



Interstate or Foreign Commerce of Live Animals/Samples/Parts/Products (ESA)

New Reissue/Renew Amendment



APPLICATION FORM INSTRUCTIONS

The following instructions pertain to U.S. Fish and Wildlife Service (FWS) permit applications. The General Permit Procedures in [50 CFR 13](#) address the permitting process. For simplicity, all licenses, permits, registrations, and certificates are referred to as a permit.

If you are an individual, who would be named on the face of the permit, you need to complete the **Individual Applicant** section of this application.

If you are an individual seeking permits issued to yourself for activities not associated with your business or institution, you need to complete the **Individual Applicant** section as an individual permittee.

If you are an individual associated with a business or institution, and the business or institution's name would appear on the face of the permit, you need to complete the **Business Applicant** section of this application.

If you are a business applying on behalf of an individual, you need to complete the **Business Applicant** section of this application and include a limited power of attorney from the person for whom you represent.

A person/entity is qualified to obtain a U.S. Fish and Wildlife Service permit or license when they are "subject to the jurisdiction of the United States", per 16 USC 1532(13). A foreign person/entity with no permanent physical presence in the United States only qualifies for an import/export license when they physically enter or exit the U.S. with the wildlife items. The foreign entity is required to designate a U.S. agent for purposes of record keeping.

GENERAL INSTRUCTIONS:

- An incomplete application may cause delays in processing or may be returned to the applicant. Be sure you are filling in the appropriate application form for the proposed activity. Items marked with an asterisk (*) are required fields.
- Print clearly or type in the information. Illegible applications may cause delays.
- Sign the application. Faxes or copies of the original signature will not be accepted.
- If you choose to mail your submission, mail the original application to the address listed below or, if applicable, on the attached address list. We encourage electronic filing in the ePermits system.
- Keep a copy of your completed application.
- Please plan ahead. Unless otherwise indicated, allow at least 60 days for your application to be processed, however, some applications may take longer than 90 days to process (50 CFR 13.11). Longer processing times will be noted on those applications.
- Applications are processed in the order they are received.

Individual or Business Applicants:

Individual Applicant. **Complete if applying as an individual** [do not complete this application if applying for Import/Export License (3-200-3) or a Designated Port Exception Permit (3-200-2)]:

- Enter the information requested. Required fields must be completed. This is used to create your profile and consumer information in the ePermits system. **If you do not have an email address, enter not applicable.**
- **Doing business as (dba) / Affiliation:** The Division of Management Authority (DMA) and the Office of Law Enforcement (OLE) do **not** accept *doing business as* affiliations for individuals seeking permits on behalf of themselves. "Doing business as" affiliations apply to individuals seeking permits for a business, agency, Tribe, organizational, or institutional affiliation *directly* related to the activity requested in the application. For example, a taxidermist is an individual whose business can *directly* relate to the requested activity of exporting taxidermy (dba relevant permit); however, said taxidermist should not apply as a business for permits to non-business related travel with their pet exotic parrot (dba is **not** relevant to the permit; **complete** the **Business Applicant** section).

Business Applicant. Complete if applying as a business, corporation, public agency, Tribe, or institution:

- Enter the information requested. Required fields must be completed. This is used to create your contact and account information in the ePermits system. **If you do not have an email address, enter not applicable.**
- If you are applying on behalf of a client, a document evidencing **power of attorney** must be included with the application.
- **Principal Officer** is the person in charge of the listed business, corporation, public agency, Tribe, or institution. The principal officer is the person responsible for the application and any permitted activities. Often the principal officer is a Director or President.
- **The Contact** is the person at the business, corporation, public agency, or institution who will be available to answer questions about the application or permitted activities. Often this is the preparer of the application. Each person that is associated with the business that would need to access the business account needs to create their own contact in the ePermits system.

Application processing fee:

- An application processing fee is required at the time of application, unless exempted under 50 CFR 13. The application processing fee is assessed to partially cover the cost of processing a request. **The fee does not guarantee the issuance of a permit, nor will fees be refunded for applications for which processing has begun. Checks or money orders must be for the exact amount for each application submitted. If you are making more than one request, you must submit a separate payment for each request, otherwise your application will be returned.**
- **Documentation of fee exempt status is not required for applications submitted by Federal, Tribal, State, or local government agencies; but must be supplied by those applicants acting on behalf of such agencies.** Such applications must include a letter on agency letterhead and signed by the head of the unit of government for which the applicant is acting on behalf, confirming that the applicant will be carrying out the permitted activity for the agency.

