



EXPORT/IMPORT/INTERSTATE AND FOREIGN COMMERCE OF PLANTS (CITES and/or ESA)



New Reissue/Renew Amendment

Complete Sections **A** or **B**, and C, D, and E of this application. U.S. address may be required in Section C.**

A. Complete if applying as an individual				
1.a. Last name		1.b. First name	1.c. Middle name or initial	1.d. Suffix
2. Date of birth (mm/dd/yyyy)	5.a. Telephone number	5.b. Alternate telephone number	6. E-mail address	

B. Complete if applying on behalf of a business, corporation, public agency, Tribe, or institution			
1.a. Name of business, agency, Tribe, or institution		1.b. Doing business as (dba)	
2. Tax identification no.	3.a. Description of business, agency, Tribe, or institution		3.b. Website URL (if applicable)
4.a. Principal officer (P.O.) last name	4.b. P.O. first name	4.c. P.O. middle initial	4.b. P.O. Title
5. Primary contact name		6. Primary e-mail address	
7.a. Business telephone number		7.b. Alternate phone no.	8.a. Primary contact telephone no.

C. All applicants complete address information				
1.a. Physical address (Street address; Apartment #, Suite #, or Room #; no P.O. Boxes)				
1.b. City	1.c. State	1.d. Zip code/Postal code	1.e. County/Province	1.f. Country
2.a. Mailing Address (include if different than physical address; include name of contact person if applicable)				
2.b. City	2.c. State	2.d. Zip code/Postal code	2.e. County/Province	2.f. Country

D. All applicants MUST complete
1. Include a check or money order, payable to the U.S. FISH AND WILDLIFE SERVICE, a nonrefundable processing fee (see the fee schedule) . Federal, Tribal, State, and local government agencies, and those acting on behalf of such agencies, are exempt from the processing fee – attach documentation of fee exempt status as outlined in instructions. (50 CFR 13.11(d))
2. If you are requesting a reissue/renew/amendment, what is your permit/file number?
3. Certification: I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part 13 of the Code of Federal Regulations and the other applicable parts in subchapter B of Chapter I of Title 50, and I certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to the criminal penalties of 18 U.S.C. 1001.
The individual/principal officer of the business must print and sign the application. (No photocopied or stamped signatures) Date (mm/dd/yyyy)

** Click here for additional instructions on completing the above form ([link to instruction page](#)). See the last page for information on the Privacy Act, Paperwork Reduction Act, Estimated Burden, and Freedom of Information Act aspects of this application form.

Mail your application(s) to Division of Management Authority, Branch of Permits, MS:IA 5275 Leesburg Pike, Falls Church, VA 22041-3803.

E. EXPORT/RE-EXPORT/IMPORT/INTERSTATE AND FOREIGN COMMERCE OF PLANTS (CITES and/or ESA)

*Interstate commerce permits authorize a person subject to the jurisdiction of the United States to commit, to attempt to commit, to solicit another to commit, or to cause to be committed, one or more of the following otherwise prohibited activities with an ESA-listed plant: deliver, receive, carry, transport or ship in interstate commerce, in the course of a commercial activity; or sell or offer for sale in interstate commerce. For example, the actual or intended transfer of an ESA-listed plant from one person to another person in the pursuit of gain or profit across state lines. All activities require the **buyer** to obtain a permit **prior** to the activity taking place (this includes the offer or advertisement for sale, unless the offer or advertisement for sale carries a warning to the effect that no sale may be consummated until a permit has been obtained from the U.S. Fish and Wildlife Service).*

*Foreign commerce permits authorize a person subject to the jurisdiction of the United States to commit, to attempt to commit, to solicit another to commit, or to cause to be committed, one or more of the following otherwise prohibited activities with an ESA-listed plant: import; export; deliver, receive, carry, transport or ship in foreign commerce, in the course of a commercial activity; or sell or offer for sale in foreign commerce. For example, the actual or intended transfer of an ESA-listed plant in the pursuit of gain or profit between persons in one or more foreign countries (including transactions involving persons in the U.S. and a foreign country). All activities require a permit **prior** to the activity taking place (this includes any formal financial agreements; this includes the offer or advertisement for sale, unless the offer or advertisement for sale carries a warning to the effect that no sale may be consummated until a permit has been obtained from the U.S. Fish and Wildlife Service).*

The ESA, 16 U.S.C. § 1632(2), and implementing regulations, 50 CFR § 17.3, define the term “commercial activity” to mean all activities of the actual or intended transfer of wildlife or plants from one person to another person in the pursuit of gain or profit, including, but not limited to, the buying or selling of commodities and activities conducted for the purpose of facilitating such buying and selling. “Commercial activity” does not include exhibition of commodities by museums or similar cultural or historical organizations. 16 U.S.C. § 1632(2).

The ESA, 16 U.S.C. § 1632(9), defines the term “foreign commerce” to include, among other things, any transaction—(A) between persons within one foreign country; (B) between persons in two or more foreign countries; (C) between a person within the United States and a person in a foreign country; or (D) between persons within the United States, where the fish and wildlife in question are moving in any country or countries outside the United States.

