



United States Department of the Interior

FISH AND WILDLIFE SERVICE
5275 Leesburg Pike, MS: MB
Falls Church, VA 22041



In Reply Refer to:

MBPM-10

Date:

MIGTATORY BIRD PERMIT MEMORANDUM

SUBJECT: Importation of Eiderdown for Personal Use

PURPOSE: This memorandum clarifies that the importation of eiderdown into the United States for personal use is authorized without a permit under certain circumstances.

BACKGROUND: The U.S. Fish and Wildlife Service's (Service) Migratory Bird Treaty Act (MBTA) regulations authorize any person, for their own use, to possess, transport, ship, import, and export without a permit the feathers and skins of lawfully taken migratory game birds (50 CFR 20.92).

The common eider (*Somateria mollissima*) is unique among MBTA-protected migratory birds in that the hen naturally sheds breast down, or eiderdown, during nesting to insulate the eggs and hatchlings. Eiderdown has exceptional insulating qualities and is used to make comforters, pillows, and similar down items. Some countries allow the sustainable collection and exportation of eiderdown from common eider nests.

POLICY: The Service interprets the term "lawfully taken" in 50 CFR 20.92 to include feathers collected from common eider nests, provided feathers are lawfully and sustainably collected, processed, and sold in accordance with the country of origin's governing laws and regulations.

Any person that legally purchases eiderdown in a foreign country may import the eiderdown into the United States for their own personal use without an MBTA permit. Eiderdown includes eiderdown products where the down is used for insulation or other functional purposes, such as comforters, pillows, and similar items. Purchases includes online purchases of eiderdown products, which are commonly made from foreign companies and include import of the product by the seller to deliver the product to the purchaser. The Service does not authorize possession, transport, shipping, import, or export without a permit of eiderdown products that include millinery or any other ornamental use of feathers.

Imported eiderdown product(s) must be declared to the Service under declaration Form 3-177 (50 CFR 14.61). It is the responsibility of the person or entity physically importing the product to include documentation that the eiderdown was lawfully and sustainably collected in the foreign country—for example, a Government issued eiderdown harvesting permit.

Purchase and sale of migratory birds, their nests, eggs, or parts, within the jurisdiction of the U.S. is prohibited under the MBTA unless the Service has authorized the purchase by permit or

regulation (50 CFR 21.11 and 21.2(a)). The commercial use of waterfowl feathers is authorized, but only if the bird is killed by hunting pursuant to 50 CFR part 20 or is seized and condemned by federal or state game authorities (50 CFR 20.91). Outside this limited context, purchase and sale of eiderdown within the U.S. is prohibited at this time. This includes the domestic sale of eiderdown products after importation into the U.S.