

About Marine Mammals



All species of marine mammals are protected under the Marine Mammal Protection Act (MMPA), and some also are protected under the U.S. Endangered Species Act (ESA) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). These animals include whales, dolphins, porpoises, seals, sea lions, walrus, polar bears, sea and marine otters, dugongs, and manatees. Polar bears are provided additional protection under a five-Nation international agreement. In the United States, this agreement is implemented by the provisions of the MMPA.

Jurisdiction for marine mammals under the MMPA and ESA is shared by the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS). The USFWS has jurisdiction for import and export of all marine mammals listed under CITES. (See table on back.)

The Marine Mammal Protection Act

In general, it is prohibited under the MMPA to (1) take, (2) import, and (3) possess, transport, sell, export, or offer to purchase, sell, or export marine mammals or their products.

In general, exceptions may be made for (1) Pre-MMPA specimens taken before December 21, 1972; (2) International Agreements entered into by the United States before December 21, 1972; (3) Alaska natives; (4) by permit for scientific research, public display, enhancing the survival or recovery of a species, and incidental take in commercial fisheries; and (5) if a waiver is granted by the U.S. Government.

The U.S. Endangered Species Act

In general, it is prohibited under the ESA to (1) take, (2) import, (3) export, (4) sell or offer for sale, and (5) possess or transport listed species.

Exceptions may be made for (1) Antique items that are at least 100 years old and have not been modified or repaired using

any listed species, (2) Pre-ESA specimens acquired on or before December 28, 1973 (that have not entered into commerce since that time), and (3) by permit for scientific research and/or enhancement of propagation or survival if the species is endangered or threatened, and also for zoological exhibition, educational purposes, and special purposes consistent with the ESA if the species is threatened.

The Convention on International Trade in Endangered Species of Wild Fauna and Flora

All cetaceans (whales, dolphins, and porpoises), all sirenians (manatees and dugongs) and several marine carnivores (seals, otters, walrus, and polar bears) are protected under CITES.

CITES applies to international shipments of listed species. It does not apply to activities conducted solely within the United States. The USFWS issues CITES permits for all marine mammals protected by CITES.

Authentic Native Alaskan articles of handicrafts and clothing that contain marine mammal parts may be purchased without a permit. A CITES permit from our office is generally required to export such items. If you are a U.S. resident traveling from Alaska through Canada to the lower 48 states by car, cruise ship, etc., you may not need a CITES permit if you carry the handicraft items as personal effects in your accompanying baggage. Before you travel, you should contact the Canadian CITES Management Authority (telephone 819-997-1840) and the USFWS Regional Law Enforcement Office (http://www.le.fws.gov/le_chart.htm) associated with the port of re-entry into the lower 48 States to obtain information on what documents are required for your particular situation. Be aware, however, that souvenirs or handicrafts that contain marine mammal parts and are created by Native peoples outside of the United States (e.g., Canada or Greenland) may not be imported into the United States.

The USFWS has jurisdiction over the following marine mammals under the MMPA and the ESA:

<i>Common Name</i>	<i>Species</i>	<i>MMPA</i>	<i>ESA</i>	<i>CITES</i>
Walrus	<i>Odobenus rosmarus</i>	yes	Not listed	III
Polar bear	<i>Ursus maritimus</i>	yes	Not listed	II
Northern sea otter	<i>Enhydra lutris lutris</i>	yes	Not listed	II
Southern sea otter	<i>Enhydra lutris nereis</i>	yes	Threatened	I
Marine otter	<i>Lontra (=Lutra) felina</i>	yes	Endangered	I
Dugong	<i>Dugong dugon</i>	yes	Endangered	I
West Indian manatee	<i>Trichechus manatus</i>	yes	Endangered	I
Amazonian manatee	<i>Trichechus inunguis</i>	yes	Endangered	I
West African manatee	<i>Trichechus senegalensis</i>	yes	Threatened	II

The NMFS has jurisdiction of all other marine mammals under the MMPA and ESA.
For further permit information about species under jurisdiction of NMFS, contact:

National Marine Fisheries Service
Office of Protected Resources, F/PR1
1315 East West Highway
Silver Spring, Maryland 20910
phone: 301-713-2289; fax: 301-713-0376
www.nmfs.noaa.gov/mar_mammals.htm



Sea otter
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U.S. Fish & Wildlife Service
International Affairs
Division of Management Authority
4401 N. Fairfax Drive, Room 700
Arlington, VA 22203
703/358-2104 or 800/358-2104
703/358-2281 fax
e-mail: managementauthority@fws.gov
<http://international.fws.gov>
<http://permits.fws.gov>