Interstate commerce permits and foreign commerce permits may only be issued for activities that will contribute to enhancing the propagation or survival of that species.

Permits may only be issued for activities determined to be consistent with the purposes of the ESA.

Allow at least 90 days for the application to be processed. Applications for endangered species under the ESA must be published in the Federal Register for a 30-day public comment period.

Complete all questions on the application. Mark questions that are not applicable with "N/A". Please use separate sheets of paper when answering this questions. On attachments or separate sheets you submit, indicate the application question number you are addressing. If you are applying for multiple species, be sure to indicate which species you are addressing in each response.

NOTE: This form should NOT be used to request authorization for commercial exports of plants that are artificially propagated in the United States and not ESA listed. For such exports, applicants should complete form [3-200-33](#).

NOTE: Interstate commerce permits authorize the sale of endangered and threatened species across State line, but only for activities determined to be consistent with the purposes of the ESA. Interstate commerce activities with plants require, prior to the sale, that the seller obtain a permit for plants coming from cultivated stock and that the buyer obtain a permit for plants taken from the wild.

Electronic submission of inventories, photographs, and receipts/invoices: If you wish to provide information electronically, please include a flash drive containing this information with your physical application.

1. Name and address where you wish the permit to be mailed, **if different from page 1**. If you would like expedited shipping, please enclose a self-addressed, pre-paid, computer-generated, courier service airway bill. If unspecified, all documents will be mailed via regular mail through the U.S. Postal Service.

2. Who should we contact if we have questions about the application (name, phone number, and e-mail)?

3. Have you or any of the owners of the business (if applying as a business, corporation, or institution), been assessed a civil penalty or convicted of any criminal provision of any statute or regulation relating to the activity for which the application is filed; been convicted, or entered a plea of guilty or nolo contendere, for a felony violation of the Lacey Act, the Migratory Bird Treaty Act, or the Bald and Golden Eagle Protection Act; forfeited collateral; OR are currently under charges for any violation of the laws mentioned above?

___ No ___ Yes

If you answered "Yes" to Question 3, provide: a) the individual's name; b) date of charge; c) charge(s); d) location of incident; e) court, and f) action taken for each violation. Please be aware that a "Yes" response does not automatically disqualify you from getting a permit.

4. What activity are you requesting authorization to carry out?
EXPORT ___ RE-EXPORT ___ IMPORT ___
INTERSTATE ___ OR FOREIGN ___ COMMERCE

5. For **EACH** plant involved in the proposed activity provide:
 - a. Scientific name (genus, species, and, if applicable, subspecies) and common name:

 - b. Description of specimen (e.g., whole plant, cuttings, parts, products; size, height, length);

 - c. Quantity of specimen(s);

d. Source of specimen(s) - wild (see question 8) or artificially propagated (see question 9).

6. The current location of the specimen(s) (address and country):

7. Recipient/Sender:

- If **export/re-export**, provide name and address of the recipient in the foreign country.
- If **import**, provide name and address of the exporter in the foreign country.
- If **interstate commerce**, provide name and address of proposed seller/supplier.
- If **foreign commerce**, provide name and address of proposed buyer/recipient and/or seller/supplier/buyer.

Name:

Address:

City:

State/Province:

County, Postal Code:

SOURCE OF SPECIMENS (answer question 8 and/or 9 for each species/specimen, as appropriate):

8. For plants **taken from the wild**, provide the following for each species/specimen collected:

- a. Scientific name (genus, species, and if appropriate, subspecies) and common name;
- b. Number and size class of specimens collected (e.g., 100 juveniles; 50 mature)) [please note that more specimens may be collected than are intended to be included in the permit requested (quantity identified in Question5c);
- c. Specific location and date of collection for each specimen;
- d. Who (name and address) collected the specimens;
- e. Copies of documents that indicates that the plants were legally collected (e.g., State permits or licenses,

landowner's permission, collection permits). Be sure to correlate each document to the corresponding specimen(s);

- f. Approximate density (e.g., number of plants per acre) and distribution of the species at the collection site(s);
- g. Collection methodology (e.g., whether the specimens were removed from an area of few to several patches of plants, percentage of specimens removed at a specific location);
- h. Estimate the number of plants collected to how many plants remain at the location.
- i. Describe efforts made to utilize artificially propagated specimens in lieu of taking plants from the wild.
- j. If applicant did not collect specimens, provide the invoice or other chain of custody documentation that shows the name, address and telephone number of the person(s) from whom you obtained the plants and the date of acquisition of the specimen(s). Documentation should trace back to the original collector.

9. For plants that were **artificially propagated**, provide the following:

- a. Scientific name (genus, species, and if appropriate, subspecies) and common name;
- b. Documentation, such as receipts, showing the name, address and telephone number of the person(s) from whom you purchased the plants and the date(s) of acquisition of each specimen; and
- c. A statement, preferably from the propagator, on how the specimens were propagated (e.g., description of the nursery, propagation method, source and location of parental stock).

