



## NOTICE TO THE WILDLIFE IMPORT/EXPORT COMMUNITY



March 13, 2008

### **Subject: CITES Universal Labeling Requirements for Sturgeon Caviar**

**Background:** At the 11th Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), member nations adopted a resolution calling for the use of non-reusable labels on commercial exports of sturgeon and paddlefish caviar. At the 12th Conference of the Parties to CITES, a resolution was adopted calling for additional marking requirements for caviar re-exports and caviar in domestic markets. Member nations also agreed that as of January 2004 they would only accept caviar shipments marked according to the universal labeling system. Updated U.S. CITES regulations (50 CFR Part 23) including the CITES caviar labeling requirements became effective September 24, 2007.

**Action:** All imports, exports, and re-exports of sturgeon and paddlefish caviar must be marked with a non-reusable label as described below. CITES permitting requirements and all other wildlife import/export requirements must still be met. Specific labeling requirements contained in paragraphs (b) and (c) of 50 CFR § 23.71 and explanatory notes (in italics) are provided below.

**50 CFR § 23.71(b) Labeling.** You may import, export, or re-export sturgeon caviar only if labels are affixed to containers prior to export or re-export in accordance with this paragraph.

*NOTE: The term "sturgeon caviar" means the processed roe of any species of sturgeon, including paddlefish (Order Acipenseriformes).*

1. The following definitions apply to caviar labeling:

- i. Non-reusable label means any label or mark that cannot be removed without being damaged or transferred to another container.

*NOTE: This label may or may not seal the container. If the label does not seal the container, caviar should be packaged in a manner that permits visual evidence of any opening of the container. In the United States, the design of the non-reusable label or mark will be determined by the labeler in accordance with the requirements in 50 CFR § 23.71. The U.S. exporter must be able to describe how the information in their caviar tracking system relates to the information on the CITES caviar label.*

- ii. Primary container means any container (tin, jar, pail or other receptacle) in direct contact with the caviar.
- iii. Secondary container means the receptacle into which primary containers are placed.
- iv. Processing plant means a facility in the country of origin responsible for the first packaging of caviar into a primary container.

NOTE: The processing plant is the facility where the caviar is first placed into a primary container. In many cases in the United States, this is done by the fisher who harvested the roe and not necessarily at a facility that you might traditionally think of as a "processing plant."

- v. **Repackaging plant** means a facility responsible for receiving and repackaging caviar into new primary containers.

NOTE: This term refers to any facility where caviar is removed from the container in which it was received (either the original container used by the processing plant or a container into which the caviar was subsequently transferred or "repackaged") and placed into a different container.

- vi. **Lot identification number** means a number that corresponds to information related to the caviar tracking system used by the processing plant or repackaging plant.

NOTE: The lot identification number should correspond to information in the caviar tracking system used by the company that assigned it. This information should enable the company to identify when, where, and from whom it obtained the caviar in any container.

2. The caviar-processing plant in the country of origin must affix a non-reusable label on the primary container that includes all of the following information:

NOTE: In the United States, this applies to any container intended for export or re-export.

- i. **Standardized (three-letter) species code**; for hybrids, the species code for the male is followed by the code for the female and the codes are separated by an "x."

NOTE: The species codes are provided below for your convenience. Please be aware that the United States does not recognize the "MIX" species code (see 50 CFR § 23.71(g)).

Species	Code	Species	Code	Species	Code
<i>Acipenser baerii</i>	BAE	<i>Acipenser oxyrhynchus</i>	OXY	<i>Huso huso</i>	HUS
<i>Acipenser baerii baicalensis</i>	BAI	<i>Acipenser oxyrhynchus desotoi</i>	DES	<i>Polyodon spathula</i>	SPA
<i>Acipenser brevirostrum</i>	BVI	<i>Acipenser persicus</i>	PER	<i>Psephurus gladius</i>	GLA
<i>Acipenser dabryanus</i>	DAB	<i>Acipenser ruthenus</i>	RUT	<i>Pseudoscaphirhynchus fedtschenkoi</i>	FED
<i>Acipenser fulvescens</i>	FUL	<i>Acipenser schrencki</i>	SCH	<i>Pseudoscaphirhynchus hermanni</i>	HER
<i>Acipenser gueldenstaedtii</i>	GUE	<i>Acipenser sinensis</i>	SIN	<i>Pseudoscaphirhynchus kaufmanni</i>	KAU
<i>Acipenser medirostris</i>	MED	<i>Acipenser stellatus</i>	STE	<i>Scaphirhynchus platyrhynchus</i>	PLA
<i>Acipenser mikadoi</i>	MIK	<i>Acipenser sturio</i>	STU	<i>Scaphirhynchus albus</i>	ALB
<i>Acipenser naccarii</i>	NAC	<i>Acipenser transmontanus</i>	TRA	<i>Scaphirhynchus suttkusi</i>	SUS
<i>Acipenser nudipectus</i>	NOD	<i>Huso dauricus</i>	DAU		

