

CITES permitting requirements: Legal Acquisition –
North American paddlefish example
U.S. Fish and Wildlife Service, CITES Management Authority

Before issuing an export permit, the CITES Management Authority must be able to determine that the specimen for export was acquired in accordance with applicable national laws (“...not obtained in contravention of the laws of that State for the protection of fauna and flora”, Article III 2(b), Article IV 2 (b), and Article V 2 (a)).

The applicant for a CITES export permit must provide to the Management Authority evidence that the specimen to be exported was legally acquired, i.e., in accordance with national/state/local laws. The Management Authority checks the information provided by the applicant to verify that the specimen was legally acquired.

The North American paddlefish (*Polyodon spathula*) is a member of the sturgeon family, Acipenseriformes, and, like its relatives, is harvested for its roe (to make caviar) and its meat.

North American paddlefish are found primarily in the Mississippi River basin in the United States (although their range once extended into the Great Lakes and Canada). North American paddlefish are managed by state governments (not the national government) and each of the 22 states with paddlefish populations has different regulations/requirements in place. Eight of the 22 states with paddlefish populations allow commercial harvest; three others have programs that collect roe and data from paddlefish taken by recreational fishers (in exchange for free cleaning) and sell the roe at auction. Proceeds from the auction go back to conservation or other community projects.

It is usually a caviar dealer (not a fisherman) who applies for the CITES export permit.

The applicant must provide to the Management Authority information demonstrating that the specimens for export were taken in accordance with relevant state laws and documenting the chain of custody from the fisherman to the exporter. Such information may include copies of fishing licenses/permits, harvest permits, harvest reports, roe-dealer permits, and bills of sale. The Management Authority consults with the state government where the specimens were harvested to verify the information provided by the applicant.

To make a finding that paddlefish specimens were legally acquired, the Management Authority must know:

- where the fish were harvested (in which state, river, section of the river)
- what laws apply (state fishing regulations, including open/closed seasons and areas, license/permit requirements, reporting requirements, gear restrictions, etc.)
- the appropriate state agency with which to consult

The Management Authority provides copies of the information submitted by the applicant to the appropriate state agency. The state agency verifies that the information submitted by the applicant corresponds to the reports filed with the state by the fishermen and roe dealers and that the specimens were harvested and traded in accordance with applicable state laws. The U.S. Management Authority and Scientific Authority work closely with the natural resource agencies in states with paddlefish populations to help ensure that international trade is legal and sustainable.

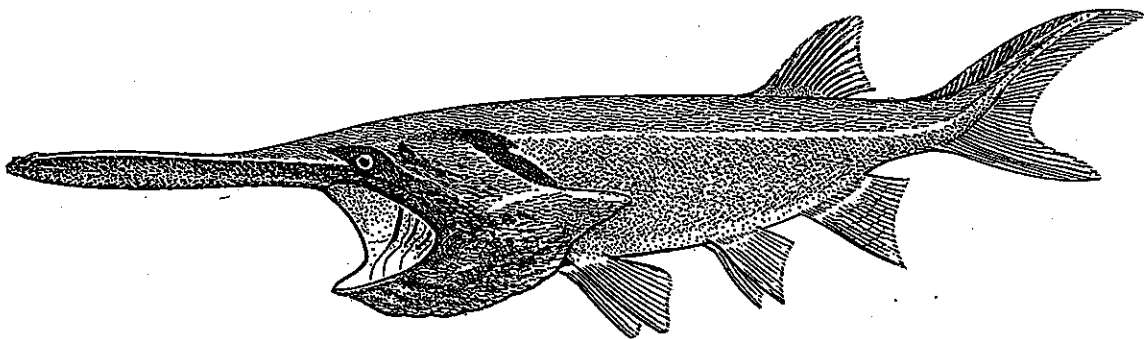
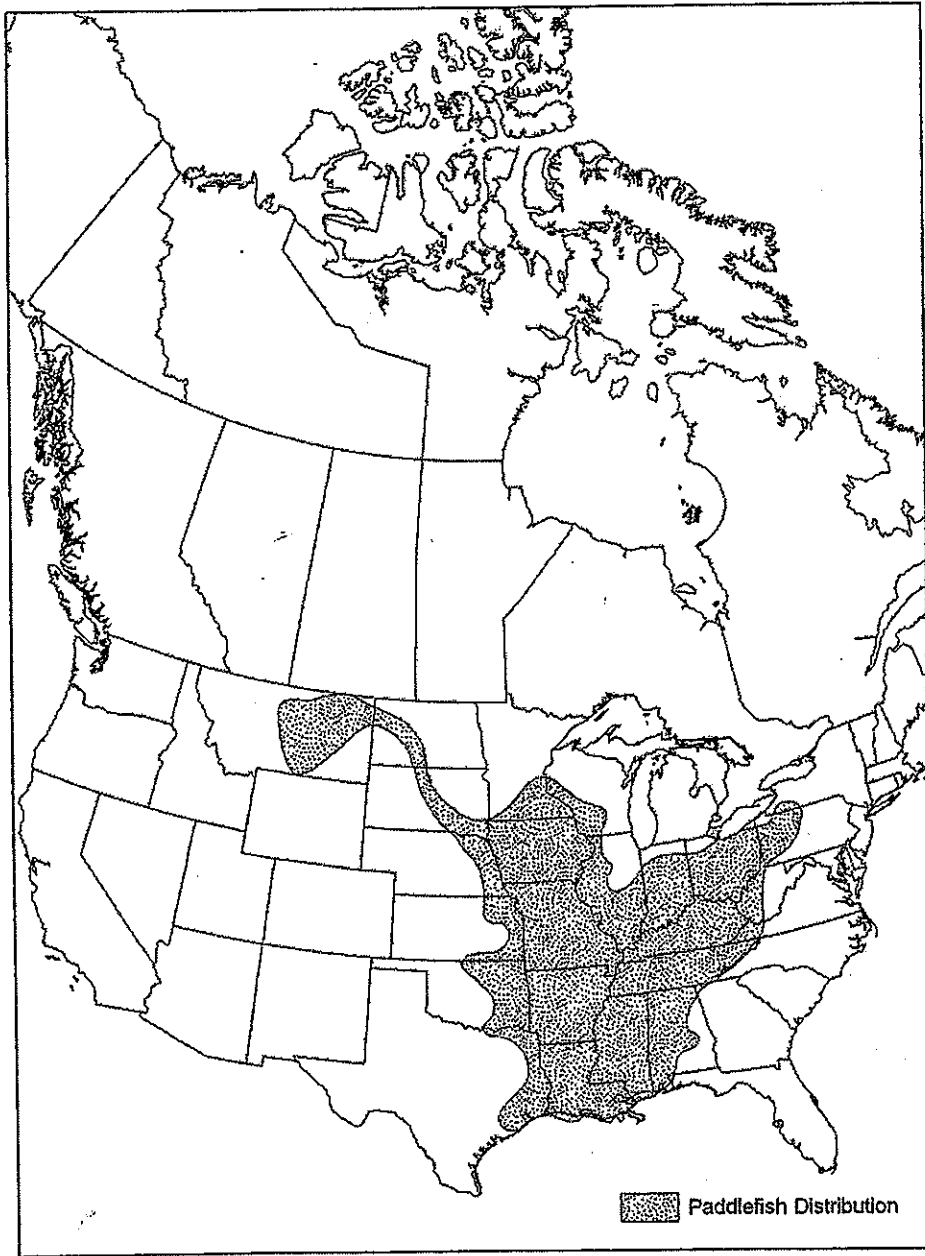


PLATE 5