JUSTIFICATION FOR REQUESTED ACTIVITY:

10. Provide a full statement justifying the proposed activity including the following details:

- a. Describe the purpose of your proposed activity. For example, if the purpose is scientific research, attach a

copy of your research proposal outlining the purpose, objectives, methods (e.g., specific information on survey/collection methods, sampling regime, equipment to be used), and whether similar work has already been done or is currently being done. If the purpose is conservation education, provide copies of educational materials (e.g., handouts, text of signage or public presentations), and include the purpose and objectives of the proposed activity. If the purpose is for propagation for conservation purposes, provide a description of how the species will be propagated, disposition of progeny, and cooperative agreements that are/will be established for re-introduction.

- b. Describe the technical expertise of each person as it relates to the proposed activities.
 - c. If the species is listed as endangered under the ESA, describe how the activities will enhance or benefit the wild population.
 - d. If the requested activity involves native species, provide information to show that the activity is consistent with any recovery plan for the species.
 - e. Provide copies of contracts or agreements or other permits that identify persons involved and dates of activities for which the permit is sought.
11. If the proposed activity includes propagating or maintaining live plants at your facility, provide the following:
- a. Approximate number of specimens you currently maintain for each species requested.
 - b. Describe the propagation method (e.g., seed, cutting, mericlone) used.
 - c. Describe the conditions under which the plants are grown and provide photographs of your facilities.
 - d. Describe your background and experience working with this or similar species, including

i. the number of years each species has been cultivated by you; and

ii. the number of plants successfully propagated annually.

e. Discuss your willingness to participate in a cooperative propagation program and maintain or contribute data regarding your propagation success with the species.

f. Provide a copy of your State license, as appropriate.

12. If **import** or **export**, provide:

a. Copy of any required foreign permits (for the export of CITES Appendix-I plants, provide a copy of the foreign CITES import permit or evidence a permit will be issued). If plants are taken/to be taken from the wild, provide documentation from the U.S. government, State or Tribal government, or foreign government (whichever is appropriate) approving the action.

b. For live specimens, describe the type, size, and construction of shipping containers

c. For live specimens, describe the arrangements for watering and caring for the specimens during transportation.

d. A statement on the disposition of all imported plants and plant material, as well as any progeny, if produced.

NOTICES

PRIVACY ACT STATEMENT

Authority: The information requested is authorized by the following: the Bald and Golden Eagle Protection Act (16 U.S.C. 668), 50 CFR 22; the Endangered Species Act (16 U.S.C. 1531-1544), 50 CFR 17; the Migratory Bird Treaty Act (16 U.S.C. 703-712), 50 CFR 21; the Marine Mammal Protection Act (16 U.S.C. 1361, et seq.), 50 CFR 18; the Wild Bird Conservation Act (16 U.S.C. 4901-4916), 50 CFR 15; the Lacey Act: Injurious Wildlife (18 U.S.C. 42), 50 CFR 16; Convention on International Trade in Endangered Species of Wild Fauna and Flora (TIAS 8249), 50 CFR 23; General Provisions, 50 CFR 10; General Permit Procedures, 50 CFR 13; and Wildlife Provisions (Import/export/transport), 50 CFR 14.

Purpose: The collection of contact information is to verify the individual has an eligible permit to conduct activities which affect protected species. This helps FWS monitor and report on protected species and assess the impact of permitted activities on the conservation and management of species and their habitats.

Routine Uses: The collected information may be used to verify an applicant's eligibility for a permit to conduct activities with protected wildlife; to provide the public and the permittees with permit related information; to monitor activities under a permit; to analyze data and produce reports to monitor the use of protected wildlife; to assess the impact of permitted activities on the conservation and management of protected species and their habitats; and to evaluate the effectiveness of the permit programs. More information about routine uses can be found in the System of Records Notice, Permits System, FWS-21.

Disclosure: The information requested in this form is voluntary. However, submission of requested information is required to process applications for permits authorized under the listed authorities. Failure to provide the requested information may be sufficient cause for the U.S. Fish & Wildlife Service to deny the request.

PAPERWORK REDUCTION ACT STATEMENT

We are collecting this information subject to the Paperwork Reduction Act (44 U.S.C. 3501) in order provide the U.S. Fish and Wildlife Service the information necessary, under the applicable laws governing the requested activity, for which a permit is requested. Information requested in this form is purely voluntary. However, submission of requested information is required in order to process applications for permits authorized under the applicable laws. Failure to provide all requested information may be sufficient cause for the U.S. Fish and Wildlife Service to deny the request. According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. OMB has approved this collection of information and assigned Control No. 1018-0093.

ESTIMATED BURDEN STATEMENT

We estimate public reporting for this collection of information averages 45 minutes (electronically) to 1 hour (paper-based), including time for reviewing instructions, gathering and maintaining data and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of the form to the Service Information Clearance Officer, Fish and Wildlife Service, U.S. Department of the Interior, 5275 Leesburg Pike, MS: PRB/PERMA (JAO), Falls Church, VA 22041-3803, or via email at Info_Coll@fws.gov. Please do not send your completed form to this address.