

A photograph showing several fish scales laid out on a black and white grid ruler. The ruler has markings from 1 to 5. Two scales are in clear plastic bags at the top. One scale is in the center, and another is on the right. The scales are light-colored with distinct concentric growth rings.

# Fish and Wildlife Service Office Of Law Enforcement

Quick Overview

Presented by: Ashley Skeen

Senior Wildlife Inspector



THE SHOP COMPANY

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# Objectives

- Definitions
- Summary of Requirements
- Explanation of Requirements
- Additional Considerations
  - High Seas
  - Scientific Specimens
  - Other
- Common Violations and Causes for Delay
- Seizure and Forfeiture (CAFRA)
- Questions?



# Definitions in the Regulations and Statutes

- 50 CFR 10.12
    - Country of exportation
    - Country of origin
    - Crustacean
    - Fish
    - Fish or wildlife
    - Mollusk
    - Shellfish
  - 50 CFR 14.4
    - Accredited scientist
    - Accredited scientific institutions
    - Commercial
    - Export
    - Import
- 
- 50 CFR 23.5
    - Certificate
    - CITES document or CITES exemption document
    - Commercial
    - Coral (dead)
    - Coral fragments
    - Coral (live)
    - Coral rock
    - Coral sand
    - Coral (stony)
    - Country of origin
    - In-transit shipment
    - Introduction for the sea
    - Live rock
    - Non-party
    - Party
    - Permit
    - Pre-Convention
    - Re-export

This is not a complete list for each of the regulations. Also, more definitions are found in the Statutes.

# Brief Summary of General Requirements

Import/Export (IE) License & Fees

- [50 CFR 14 Subpart I](#)

Designated Port Exception Permit (DPEP)

- [50 CFR 14 Subpart C](#)

48 hour notice prior to import or shipment available for inspection at least 48 hours prior to export.

- [50 CFR 14.54\(a\) \(import\) & 50 CFR 14.54\(f\) \(export\)](#)

Coordinate with the Wildlife Inspectors at the Port

- [Port Contacts](#)

File Declaration Form 3-177

- [50 CFR 14 Subpart F](#)

CITES Validation

- [50 CFR 23.23\(c\)\(21\)](#)

Inspection & Clearance

- [50 CFR 14 Subpart E](#)

# Import/Export License and Fees

- Contact the Port with questions
- Situational
- License Requirements
  - Commercial Use
  - Non-profits exempt
- Fees
  - Base commercial fee \$93
  - CITES Premium fee \$93
  - Overtime Premium Fee \$105



# Designated Port Exception Permits (DPEP)

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May be needed to import/export via a non-designated wildlife port.

- [50 CFR 14 Subpart B](#)

Permit can take some time to be issued, planning ahead is important.

- [Application Form 3-200-2](#)

Contact the port wildlife inspection office with specifics on your situation to determine whether a DPEP is required.

- Species
- Origin (where harvested/born/bred)
- Purpose of shipment (Commercial, Non-commercial, Other)
- Transport Method (Vessel, Plane, Mail/Expedited Courier, Passenger, Vehicle)

# 48 Hour Notice

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- Notice/Availability for Inspection
  - **Import/Export** - Live and Perishable – required
  - **Import** – Non-live/non-perishable but seeking inspection and clearance at time of import – required.
  - **Export** – Any shipment – make available for inspection at least 48 hours prior to export, unless other arrangements made with port WIs
  - Contact port at least 48 hours in advance
    - Requesting inspection at time of shipment
      - Need CITES validated
      - Outside business hours
- Contact information:
  - [Wildlife Inspection Offices](#)



# Wildlife Inspection Port Offices

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Contact and coordinate with the port office WIs.

[Wildlife Inspection Office Contact List](#)



If you have trouble reaching someone at the port you can reach out to our headquarters monitored email for further guidance (try port directly first, please)

lawenforcement@fws.gov





# Declarations

Prior to export or upon import and prior to release from customs.

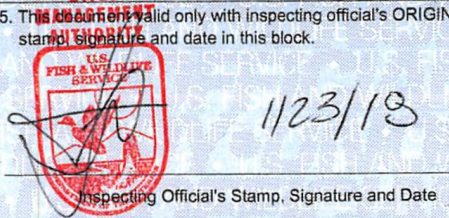
All wildlife shipments must be declared via form 3-177

- [Manual 3-177](#)
- Electronic 3-177 on <https://edecs.fws.gov/>

• Exceptions – [50 CFR 14.62](#) & [50 CFR 14.64](#)