CERTIFICATION:

- The individual identified in the Individual Applicant Section, the principal officer named in the Business Applicant Section, or person with a valid power of attorney (documentation must be included in the application) must sign and date the application. This signature legally binds the applicant to the statement of certification. You are certifying that you have read and understand the regulations that apply to the permit. You are also certifying that all information included in the application is true to the best of your knowledge. Be sure to read the statement and re-read the application and your answers before signing.

ALL APPLICANTS COMPLETE THE QUESTIONS ASSOCIATED WITH YOUR APPLICATION

Please continue to next page. DO NOT RETURN THIS PAGE WITH THE APPLICATION

Mail applications to: U.S. Fish and Wildlife Service; Division of Management Authority; Branch of Permits, MS:IA; 5275 Leesburg Pike; Falls Church, Virginia 22041-3803 or as directed by specific applications.

If you would like expedited mailing, please enclose a self-addressed, pre-paid, computer-generated, courier service airway bill. If unspecified, all documents will be mailed via the U.S. Postal Service.

Please refer to the [fee schedule](#) for the appropriate fees for the activity you are requesting.

If you are making more than one request, you must submit a separate payment for each request, otherwise your application will be returned.

INDIVIDUAL APPLICANTS

*First Name	Middle Name	*Last Name

*Email Address	Telephone Number

*Street Address	*City

*State/Province	*Zip or Postal Code	*Country

If you wish to have your permit mailed to a different address, complete the following:

*Street Address	*City

*State/Province	*Zip or Postal Code	*Country

If you would like expedited mailing, please enclose a self-addressed, pre-paid, computer-generated, courier service airway bill. If unspecified, all documents will be mailed via the U.S. Postal Service.

Have you or your client (if a broker applying on behalf of your client), 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", 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.

Certification Statement

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.

Signature and date

Include a check or money order, payable to the U.S. FISH AND WILDLIFE SERVICE, as **a nonrefundable processing fee [50 CFR 13.11(d)(4)]** (see instructions above). 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))

***Required fields. Applications without this information are subject to delays or returns.**

BUSINESS APPLICANTS

*Business Name	doing business as (dba)

*Indicate your business type:

Business or other for profit
 Small business
 Government (Federal/State/Local/Tribal)
 Farm
 Not-for-profit institution

Name that will appear on the permit if you are applying on behalf of an individual/business

*Primary Contact Name	*Primary Contact Email Address
*Business Email Address	*Preferred Contact Method (e.g. phone, email)

*Principal Officer Name	*Principal Officer Title	*Principal Officer Email
Tax ID Number	*Business Phone	Alternate Phone

*Street Address	*City

*State/Province	*Zip or Postal Code	*Country

If you wish to have your permit mailed to a different address, complete the following:

*Street Address	*City

*State/Province	*Zip or Postal Code	*Country

If you would like expedited mailing, please enclose a self-addressed, pre-paid, computer-generated, courier service airway bill. If unspecified, all documents will be mailed via the U.S. Postal Service.

Have you or your client (if a broker applying on behalf of your client), 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", 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.

Certification Statement

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.

Signature and date

Include a check or money order, payable to the U.S. FISH AND WILDLIFE SERVICE, as a **nonrefundable processing fee [50 CFR 13.11(d)(4)]** (see instructions above). 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))

***Required fields. Applications without this information are subject to delays or returns**

INTERSTATE OR FOREIGN COMMERCE OF LIVE ANIMALS/SAMPLES/PARTS/PRODUCTS (ESA)

General Information

This application covers activities involving interstate or foreign commerce of [ESA-listed](#) animal specimens, whether live or dead, including any readily recognizable parts, products, or derivatives.

***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 animal: 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 animal 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 animal: 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 animal 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. § 1532(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. § 1532(2).

The ESA, 16 U.S.C. § 1532(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.

Review this application carefully and provide complete answers to all questions. If you are applying for multiple species, be sure to indicate which species you are addressing in each response. If a question is not applicable, answer with “N/A.” **If more space is needed, attach a separate sheet with your responses numbered according to the questions.**

Please allow at least 90 days for the application to be processed.

To determine whether an animal species is protected under the ESA, please review the list of [ESA-listed species](#) in the Code of Federal Regulations.

Please be aware that any permit request involving an ESA endangered species must be published in the Federal Register for a required 30-day public comment period.

For renewal or amendment of an interstate or foreign commerce permit, use application [3-200-52](#).

If you have any questions regarding an action you are requesting authorization for please contact the Division of Management Authority at managementauthority@fws.gov.

