

Questions and Answers

Final Rule to List Native Freshwater Turtles in CITES Appendix III

What action is being taken?

The U.S. Fish and Wildlife Service is adding 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. The listing will become effective Nov. 21, 2016, 180 days after the final rule is published in the Federal Register May 24, 2016.

What is CITES?

CITES is an international agreement signed by more than 180 governments that aims to ensure international trade in specimens of wild animals and plants does not threaten their survival. Species are listed under one of three appendices depending on the severity of the threat presented by trade. Listed species may be traded internationally only when accompanied by permits. This enables nations to better control international trade to ensure it is legal and not contributing to the decline of wildlife populations.

Species protected by CITES are included in one of three appendices:

- Appendix I includes species threatened with extinction and provides the greatest level of protection, including restrictions on commercial trade. Trade activities require import and export permits.
- Appendix II includes species that, although currently not threatened with extinction, may become so without trade controls. Trade activities require export permits.
- Appendix III includes species that a range country has identified as being subject to regulation within its jurisdiction and as needing cooperation of other countries in the control of international trade.
- Trade activities require export permits or certificates.

Changes to appendices I and II must be proposed at a CITES Conference of the Parties (CoP) and agreed to by a two-thirds majority of the Parties present and voting. In contrast, listings to Appendix III can be requested by individual Parties at any time. Appendix III includes species protected by at least one country that needs assistance from other Parties to control trade.

Why are these species being listed in Appendix III?

A booming international demand for freshwater turtles has put increased pressure on turtle populations across the country, leading to a growing concern about their long-term survival. Declines have been documented, and locally severe declines may be possible in 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 better control 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.

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

Once a species is listed under CITES, any international trade of 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.

The Service will issue an export permit only if the applicant can demonstrate they 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, cruel treatment or damage to health. 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 appendices I and II, the Service does not need to determine 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 CITES permits for these four turtle 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.
- Export from countries other than the United States requires a certificate of origin or a certificate of captive breeding issued by that country's CITES Management Authority.
- Re-export from all countries, including the United States, requires a re-export certificate issued by that country's CITES 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?

A CITES Appendix-III export permit or re-export certificate will be required. The Service is devising an appropriate permit application process for these species. Before the effective date, we will post guidance on the [Service's International Affairs Program website](#). To provide feedback on this process, email the Division of Management Authority (DMA) at managementauthority@fws.gov.

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 obtain the appropriate CITES document from the exporting country and follow the general CITES permit requirements (as discussed above) and any applicable [Service law enforcement requirements](#).

You should contact the foreign country's CITES Management Authority to obtain the appropriate CITES document and comply with their requirements. To apply for a CITES document from another country, you

must contact their CITES 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 specimens of the species are being exported, imported or re-exported across international borders.

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.

What is World Turtle Day?

May 23, 2016, marks the 16th annual [World Turtle Day](#), which provides an opportunity celebrate and protect turtles and tortoises and their disappearing habitats around the world and to focus on stopping illegal trade in these species, which are threatened by unsustainable trade and wildlife trafficking. World Turtle Day is a popular campaign spearheaded by the [American Tortoise Rescue](#). Follow #WorldTurtleDay for more information.