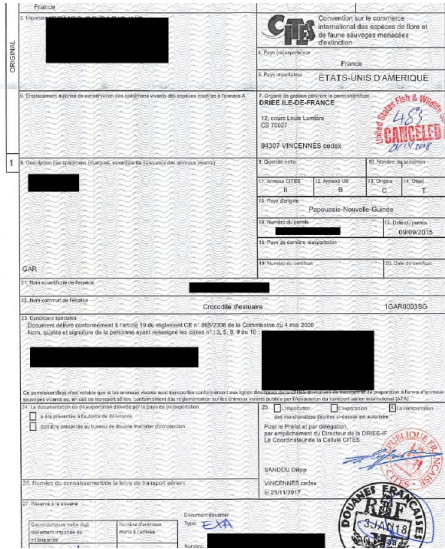
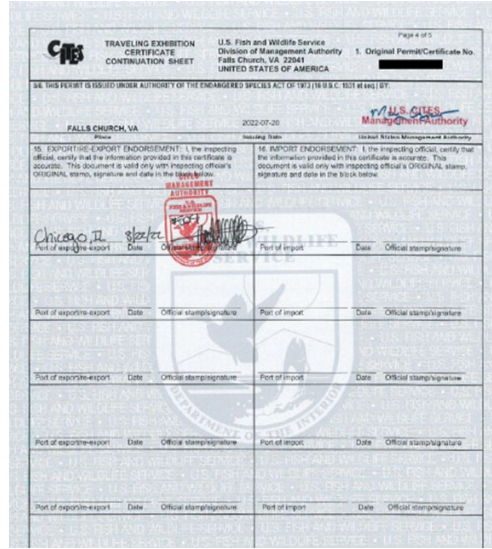
• **Contact the Port with questions**

| USFWS Form 3-177 (Rev. 12/2017)   |  | O.M.B. No. 1018-0012 (Exp. 03/31/2024)  |                                      |  |   |                                      |
|---|--|---|--------------------------------------|--|---|--------------------------------------|
| 1. Date of Import/Export:<br>01/01/2024<br>2. Import/Export License Number:<br>*****<br>3. Indicate One:<br><input checked="" type="checkbox"/> Import <input type="checkbox"/> Export<br>4. Port of Clearance:<br>NW<br>5. Purpose Code:<br>P<br>6. Customs Document Number(s):  |  | U.S. FISH AND WILDLIFE SERVICE<br><br><b>DECLARATION FOR IMPORTATION OR EXPORTATION OF FISH OR WILDLIFE</b>  |                                      |  |   |                                      |
| 7. Name of Carrier:<br>Air Daniel<br>8. Air Waybill or Bill of Lading No.:<br>Master: 123-1234-1234<br>House:<br>9. Transportation Code: A<br>License No.<br>State or Province:<br>10. Bonded Location for Inspection:<br>Air Daniel Warehouse<br>11. Number of Cartons Containing Wildlife:<br>1<br>12. Markings on Cartons Containing Wildlife: |  | 13. (indicate one)<br><input checked="" type="checkbox"/> U.S. Importer <input type="checkbox"/> U.S. Exporter<br>EXAMPLE TESTER<br>987 ROAD ST<br>FAKETOWN, ** 12345<br>321-123-4321<br>Example@test.com<br>13b. Identifier Number: ID Type: |                                      |  |   |                                      |
| 14. (indicate one)<br><input type="checkbox"/> Foreign Importer <input checked="" type="checkbox"/> Foreign Exporter<br>SELLER<br>541 STREET LN<br>UNKNOWNVILLE, XX<br>14c. Identifier Number: ID Type:   |  | 15. Customs Broker, Shipping Agent or Freight Forwarder:<br>15b. Identifier Number: ID Type:<br>Phone Number / Fax Number / Email Address:<br>15c. Contact Name:  |                                      |  |   |                                      |
| Species Code  | 16a. Scientific Name<br>16b. Common Name | 17a. Foreign CITES Permit Num.<br>17b. U.S. CITES Permit Num.   | 18a. Description Code<br>18b. Source | 19a. Quantity/Units<br>19b. Total Monetary Value   | 20. Country of Species Origin Code (ISO Code) | 21. Venomous Live Wildlife Indicator |
| HIRI  | HALIOTIS IRIS<br>ABALONE SHELL           |   | SPR<br>W                             | 1.00 NO<br>\$25  | XX  | <input type="checkbox"/>             |
| VAR5  | VARANUS SALVATOR<br>WATER MONITOR        | XX/1234/98  | TRI<br>W                             | 1.00 NO<br>\$100   | XX  | <input type="checkbox"/>             |
|   |  |   |                                      |  |   | <input type="checkbox"/>             |
|   |  |   |                                      |  |   | <input type="checkbox"/>             |
| 22. I certify under penalty of perjury that the information furnished is true and correct:<br>Filed Electronically 05/03/2024 ConfirmNum 2024NW75902  |  |   |                                      | Dec Control Num: 2024627902<br>U FISH & WILDLIFE SERVICE S<br>N I T E<br>Electronic Filing<br><b>CLEARED</b><br>T A T E<br>6 2 7 9 |   |                                      |
| 23. Action/Comments:<br><br>Declaration: Declared<br>Wildlife Inspected: None   |  |   |                                      |  |   |                                      |

