

Summary of Final Revisions to CITES Regulations Implementing the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

Announced May 15, 2014

Revisions will be effective 30 days after publication of the final rule in the Federal Register. Please check www.fws.gov/international/wildlife-trafficking for updates on the publication and effective date.

50 CFR 13 - General Permit Procedures	
§ 13.3	<i>Scope of regulations.</i> Update the title of part 23 referenced here.
§ 13.11	<i>Application procedures.</i> Add a new application to the table. Update address for DMA.
§ 13.12	<i>General information requirements on applications for permits.</i> Remove from the table a permit type that we no longer issue. Add note in introduction to refer readers to part 23 for information on applying for a CITES permit.
50 CFR 17 – Endangered and Threatened Wildlife and Plants	
§ 17.9	<i>Permit applications and information collection requirements.</i> Update address for DMA.
§ 17.11	<i>Endangered and threatened wildlife.</i> Update cross reference.
§ 17.21	<i>Prohibitions.</i> Update address for DMA.
§ 17.40	<i>Special rules – mammals.</i> Vicuña and African elephant: Update marking requirements and move them to part 23; remove information regarding personal and household effects that is now contained in part 23. Grizzly bear: Clarify who should report take of grizzly bears; update address for OLE.
§ 17.44	<i>Special rules – fishes.</i> Beluga sturgeon: Remove information regarding personal and household effects that is now contained in part 23 (which will reduce the quantity that can be traded under the personal and household effects exemption from 250g to 125g); update address for DMA.
§ 17.62	<i>Permits for scientific purposes or for the enhancement of propagation or survival.</i> Update cross reference.
§ 17.72	<i>Permits – general.</i> Update cross reference.
50 CFR 23 – Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)	
§ 23.2	<i>How do I decide if these regulations apply to my shipment or me?</i> Remove the table and put in its place the statement “If you are engaging in activities with specimens of CITES-listed species these regulations apply to you.”
§ 23.5	<i>How are the terms used in these regulations defined?</i> Amend definitions of: “bred for noncommercial purposes”, “coral, dead;” “coral, live;” “coral fragments;” “coral sand;” “cultivar;” “introduction from the sea;” and “ranchled wildlife.” Remove the definition of

	<p>“cooperative conservation program.” In response to a public comment on the proposed rule, the definitions for “coral fragments” and “coral sand” were changed slightly from the proposed rule.</p>
§ 23.7	<p><i>What office do I contact for CITES information?</i> Update addresses for DMA and DSA.</p>
§ 23.8	<p><i>What are the information collection requirements?</i> Update OMB control numbers assigned to the information collections associated with part 23.</p>
§ 23.9	<p><i>Incorporation by reference (IBR). New section added to comply with Federal Register IBR requirements. IBR information currently contained in 23.23 moved here.</i></p>
§ 23.13	<p><i>What is prohibited?</i> Add a clarification that any violation of the provisions of part 23, including use of specimens contrary to what is allowed by § 23.55, is unlawful.</p>
§ 23.18	<p><i>What CITES documents are required to export Appendix-I wildlife?</i> Amend the title of the decision tree to more accurately reflect its purpose. Amend the decision tree to eliminate the requirement that commercial operations breeding Appendix-I wildlife must be registered with the CITES Secretariat to export specimens under any circumstances.</p>
§ 23.19	<p><i>What CITES documents are required to export Appendix-I plants?</i> Amend the title of the decision tree to more accurately reflect its purpose.</p>
§ 23.23	<p><i>What information is required on U.S. and foreign CITES documents?</i> Amend to acknowledge that some countries are now issuing electronic documents. Update the edition of the IATA Live Animals Regulations that is incorporated by reference. Remove reference to the CITES Guidelines for transport and, in its place, incorporate by reference the IATA Perishable Cargo Regulations. Amend to allow the use of official signature stamps on CITES documents. Add clarification that, when products contain more than one CITES species, the CITES document must contain specific information for each species. Amend to allow use of higher-taxon names for worked specimens of black coral. Amend to accommodate circumstances where a quota is set for a 12-month period other than a calendar year.</p>
§ 23.24	<p><i>What code is used to show the source of the specimen?</i> Revise to indicate that source code “O” may be used in conjunction with another source code, but it is not a requirement that it be used with another source code. Revise to align with changes proposed to the definitions in § 23.5 for “ranching wildlife” and “cooperative conservation program.”</p>
§ 23.26	<p><i>When is a U.S. or foreign CITES document valid?</i> Add three additional circumstances under which we may request verification of a CITES document: certain quota irregularities; certain shipments of captive-bred wildlife; shipments where the actual quantity exported was not validated or certified at the time of export.</p>
§ 23.27	<p><i>What CITES documents do I present at the port?</i> Highlight the requirement that Management Authorities cancel and retain original CITES documents upon import. Clarify who in the</p>

