§ 23.69 How can I trade internationally in fur skins and fur skin products of bobcat, river otter, Canada lynx, gray wolf, and brown bear?

(a) U.S. and foreign general provisions. For purposes of this section, CITES furbearers means bobcat (Lynx rufus), river otter (Lontra canadensis), and Canada lynx (Lynx canadensis), and the Alaskan populations of gray wolf (Canis lupus), and brown bear (Ursus arctos). These species are included in Appendix II based on Article II(2)(b) of the Treaty (see § 23.89). The import, export, or re-export of fur skins and fur skin products must meet the requirements of this section and the other requirements of this part (see subparts B and C for prohibitions and application procedures). For specimens that were harvested from a State or Tribe without an approved CITES export program, see § 23.36 for export permits and § 23.37 for re-export certificates.

(b) Export approval of State and tribal programs. States and Tribes set up and maintain management and harvest programs designed to monitor and protect CITES furbearers from over-harvest. When a State or Tribe with a management program provides us with the
necessary information, we make pro-
grammatic findings and have specific
requirements that allow export under
CITES. A State or Tribe must provide
sufficient information for us to deter-
mine that its management program and
harvest controls are appropriate to
ensure that CITES furbearers har-
vester within its jurisdiction are le-
gally acquired and that export will not
be detrimental to the survival of the
species in the wild.

(1) A State or Tribe seeking initial
CITES export program approval must
submit the following information to
the U.S. Management Authority, ex-
cept as provided in paragraph (b)(2) of
this section:

(i) An assessment of the condition of
the population and a description of the
types of information on which the as-
sessment is based, such as an analysis
of carcass demographics, population
models, analysis of past harvest levels
as a function of fur prices or trapper ef-
fort, or indices of abundance inde-
pendent of harvest information, such
as scent station surveys, archer sur-
veys, camera traps, track or scat sur-
veys, or road kill counts.

(ii) Current harvest control meas-
ures, including laws regulating harvest
seasons and methods.

(iii) Total allowable harvest of the
species.

(iv) Distribution of harvest.

(v) Indication of how frequently har-
vest levels are evaluated.

(vi) Tagging or marking require-
ments for fur skins.

(vii) Habitat evaluation.

(viii) If available, copies of any
furbearer management plans or other
relevant reports that the State or
Tribe has prepared as part of its exist-
ing management program.

(2) If the U.S. Scientific Authority
has made a range-wide non-det-
riment finding for a species, the annual
furbearer activity report from a State
or Tribe with an approved export pro-
gram for that species should include, at
a minimum, a statement indicating
whether or not the status of the species
has changed and the information in
paragraph (b)(3)(iii) and (iv) of this sec-
tion. Range-wide non-detriment find-
ings will be re-evaluated at least every
5 years, or sooner if information indi-
cates that there has been a change in
the status or management of the spe-
cies that might lead to different treat-
ment of the species. When a range-wide
non-detriment finding is re-evaluated,
States and Tribes with an approved ex-
port program for the species must sub-
mit information that allows us to de-
termine whether our finding remains
valid.

(c) CITES tags. Unless an alternative
method has been approved, each CITES
fur skin to be exported or re-exported
must have a U.S. CITES tag perma-
nently attached.

(1) The tag must be inserted through
the skin and permanently locked in
place using the locking mechanism of the tag.

(2) The legend on the CITES tag must include the US-CITES logo, an abbreviation for the State or Tribe of harvest, a standard species code assigned by the Management Authority, and a unique serial number.

(3) Fur skins with broken, cut, or missing tags may not be exported. Replacement tags must be obtained before the furs are presented for export or re-export. To obtain a replacement tag, either from the State or Tribe that issued the original tag or from us, you must provide information to show that the fur was legally acquired.

(i) When a tag is broken, cut, or missing, you may contact the State or Tribe of harvest for a replacement tag. If the State or Tribe cannot replace it, you may apply to FWS Law Enforcement for a replacement tag. If the tag is broken or cut, you must give us the tag. If the tag is missing, you must provide details concerning how the tag was lost. If we are satisfied that the fur was legally acquired, we will provide a CITES replacement tag.

(ii) A replacement tag must meet all of the requirements in paragraph (c) of this section, except the legend will include only the US-CITES logo, FWS-REPL, and a unique serial number.

(4) Tags are not required on fur skin products.

(d) Documentation requirements. The U.S. CITES export permit or an annex attached to the permit must contain all information that is given on the tag.

(e) U.S. application process. Application forms and a list of States and Tribes with approved furbearer programs can be obtained from our website or by contacting us (see §23.7).

(1) To export fur skins taken under an approved State or tribal program, complete Form 3-200-26 and submit it to either FWS Law Enforcement or the U.S. Management Authority.

(2) To export fur skins that were not harvested under an approved program, complete Form 3-200-27 and submit it to the U.S. Management Authority.

(3) To re-export fur skins, complete Form 3-200-73 and submit it either to FWS Law Enforcement or the U.S. Management Authority.

(4) For information on issuance criteria for CITES documents, see §23.36 for export permits and §23.37 for re-export certificates.

(f) Conditions for export. Upon export, each fur skin, other than a fur skin product, must be clearly identified in accordance with paragraph (c) of this section.

§23.70 How can I trade internationally in American alligator and other crocodilian skins, parts, and products?

(a) U.S. and foreign general provisions. For the purposes of this section, crocodilian means all species of alligator, caiman, crocodile, and gavial of the order Crocodylia. The import, export, or re-export of any crocodilian skins, parts, or products must meet the requirements of this section and the other requirements of this part (see subparts B and C for prohibitions and application procedures). For American alligator (Alligator mississippiensis) specimens harvested from a State or Tribe without an approved CITES export program, see §23.36 for export permits and §23.37 for re-export certificates.

(b) Definitions. Terms used in this section are defined as follows:

(1) Crocodilian skins means whole or partial skins, flanks, chalecos, and bellies (including those that are salted, crusted, tanned, partially tanned, or otherwise processed), including skins of sport-hunted trophies.

(2) Crocodilian parts means body parts with or without skin attached (including tails, throats, feet, meat, skulls, and other parts) and small cut skin pieces.

(c) Export approval of State and tribal programs for American alligator. States and Tribes set up and maintain management and harvest programs designed to monitor and protect American alligators from over-harvest. When a State or Tribe with a management program provides us with the necessary information, we make programmatic findings and have specific requirements that allow export under CITES. A State or Tribe must provide sufficient information for us to determine that its management program and harvest controls are appropriate to