporting wildlife or wildlife products must file a U.S. Fish & Wildlife Service Form 3-177 (Declaration for Importation or Exportation of Fish and Wildlife) with the U.S. Fish & Wildlife Service or U.S. Customs Service at the time of importation or exportation. This form is available



from the Customs Service or the U.S. Fish & Wildlife Service offices listed in the back of this booklet. It does not have to be filed in the case of wildlife

products or manufactured articles that are not for sale and are imported as accompanying personal effects or as part of a household move, and fish caught by sport fishermen in North America unless such wildlife requires the prior issuance of a permit. This exception does not apply to packages mailed into the United States, live animals, raw or dressed furs or skins, endangered or threatened wildlife, injurious wildlife, certain CITES species, and marine mammals.

Foreign Documentation

Any wildlife imported from a country regulating its taking, possession, transportation, exportation, or sale has to be accompanied by documents showing compliance with all of that country's laws. This documentation must include an export document from an appropriate foreign government official (every CITES species item must have documentation, except for some

Marking of Packages and Containers

personal or household effects). To find out what documentation may be required from a specific foreign country, contact the nearest U.S. Fish & Wildlife Service office.

Any container or package holding wildlife (alive or dead) or wildlife parts and products must be labeled to show the name and address of the shipper, the name and address of the receiver, and the quantity and kind of wildlife or wildlife products within.

What About Buying or Selling Wildlife Within the United States?

Federal law restricts interstate commerce in migratory birds, bald or golden eagles, endangered or threatened species, and any wildlife that is taken, possessed, transported, or sold illegally in a State or foreign country. These restrictions apply to live or dead animals, their parts, and products manufactured from them. Items commonly sold illegally in the United States include:

Mounted migratory birds and jewelry and curios made with feathers of protected species.



Tortoise shell items and sea turtle meat and oils.

Coats, handbags, wallets, compacts, and other items made from protected species.

What About Hunting or Capturing Wildlife Within the United States?

The Federal Government prohibits the hunting, trapping, capturing, or harassing of marine mammals, endangered or threatened species, bald and golden eagles, hawks, and owls without a special permit. In addition, no hunting or trapping of non-game migratory birds (sea birds, songbirds, etc.) is allowed without a special permit.



The Federal Government authorizes special hunting seasons for certain migratory game birds. Federal regulations governing these special hunting seasons can be obtained by writing to the U.S. Fish & Wildlife Service offices listed in the back of this booklet.

Airborne hunting of any wildlife is prohibited without specific permits.

What About Restrictions by Other Government Agencies?

In addition to the requirements, restrictions, and prohibitions enforced by the U.S. Fish & Wildlife Service, other Federal agencies are concerned with the importation and exportation of wildlife and plants:

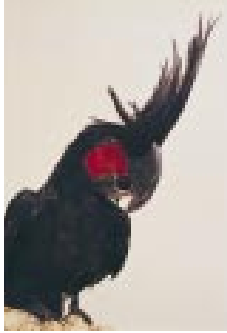
U.S. Customs Service

Many imported wildlife items are subject to duty and must meet other requirements administered by the U.S. Customs Service. Travelers should direct any questions involving Customs laws and regulations to the U.S. Customs Service, 1301 Constitution Avenue, NW, Washington, D.C. 20229.

U.S. Department of Agriculture

To protect the U.S. livestock and agriculture industry from diseases of foreign origin, the Department of Agriculture (USDA) also regulates importation (and in some cases, the exportation) of plants, birds, and certain animals.

Animals and Birds



USDA restricts the entry of live farm animals, certain zoo animals, some game animals and birds (including carcasses, meat, and trophy skins), poultry and other birds (and hatching eggs), and the entry and interstate shipment of potential carriers of animal diseases. Some animals are prohibited; others must be held in USDA Animal Import Centers or quarantine stations for 30 days after entry. Quarantine arrangements must be made prior to the importation. Animals and birds must be inspected by veterinarians of the Animal and Plant Health Inspection Service (APHIS). Write in advance to Veterinary Services, APHIS, USDA, 4700 River Road, Riverdale, Maryland 20737, 301/734 8170.

Plant Materials

All imported plant material must be inspected, and a permit is required before certain plant material may be brought into the United States. This includes fruits, vegetables, and plants or plant parts intended for growing. For further information, write: Permit Unit, APHIS, USDA, Plant Protection and Quarantine, 4700 River Road, Riverdale, Maryland 20737, 301/734 8896 or 877/770 5990.

