

Questions and Answers

Proposed Rule to List Native Freshwater Turtles in CITES Appendix III

What action is being taken?

The U.S. Fish and Wildlife Service is proposing to add four species of freshwater turtle – common snapping turtle (*Chelydra serpentina*), Florida softshell turtle (*Apalone ferox*), smooth softshell turtle (*Apalone mutica*) and spiny softshell turtle (*Apalone spinifera*) – to Appendix III of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The listing will also apply to all subspecies of these four species, except *Apalone spinifera atra*, which is currently listed in CITES Appendix I.

What is CITES Appendix III?

CITES is a treaty aimed at protecting species at risk from international trade. Appendix III, one of three appendices under CITES, is a list of animal and plant species identified by particular CITES party countries as being in need of international trade controls. In this case, the United States is proposing to list four native freshwater turtle species to better monitor existing international trade and ensure trade is legal.

Why are these species being listed in Appendix III?

A booming international trade in turtles has put pressure on turtle populations across the country, leading to a growing concern about the long-term survival of these species. Declines have been documented, or locally severe declines may be possible in at least some portions of the range of these four native U.S. freshwater turtle species. Existing laws, which are highly variable among the states, have not been completely successful in preventing unauthorized collection and trade.

An Appendix III listing will enable the Service to adequately monitor international trade in these taxa, determine if exports are occurring legally with respect to state law, and determine if further measures under CITES or other laws are required to conserve these species. Additionally, listing these species in Appendix III will enlist the assistance of other CITES Parties in our efforts to monitor and control trade in these species.

The Service is seeking public comments for 60 days regarding information pertaining to these four turtle species. Please go to www.regulations.gov Docket No. FWS–HQ–ES–2013–0052 for additional information. The proposed rule will publish in the *Federal Register* on October 30, 2014, comments must be received by December 29, 2014.

What does an Appendix III listing mean in terms of permit requirements?

Once a species is listed under CITES any international trade in the species, either as live specimens or parts or products, must be accompanied by a valid CITES permit or certificate. The export of an Appendix III species listed by the United States requires an export permit issued by the Service's Division of Management Authority (DMA).

DMA will issue a permit only if the applicant obtained the specimen legally, in compliance with applicable laws, including relevant state wildlife laws and regulations, and the live specimen is packed and shipped in accordance with the International Air Transport Association's live animal regulations to reduce the risk of injury, damage to health or cruel treatment. Additionally, any shipment containing wildlife must be declared to a Service wildlife inspector upon import, export or re-export, and must comply with all applicable regulations. For additional information, visit <http://www.fws.gov/le/commercial-wildlife-shipment.html>.

Unlike species listed in CITES Appendix I and II, the Service does not need to demonstrate that export is not detrimental to survival in the wild for an Appendix III species (called a non-detriment finding).

Do other countries have to issue export permits for these four turtle species?

Through the issuance of CITES documents, an Appendix III listing helps monitor trade and determine its impact on a species. International trade data and other relevant information collected as a result of the Appendix III listing will help policymakers determine if additional protections may be warranted for the species. The CITES document required for export varies depending on the activity being carried out, as follows:

- Export from the United States requires an export permit issued by the Service's Division of Management Authority (DMA).
- Export from countries other than the United States requires a certificate of origin, or a certificate of captive breeding, issued by that country's Management Authority.
- Re-export from all countries, including the United States, requires a re-export certificate issued by that country's management authority.

For more information, please refer to [CITES Notification to the Parties No. 2014/048](#).

What permits will be required to export any of these species under an Appendix III listing?

To apply for a U.S. CITES document, a standard application form and processing fee are required. To legally export any of these species, you must complete application form [3-200-27](#). Upon completion of your application and approval by the Service, a permit will be issued authorizing the export of specifically identified specimens.

The application form includes detailed instructions and can answer many of your questions. However, if after reviewing the form, you still have questions or are unclear on the permitting process, please contact the Service International Program's Division of Management Authority at 1-800-358-2104 or managementauthority@fws.gov. You may also visit the [Service's International Affairs Permits website](#).

Will a permit be necessary to import any of these species?

If you plan to import Appendix III turtles, no import permit is needed. However, you must follow the general CITES permit requirements for export or re-export (as discussed above) and any applicable [Service law enforcement requirements](#) for Appendix III species. You should also contact the foreign nation's management authority in order to comply with their requirements.

To apply for a CITES document from another country, you must contact their management authority. You can obtain names and addresses from us or access the national contacts page on the [CITES Secretariat's website](#).

How would an Appendix III listing affect domestic trade in these species?

CITES requirements apply only when the species are being exported, imported or re-exported across international borders.

As stated above, however, some CITES-listed species are protected by other state conservation laws. Contact your state wildlife or plant conservation agency to determine any additional requirements.