

§ 23.1

**Subpart E—Scientific Authority Advice
[Reserved]**

Subpart F—Export of Certain Species

- 23.51 American ginseng (*Panax quinquefolius*).
- 23.52 Bobcat (*Lynx rufus*).
- 23.53 River otter (*Lontra canadensis*).
- 23.54 Lynx (*Lynx canadensis*).
- 23.55 Gray wolf (*Canis lupus*).
- 23.56 Brown bear (*Ursus arctos*).
- 23.57 American alligator (*Alligator mississippiensis*).

AUTHORITY: Convention on International Trade in Endangered Species of Wild Fauna and Flora, 27 U.S.T. 1087; and Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 *et seq.*

SOURCE: 42 FR 10465, Feb. 22, 1977, unless otherwise noted.

Subpart A—Introduction

§ 23.1 Purpose of regulations.

(a) The regulations in this part implement the Convention on International Trade in Endangered Species of Wild Fauna and Flora, TIAS 8249.

(b) The regulations identify those species of wildlife and plants included in appendix I, II or III to the Convention.

§ 23.2 Scope of regulations.

(a) The regulations of this part apply only to wildlife and plants listed in appendix I, II or III to the Convention, listed herein in § 23.23 for the convenience of the public. It should be noted that many species listed in appendix I, II or III are also listed in part 17 (endangered and threatened species) or part 18 (marine mammals), and are subject to additional regulations in those parts or in part 216 (marine mammals) or parts 217–225 (endangered and threatened species) for species under jurisdiction of the National Marine Fisheries Service.

(b) [Reserved]

§ 23.3 Definitions.

In addition to the definitions contained in parts 10 and 17 of this subchapter, and unless the context requires otherwise, in this part:

Appendix I means the list of wildlife and plants called “Appendix I” and at-

tached to the Convention (see § 23.23 for the list).

Appendix II means the list of wildlife and plants called “Appendix II” and attached to the Convention (see § 23.23 for the list).

Appendix III means the list of wildlife and plants called “Appendix III” and attached to the Convention (see § 23.23 for the list).

Convention means the Convention on International Trade in Endangered Species of Wild Fauna and Flora, TIAS 8249.

Management Authority means a national management authority officially designated by a party to implement the present Convention, including the granting of permits or certificates for Convention purposes on behalf of the party.

Party means a country for which the Convention has entered into force, by virtue of ratification or accession.

Re-export means export of wildlife or plants that have previously been imported.

United States means all of the several states, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, Guam, and the Trust Territory of the Pacific Islands.

§ 23.4 Parties to the Convention.

The following countries are currently parties to the Convention. The name and address of the management authority is included under the name of each country. This list is for the convenience of the public, and does not preclude the application of regulations in this part 23 to importation, exportation or re-exportation to or from other countries.

AUSTRALIA

The Bureau of Customs, Department of Business and Consumer Affairs, Canberra, Act 2600, Australia.

BRAZIL

Instituto Brasileiro de Desenvolvimento, Florestal (IBDF) do Ministério da Agricultura, Palácio do Desenvolvimento, Setor Bancário Norte, 13º andar, 70000 Brasília—DF Brazil.

U.S. Fish and Wildlife Serv., Interior**§ 23.4**

CANADA

The Administrator, Convention on International Trade in Endangered Species, Canadian Wildlife Service, Department of the Environment, Ottawa, Ontario, K1A 0H3, Canada.

CHILE

Servicio Agrícola y Ganadero (SAG), Ministerio de Agricultura, Santiago, Chile.

COSTA RICA

Departamento de Pesca Continental y Vida Silvestre, Ministerio de Agricultura y Ganadería, San Jose, Costa Rica.

CYPRUS

Ministry of Agriculture and Natural Resources, Nicosia, Cyprus.

ECUADOR

Ministerio de Agricultura y Ganadería, Quito, Ecuador.

FEDERAL REPUBLIC OF GERMANY

Bundesminister für Ernährung Landwirtschaft und Forsten, Rochusstrasse 1, 5300 Bonn-Duisdorf, Federal Republic of Germany.

FINLAND

Maa- ja Metsätaloudenministerio, Ministry of Agriculture and Forestry, Bureau of Natural Resources, Hallituskatu 3 A, 00170 Helsinki 3 A, Finland.

GERMAN DEMOCRATIC REPUBLIC

Ministerium für Land, Forst und Nahrungsgüterwirtschaft, der Deutschen Demokratischen Republik, DDR-1157 Berlin, German Democratic Republic.

GHANA

Department of Game and Wildlife, P.O. Box M 239, Accra, Ghana.

INDIA

The Director of Wildlife Preservation, Government of India, Ministry of Agriculture and Irrigation, Department of Agriculture, Krishi Bhavan, New Delhi-110001, India.

IRAN

Department of the Environment, P.O. Box 1430, Tehran, Iran.

MALAGASY REPUBLIC

Direction des Eaux et Forêts et de la Conservation des Sols, B.P. 243, Tananarive.

MAURITIUS

The Conservator of Forests, Forest Service, Curepipe, Mauritius.