|  |                           |  |  |
|--|---------------------------|--|--|
| Re-export  | Re-export Certificate No. | Date of Issue  | 12c. Pre-Convention: Date of Acquisition |
|  | 9.                        |  | 10.                                      |
|  |                           |  | 11. Quantity (including units)           |
|  |                           |  | 11a. Total Exported/Quota                |
| Permit/Certificate No.   | Date of Issue             | 12b. Breeding Operation No.  |  |
| Re-export  | Re-export Certificate No. | Date of Issue  | 12c. Pre-Convention: Date of Acquisition |
| 14. Bill of Lading/Air Way-Bill Number<br>Port of Exportation / Re-exportation<br>EWH, NJ<br>Total No. of Shipping Containers<br>One (1) container |                           | 15. This document is valid only with inspecting official's ORIGINAL stamp, signature and date in this block.<br> |  |

# Permit Validation

- [FWS Public Bulletin – CITES Validation](#)
- Single-use Permits
  - Submit Original to Wildlife Inspector
    - **Import** – FWS Keeps original & Importer should ask for and maintain a canceled copy.
    - **Export** – WI validates and returns original to exporter & FWS maintains a canceled copy.
- Multi-use Permits
  - Ensure foreign country accepts this type of permit.
  - Importer/Exporter keeps original permit.
  - FWS maintains a copy each time used.

# Inspection & Clearance

- Reach out to Inspection office in advance of shipment.
- Inspection must occur as close to shipment as possible.
- Hand Carry vs cargo vs private vessel/plane
- Make it easy for the officers
  - Label Items per [50 CFR 14.81](#)
    - outside with both the name and address of the shipper and consignee
    - An accurate and legible list of its contents by species scientific name
    - the number of each species
  - Organization
- Exceptions to clearance requirements – [50 CFR 14.55](#)





# Additional Considerations

- [Imports of CITES Marine Species Taken on the High Seas](#)
- Import/Export at Designated Ports – 50 CFR 14 Subpart B
  - In-Transit Shipments – [50 CFR 14.14](#)
    - U.S. Destined – Customs Bonded
    - Non-U.S. destination (CITES vs. Non-CITES)
  - Marine Mammals – [50 CFR 14.18](#)
  - Shellfish and Fishery Products – [50 CFR 14.21](#)
  - Scientific Specimens – [50 CFR 14.24](#)
- Regulatory and/or Policy Changes – Stay Informed
  - [USFWS Office of Law Enforcement – Information for Importers & Exporters](#)

# Common Violations or Reasons for Delay

- Permit not validated/ not validated properly
- Labeling – Supporting Documents either not present or incorrect
- Failure to declare
- Clearance and release from Customs prior to FWS clearance
- NOT reaching out to Port Wildlife Inspectors to coordinate inspection
- Permit conditions violations
  - Not all items present



# CAFRA Process

- [50 CFR Part 12- SEIZURE AND FORFEITURE PROCEDURES](#)
- Notification of Seizure (NOSPF)
- Online Posting- <https://www.fws.gov/fwsforfeiture/notices>
- NOSPF outlines choices and next steps

You may exercise these legal options available to you:

| Option                             | What You Need To Do  | Deadline Date   | Result  |
|------------------------------------|--|---|---|
| You may ABANDON the property, or   | Sign the accompanying abandonment form [3-2096] and return to this office.   | At any time, but to stop this forfeiture action a response must be received from all interest holders by <input type="text"/> | The seized items become the property of the United States Government.**   |
| You may TAKE NO ACTION, or         | Nothing  | <input type="text"/>  | Administrative forfeiture action will begin with posting of the proposed forfeiture for three consecutive weeks.**                                |
| You may PETITION FOR REMISSION, or | Submit three copies of a notice requesting remission of the forfeiture action to this office.  | To stop this forfeiture process, your Petition for Remission must be received by <input type="text"/>                         | All administrative forfeiture proceedings will be stopped pending a decision by the Regional Solicitor concerning the Petition for Remission.**   |
| You may FILE A SEIZED ASSET CLAIM. | Submit three copies of the Seized Asset Claim Form to this office. The form is available from this office, and will be sent to you upon request. | <input type="text"/>  | This forfeiture action will be submitted to the U.S. Attorney's Office for filing in U.S. District Court as a civil Judicial Forfeiture Action.** |

\*\* Forfeiture or abandonment of these seized items may not provide relief from potential liability for civil penalty assessments. Under certain circumstances, storage costs may also be assessed.

Questions

