

Federal Invasive Species Enforcement

- The U.S. Fish and Wildlife Service Office of Law Enforcement is responsible for enforcing Federal prohibitions on the importation and interstate transport of species listed as “injurious” in the Lacey Act (18 USC 42) and 50 CFR Part 16.
- Service enforcement officers also support State efforts to prevent the introduction of State-banned invasive species via interstate commerce or international trade under the section of the Lacey Act that addresses wildlife trafficking (16 USC 3372).

Lacey Act Injurious Wildlife (18 USC 42)

- Species listed as injurious by the Secretary of the Interior may not be imported or transported in interstate commerce without a permit from the Service.
- Permits are issued only for zoological, educational, medical, or scientific purposes.
- Federally listed injurious species include zebra mussels, brown tree snakes, mitten crabs, snakehead fish, and multiple carp species.
- The maximum penalty for violating the injurious wildlife provisions of the Lacey Act is 6 months in prison and a \$5,000 fine.

Investigations and Interdictions

- A marine construction company that removed two barges encrusted with live zebra mussels from a lake in Iowa and transported the barges through Missouri and on to Arkansas without scraping off these federally listed injurious mussels was fined \$3,000.
- Service officers secured the indictment of a New York importer after intercepting a shipment containing 352 injurious snakehead fish destined for Asian food markets as it arrived at John F. Kennedy International Airport. Another 225 live snakehead fish were subsequently seized from markets in the New York City area that did business with this importer.
- Service special agents teamed with Massachusetts Environmental Police to seize some 1,000 pounds of live Asian bighead carp in Boston’s Chinatown.
- Service wildlife inspectors detected and seized a shipment of 250 live injurious snakehead fish that arrived at Los Angeles International Airport from the Democratic Republic of the Congo.
- A passenger arriving in Los Angeles from China was caught smuggling 20 live mitten crabs.

Lacey Act Wildlife Trafficking (16 USC 3372)

- This section of the Lacey Act prohibits interstate and international commerce in wildlife taken, transported, or possessed in violation of Federal, State, Tribal or foreign law.
- Under the Lacey Act, the Service has the authority to bring Federal wildlife charges against companies and individuals predicated on underlying violations of State laws that regulate invasive species at the State level.
- An individual violating this section of the Lacey Act faces up to a \$250,000 criminal fine and 5 years in prison; the maximum fine level jumps to \$500,000 for a business.

Investigations and Interdictions

- Service special agents teamed with State officers to investigate a Louisiana business that transported State-banned tilapia from Florida to a facility in southeast Louisiana where the non-native fish have spread into surrounding marshes. The company spent over \$1.1 million on eradication efforts and negotiated fines and remediation payments exceeding \$643,000.
- A cooperative Service/State investigation secured a \$30,000 fine from a South Dakota bait dealer who was charged with violating the Lacey Act by transporting rusty crayfish – a State-prohibited invasive species – into Nebraska.
- A Service/State investigation resulted in a 13-count Federal indictment against a California couple and their company in connection with the illegal importation of State-banned live invasive piranhas and freshwater stingrays. Charges include conspiracy, smuggling, obstruction of justice, and false statements (all Federal felonies) as well as felony Lacey Act violations.
- Service special agents assisted State conservation officers in Washington State with a covert investigation of pet stores in Spokane and Yakima involved in the unlawful sale and possession of State-prohibited exotic frogs and helped the Nevada Department of Wildlife with an invasive species investigation prompted by the seizure of 74 live adult red-bellied piranhas from a Las Vegas nightclub.
- Service wildlife inspectors intercepted shipments of State-banned fish in Chicago, New York, and Florida.