- ii. **Source code** (standard one-letter code, see 50 CFR § 23.24).
- iii. **Two-letter ISO code** of the country of origin
- iv. **Year of harvest** (four digits).

NOTE: This is either the calendar year in which the caviar was harvested or, for caviar imported from shared stocks subject to quotas, the quota year in which it was harvested.

- v. **Processing plant code and lot identification number.**

NOTE: In the United States, any facility that is processing caviar for export should have a processing plant code. This code is used on the CITES label to identify the facility where the caviar was first packaged in a primary container when it has not subsequently been repackaged. If a company has more than one processing plant, it may use a different code for each facility, or it may use the same code for all its facilities as long as the information on the label corresponds to information in its caviar tracking system and allows the company to trace the acquisition of the caviar in any container.

NOTE: The lot identification number can be any number of digits and, as noted above, corresponds to information in the caviar tracking system used by the company that assigned it. This information should allow the company to identify when, where, and from whom it obtained the caviar in any container.

NOTE: Example: SPA/W/US/2007/xxxx/yyyy, where xxxx = the processing plant code and yyyy = the lot identification number.

3. If caviar is repackaged before export or re-export, the repackaging plant must affix a non-reusable label to the primary container that includes all of the following information:

NOTE: Any time a primary container is opened and the contents, or a portion of the contents, are removed and placed into a new primary container the new container is considered repackaged.

- i. The standardized species code, source code, and two-letter ISO code of the country of origin.
- ii. Year of repackaging and the repackaging plant code, which incorporates the two-letter ISO code for the repackaging country if different from the country of origin.

NOTE: In the United States, any facility that is repackaging caviar for export should have a repackaging plant code. This code is used on the CITES label to identify the facility where the caviar was last repackaged. If a company has more than one repackaging facility, it may use a different code for each facility, or it may use the same code for all its facilities as long as the information on the label corresponds to information in its caviar tracking system and allows the company to trace the acquisition of the caviar in any container.

- iii. Lot identification number or CITES document number.

NOTE: For caviar that is being re-exported, the number on the CITES document under which it was imported may be used in place of the lot identification number.

NOTE: Example: PER/W/IR/2007/DE-wwww/yyyy, where DE-wwww = the repackaging plant code and yyyy = the lot identification number or CITES document number

NOTE: If a company receives caviar for export and repackages it before export it must use the code for its repackaging facility on the CITES label and indicate the year in which it was repackaged. If a caviar company receives caviar for export and does not repackage it, then the label must contain either the processing plant code (if the caviar has never been repackaged) and the year of harvest, or the repackaging plant code for the facility that repackaged the caviar most recently and the year in which it was repackaged at that facility.

NOTE: For export of caviar harvested in the United States the labels will always take the following form: species code/source code/US/year of harvest or repackaging/processing or repackaging plant code/lot identification number

4. The exact quantity of caviar must be indicated on any secondary container along with a description of the contents in accordance with international customs regulations.

50 CFR § 23.71(c) Documentation requirements. Unless the sturgeon caviar qualifies as a personal or household effect under § 23.15, the CITES document or an annex attached to the document must contain all information that is given on the label. The exact quantity of each species of caviar must be indicated on the CITES document.

Additional information: Please refer to 50 CFR § 23.71 (<http://www.fws.gov/policy/library/07-3960.pdf>) for additional information on international trade in sturgeon and paddlefish caviar. Standard species codes, source codes, and country codes are available on the CITES website at <http://www.cites.org>, from the U.S. Management Authority, and the Office of Law Enforcement.

Contact:

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