	United States are the authorized inspecting authorities responsible for these activities.
§ 23.34	<i>What kinds of records may I use to show the origin of a specimen when I apply for a U.S.CITES document?</i> Add text to describe the types of records an applicant may provide to demonstrate that his/her specimen qualifies as “ranched” (source code “R”).
§ 23.36	<i>What are the requirements for an export permit?</i> Add two new application forms (export of sturgeon/sturgeon products from aquaculture facilities and establishment of a master file for the export of animals bred in captivity) to the table.
§ 23.40	<i>What are the requirements for a certificate for artificially propagated plants?</i> Where “seeds” are referenced, add “or spores.”
§ 23.41	<i>What are the requirements for a bred-in-captivity certificate?</i> Add reference to new application form.
§ 23.42	<i>What are the requirements for a plant hybrid?</i> To improve accuracy, replace “not annotated to include hybrids” with “not annotated to treat hybrids as Appendix-I specimens.”
§ 23.43	<i>What are the requirements for a wildlife hybrid?</i> Provide examples of records an individual may use to demonstrate that his/her specimen qualifies as an exempt hybrid. Clarify that, if an individual is unable to demonstrate that a specimen qualifies for the exemption, he or she must obtain a CITES document.
§ 23.44	<i>What are the requirements to travel internationally with my personally owned live wildlife?</i> Clarify that “pet passports” are to be used for frequent, short-term travel by an individual accompanied by his/her pet and that the individual is to return to the United States with the pet at the end of each trip.
§ 23.46	<i>What are the requirements for registering a commercial breeding operation for Appendix-I wildlife and commercially exporting specimens?</i> Incorporate changes to the registration process (adopted at CoP15) intended to shorten the process. Eliminate the annual reporting requirement for U.S. facilities and institute a 5-year renewal of registrations instead. In response to comments on the proposed rule, noted in the preamble that to help reduce reporting burden on applicants, the Division of Management Authority will obtain reports from Migratory Birds (when possible) for applications for renewal of registration.
§ 23.47	<i>What are the requirements for export of an Appendix-I plant artificially propagated for commercial purposes?</i> To improve accuracy, replace “not annotated to include hybrids” with “not annotated to treat hybrids as Appendix-I specimens.”
§ 23.52	<i>What are the requirements for replacing a lost, damaged, or accidentally destroyed CITES document?</i> Clarify the procedures and amend the criteria for U.S. issuance and acceptance of replacement documents.

§ 23.53	<i>What are the requirements for obtaining a retrospective CITES document?</i> Clarify the circumstances under which we may issue or accept a retrospective document.
§ 23.55	<i>How may I use a CITES specimen after import into the United States?</i> Amend to more fully consider the effect of changes to listing status after a specimen is imported into the United States. Add hybrid plants derived from one or more unannotated Appendix-I species exported under a certificate for artificially propagated plants to the list in (d) of specimens that may be used for any lawful purpose after import. Revised slightly from proposed rule by adding the phrase “without an annotation for noncommercial purposes” immediately following “Appendix II” in paragraph (c) of § 23.55, to draw a clear distinction between the Appendix-II specimens covered by paragraph (b) and those covered by paragraph (c). We also further revised the text in the right-hand column of the table in § 23.55 associated with paragraphs (a), (b), and (c) to make it easier to read and understand. Click here for additional information on “use-after-import”.
§ 23.56	<i>What U.S. CITES document conditions do I need to follow?</i> Update text to reflect proposed changes to transport documents incorporated by reference (in § 23.23).
§ 23.64	<i>What factors are considered in making a finding that a plant is artificially propagated?</i> Where “seeds” are referenced, add “or spores.”
§ 23.69	<i>How can I trade internationally in fur skins and fur skin products of bobcat, river otter, Canada lynx, gray wolf, and brown bear?</i> Revise title of section to clarify that it applies only to animals harvested in the United States. Revise definition of “CITES furbearer” to include all U.S. populations of gray wolf and brown bear. Clarify the appropriate use of CITES replacement tags for skins.
§ 23.70	<i>How can I trade internationally in American alligator and other crocodilian skins, parts, and products?</i> Clarify the appropriate use of CITES replacement tags for skins. In response to comments on the proposed rule, amended the text to allow each State and Tribe to decide whether or not to require marking of American alligator skulls (as this is not a CITES requirement).
§ 23.71	<i>How can I trade internationally in sturgeon caviar?</i> Provide additional guidance on CITES labeling requirements and the requirements for trade in sturgeon and sturgeon products other than caviar. Provide information on how U.S. exporters and re-exporters of caviar can be added to the register maintained by the CITES Secretariat.
§ 23.74	<i>How can I trade internationally in personal sport-hunted trophies?</i> Revise definition of “sport-hunted trophy” to allow manufactured items to be imported as part of a hunting trophy under specific circumstances. Update and incorporate CITES requirements for marking of elephant trophies (currently contained in part 17). In response to a comment on the proposed rule, added a clarification to the marking requirements for African elephant hunting trophies to indicate that the year included in the formula for marking is the year in which the elephant was harvested for export.

§ 23.75	<i>How can I trade internationally in vicuña?</i> Update and incorporate CITES marking requirements currently contained in part 17.
§ 23.84	<i>What are the roles of the Secretariat and the committees?</i> Incorporate changes adopted at CoP14 regarding the dissolution of the Nomenclature Committee.
§ 23.92	<i>Are any wildlife or plants, and their parts, products, or derivatives, exempt?</i> Revise to make a distinction between species or specimens that are always exempt from CITES requirements and those that are exempt if they meet certain conditions.

Delete Appendix A to 50 CFR Chapter I (outdated list of ISO country codes).