MOROCCO

Comité National de l'Environnement, Direction de l'Environnement, Ministère de l'Urbanisme, de l'Habitat, du Tourisme et de l'Environnement, Rabat, Morocco.

NEPAL

Not available.

NIGER

Ministère de l'Economie rurale, et du Climat, Niamey, Niger.

NIGERIA

Not available.

NORWAY

The Royal Ministry of Environment, Myntgaten 2, P.O. Box 8012 Oslo-Dep., N-Oslo 1, Norway.

PAKISTAN

Mr. A.M. Khattak, Inspector General of Forests/Member Secretary, Government of Pakistan, Ministry of Food, Agriculture, Cooperatives, Under-Developed Areas and Land Reforms (Food and Agriculture Division), National Council for Conservation of Wildlife, Bungalow No.: 4-G, St. No.: 51, F.6/Islamabad, Pakistan.

PAPUA NEW GUINEA

The Conservator of Fauna, Department of Natural Resources, P.O. Box 2585, Konedobu, Papua, New Guinea.

PARAGUAY

Not available.

PERU

Dirección General Forestal y de Fauna, Natalio Sánchez 220, 3er. piso, Jesús María, Lima, Peru.

SOUTH AFRICA

The Secretary, Department of Planning and the Environment, Private Bag X 213, Pretoria 0001, South Africa.

SWEDEN

Lantbruksstyrelsen, Vallgatan 6, S-551 83 Jonköping, Sweden.

SWITZERLAND

Office vétérinaire fédéral, Thunstrasse 17, 3005 Berne 6, Switzerland.

TUNISIA

Direction des Forêts, 36, rue Alain Savary, Tunis, Tunisia.

UNION OF SOVIET SOCIALIST REPUBLICS

Not available.

§ 23.11

UNITED ARAB EMIRATES

Not available.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Department of the Environment, 17/19 Rochester Row, London SW1P 1LN, England.

UNITED STATES OF AMERICA

Chief, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service, U.S. Department of the Interior, 18th and C Streets NW., Washington, DC 20240 U.S.A.

URUGUAY

Presidente del Instituto Nacional para la Conservación del Medio Ambiente, Ministerio de Educación y Cultura, Sarandí 444, Montevideo, Uruguay.

ZAIRE

Le Commissaire d'Etat à l'Environnement, Conservation de la Nature et Tourisme Boite Postale 12348, Kinshasa/Gombe, Zaire.

Subpart B—Prohibitions, Permits and Exceptions

§ 23.11 Prohibitions.

(a) Unless the requirements in this part 23 are met, or one of the exceptions in this part 23 is applicable, it is unlawful for any person subject to the jurisdiction of the United States to commit, attempt to commit, solicit another to commit, or cause to be committed any of the acts described in paragraphs (b) through (d) of this section.

(b) *Import.* (1) It is unlawful to import into the United States any wildlife or plant listed in appendix I, II or III (see § 23.23) from any foreign country.

(2) It is unlawful to import directly into the United States any wildlife or plant listed in appendix I or II (see § 23.23) taken from the sea beyond the jurisdiction of any country.

(c) *Export.* It is unlawful to export from the United States any wildlife or plant listed in appendix I, II or III (see § 23.23).

(d) *Re-export.* It is unlawful to re-export from the United States any wildlife or plant listed in appendix I, II or III (see § 23.23).

(e) *Possession.* It is unlawful for any person subject to the jurisdiction of the United States to possess any wild-

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life or plant listed in appendix I, II or III imported into the United States, or exported or re-exported from the United States contrary to the provisions of the Convention or this part 23.

§ 23.12 Requirements.

(a) *Import—(1) Appendix I.* (i) In order to import into the United States any wildlife or plant listed in Appendix I from any foreign country, a United States import permit, issued pursuant to § 23.15, and a valid foreign export permit issued by the country of origin or a valid foreign re-export certificate issued by the country of re-export must be obtained prior to such importation.

(ii) In order to import directly into the United States any wildlife or plant listed in appendix I taken from the sea beyond the jurisdiction of any country, a United States import permit issued pursuant to § 23.15 must be obtained prior to such importation.

(2) *Appendix II.* (i) In order to import into the United States any wildlife or plant listed in appendix II from any foreign country, a valid foreign export permit issued by the country of origin, or a valid foreign re-export certificate issued by the country of re-export, must be obtained prior to such importation.

(ii) In order to import directly into the United States any wildlife or plant listed in Appendix II taken from the sea beyond the jurisdiction of any country, a United States import permit issued pursuant to § 23.15, must be obtained prior to such importation.

(3) *Appendix III.* (i) In order to import into the United States any wildlife or plant listed in appendix III from a foreign country that has listed such animal or plant in appendix III, a valid foreign export permit or re-export certificate issued by such country must be obtained prior to such importation.

(ii) In order to import into the United States any wildlife or plant listed in appendix III from a foreign country that has not listed such wildlife or plant in appendix III, a valid foreign certificate of origin or foreign re-export certificate must be obtained prior to such importation.

(b) *Export or re-export—(1) Appendices I and II.* In order to export or re-export from the United States any wildlife or