

### Impact of Administrative Actions on Commercial Trade in Elephant Ivory

	Status Quo	Under New Policy, Following Implementation of All Administrative Actions
Import†	<ul style="list-style-type: none"> <li>• Commercial antiques allowed</li> <li>• Wide array of pre-Convention noncommercial worked items allowed</li> <li>• No provision for law enforcement or bona fide scientific specimens</li> <li>• Sport-hunted trophies not limited</li> </ul>	<ul style="list-style-type: none"> <li>• All commercial imports prohibited (including antiques)</li> <li>• Very narrow set of pre-Convention worked ivory items not intended for sale (certain musical instruments, museum and educational specimens, household moves) allowed</li> <li>• Law enforcement and bona fide scientific specimens allowed</li> <li>• Sport-hunted trophies limited to two per hunter per year</li> </ul>
Export†	<ul style="list-style-type: none"> <li>• Commercial antiques and worked ivory items acquired prior to February 2, 1976 allowed</li> <li>• Wide array of noncommercial items allowed</li> </ul>	<ul style="list-style-type: none"> <li>• All commercial exports prohibited (except antiques)*</li> <li>• Certain noncommercial items allowed</li> </ul>
Domestic Sale	<ul style="list-style-type: none"> <li>• After import, sale of ivory is essentially unregulated</li> </ul>	<ul style="list-style-type: none"> <li>• Interstate commerce (sale across state lines) prohibited (except antiques)*</li> <li>• Intrastate commerce (sale within a state) prohibited unless seller can demonstrate item was lawfully imported prior to listing in CITES Appendix I (January 18, 1990) or under a CITES pre-Convention or other exemption document.</li> </ul>

†Please note that, in addition to the specific restrictions noted in the table, all imports and exports must be accompanied by appropriate CITES documents

\*Except in exceptional circumstances as permitted under the ESA

### Impact of Administrative Actions on Species Listed under ESA

	Status Quo	Under New Policy, Following Implementation of All Administrative Actions
Import	<ul style="list-style-type: none"> <li>• Limited burden of proof for antiques on import</li> <li>• Inconsistent implementation [enforcement] of antique port criteria</li> </ul>	<ul style="list-style-type: none"> <li>• Importers must prove through documented evidence that items qualify as bona fide antiques for any ESA-listed species</li> <li>• Importers must prove the species of elephant through documented evidence</li> </ul>
Export	<ul style="list-style-type: none"> <li>• Limited burden of proof for antiques for application to export</li> <li>• Application does not require proof of import under ESA criteria</li> </ul>	<ul style="list-style-type: none"> <li>• Application for export of antiques made of ESA-listed species must meet all ESA antique criteria.</li> </ul>
Domestic Sale	<ul style="list-style-type: none"> <li>• Limited burden of proof implemented [enforced] for interstate sale of items made of ESA-listed species that are claimed to be antiques</li> </ul>	<ul style="list-style-type: none"> <li>• Sellers of antiques in interstate commerce must prove through documented evidence that items qualify as bona fide antiques for any ESA-listed species</li> </ul>