U.S. Public Health Service

The Centers for Disease Control of the U.S. Public Health Service administers regulations that apply to the importation of primates, turtles, dogs, cats, and other wildlife that may be carriers of human disease. For specific information on importation requirements, write to the U.S. Public Health Service, Centers for Disease Control, Division of Quarantine, 1600 Clifton Road, NE, Atlanta, Georgia 30333, 404/639 3311.

National Marine Fisheries Service

The National Marine Fisheries of the U.S. Department of Commerce has broad restrictions governing importation and interstate commerce in marine mammals or their parts and products. For further information, write to the Assistant Administrator for Fisheries, National Marine Fisheries Service, 1335 East-West Highway, Silver Spring, Maryland 20910.

What is the Role of the States?

Within the United States, individual States have the major responsibility for regulating the use (including hunting) of resident wildlife—that is, wildlife native to a State. In addition, many States have laws controlling the introduction of wildlife that is not native and regulating the sale and possession of wildlife within their borders. Travelers are advised to check with these authorities before acquiring wildlife items or live wildlife.

Are Permits Available?

Some of the controlled import and export activities described in this booklet may be conducted under special permits issued by the U.S. Fish & Wildlife Service or National Marine Fisheries Service. For additional information, including exceptions and procedures for applying for special permits, write: U.S. Fish & Wildlife Service, Office of Management Authority, Department of Interior, Washington, D.C. 20240, or National Marine Fisheries Service, Office of Protected Species and Habitat Conservation, Department of Commerce, Washington, D.C. 20235.

<i>State/Territories</i>	<p>For More Information For more complete information, including lists of protected species and copies of applicable Federal regulations, write to the Assistant Regional Director for Law Enforcement of the U.S. Fish & Wildlife Service Office nearest your home.</p>	<i>CO, KS, MT, NE, ND, SD, UT, WY</i>	<p>Assistant Regional Director for Law Enforcement, Region 6 U.S. Fish & Wildlife Service P.O. Box 25486-DFC Denver, Colorado 80225 Telephone: 303/236 7540</p>
<i>CA, HA, ID, NV, OR, WA, GU, AS, CM</i>	<p>Assistant Regional Director for Law Enforcement, Region 1 U.S. Fish & Wildlife Service 911 N.E. 11th Avenue Portland, Oregon 97232-4181 Telephone: 503/231 6125</p>	<i>AK</i>	<p>Assistant Regional Director for Law Enforcement, Region 7 U.S. Fish & Wildlife Service 1011 E. Tudor Road, Suite 155 Anchorage, Alaska 99503-6199 Telephone: 907/786 3311</p>
<i>AZ, NM, OK, TX</i>	<p>Assistant Regional Director for Law Enforcement, Region 2 U.S. Fish & Wildlife Service P.O. Box 329 Albuquerque, New Mexico 87103 Telephone: 505/248 7889</p>	<i>Headquarters</i>	<p>Chief Office of Law Enforcement U.S. Fish & Wildlife Service 4401 N. Fairfax Drive, Room 520 Arlington, Virginia 22203 Telephone: 703/358 1949</p>
<i>IL, IN, IA, MI, MN, MO, OH, WI</i>	<p>Assistant Regional Director for Law Enforcement, Region 3 U.S. Fish & Wildlife Service P.O. Box 45, Federal Building Fort Snelling, Minnesota 55111-0045 Telephone: 612/713 5320</p>		<p>You may also obtain additional information about the U.S. Fish & Wildlife Service from our web site at www.fws.gov.</p>
<i>AL, AR, FL, GA, KY, LA, MS, NC, SC, TN, PR, VI</i>	<p>Assistant Regional Director for Law Enforcement, Region 4 U.S. Fish & Wildlife Service P.O. Box 49226 Atlanta, Georgia 30359 Telephone: 404/679 7057</p>		<p>Department of the Interior U.S. Fish & Wildlife Service As the Nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering the widest use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to assure that their development is in the best interests of all our people. The Department also has a major responsibility for American Indian reservation communities and for people who live in Island territories under U.S. administration.</p>
<i>CT, DE, DC, ME, MD, MA, NH, NJ, NY, PA, RI, VT, VA, WV</i>	<p>Assistant Regional Director for Law Enforcement, Region 5 U.S. Fish & Wildlife Service 300 Westgate Center Drive Hadley, Massachusetts 01035 Telephone: 413 /253 8274</p>		