This form should **NOT** be used for:

- Pre-Convention or antique specimens ([antique exemption criteria](#)) (use application [3-200-23](#))
- Captive Bred Wildlife Registration (use application [3-200-41](#))
- ESA Plants (use application [3-200-36](#))

Proposed Activity

Foreign Commerce

Does your activity also include: Import Export

Interstate commerce

1. The **current** location of the animals/samples/parts:

Name:

Address

City:

State/Province

Postal Code:

Country:

2. Provide name and **physical address** of the seller:

Name:

Address:

City:

State/Province:

Postal Code:

Country:

3. For each live animal involved in the interstate or foreign commerce, provide (you may use the table on the following page):

- a. Scientific name (genus, species, and *if applicable*, subspecies);
- b. Common name;
- c. Approximate or actual birth/hatch date (mm/dd/yyyy);
- d. Wild or captive-born;
- e. Quantity;
- f. Sex (males.females.unknown sex, 10.2.3);
- g. Permanent markings and/or identification information (microchip #, leg band #, tattoos, studbook #).

a. Scientific name (genus, species, and if applicable, subspecies)	b. Common Name	c. Approximate or Actual Birth/Hatch Date (mm/dd/yyyy)	d. Wild (W) or Captive-born (C)	e. Quantity	f. Sex (male, female, unknown sex)	g. Permanent markings/ ID information (e.g., microchip #, leg band #, tattoo, studbook #, etc.)
EXAMPLE: <i>Pan troglodytes</i>	Chimpanzee	08/01/2006	C	1	1.0.0 OR male	Studbook# 152; Microchip# 00056321-00

4. For biological samples involved in the interstate/foreign commerce, provide for each species (you may use the table located below):

- a. Scientific name (genus, species, and, if applicable, subspecies);
- b. Common name;
- c. Number and type of sample(s) (e.g. 10 blood samples, ear clips, etc.);
- d. Source (wild or captive-born);
- e. Approximate date of collection (MM/YYYY);
- f. Description of packaging (vials, slides, envelopes, etc.);
- g. Total # of all samples.

a. Scientific name (genus, species, and, if applicable, subspecies)	b. Common Name	c. Number & type of sample/part	d. Wild or Captive born	e. Approximate date of collection (mm/yyyy)	f. Description of packaging (vials, slides, envelopes, etc)
EXAMPLE: <i>Pan troglodytes</i>	Chimpanzee	10 blood samples; 4 hair samples	W	08/2015	Vial Envelope

5. For **parts or products** involved in the interstate/foreign commerce, provide for each species (you may use the table below):
- Scientific name (genus, species, and, if applicable, subspecies);
 - Common name;
 - Source (wild or captive-born);
 - Date removed from the wild or born/hatched in captivity;
 - Number and description of part(s)/product(s) (e.g., 1 handbag, 3 rugs, etc.);
 - Attach copies of receipts or other documentation demonstrating the history of ownership/transactions.

a. Scientific name	b. Common name	c. Source (W or C)	d. Date removed from the wild or born/hatched in captivity	e. Number and description of part(s)/product(s)	f. Evidence of history of ownership?
EXAMPLE: <i>Panthera tigris</i>	Tiger	W	1900	1 tanned rug	<input checked="" type="checkbox"/> Yes
					<input type="checkbox"/> Yes
					<input type="checkbox"/> Yes

6. For each **each live animal, biological sample, and part(s) or product(s)** previously imported into the United States from another country, provide:
- All copies of the CITES export or re-export document issued by the appropriate CITES office in the country from which the wildlife was imported (this document is **stamped cancelled** by FWS Office of Law Enforcement upon import inspection); and
 - All copies of your Declaration for Importation or Exportation of Fish or Wildlife (Form 3-177) **cleared** by FWS Office of Law Enforcement.
 - A copy of the ESA permit that authorized the original import.
 - If you did not make the original import, provide documentation outlining chain-of-ownership since import, including:
 - A copy of the importer's clearance documents (a & b above) and,
 - Subsequent invoices (or other documentation) showing the history of transactions leading to your ownership of the animals after import (chain of custody).

Source of Specimen

7. For each **captive-born** animal(s) provide a signed and dated statement from the breeder or appropriate documentation (e.g. Species 360 report) that includes the following:
 - a. Scientific name (genus, species, and if applicable, subspecies);
 - b. Common name;
 - c. Name and address of the facility where the animal was bred and born;
 - d. Birth/hatch date (mm/dd/yyyy);
 - e. Identification information (studbook, ID #, microchip or leg band#, etc.);
 - f. Location (name of facility, address, city, State, postal code) of parental stock;
 - g. A statement that the animal was bred and born at the breeder's facility (including the facility's name and address), and
 - h. Documentation demonstrating the history of transactions (e.g., chain of custody or ownership of the animal, if applicable).
8. For each **wild** animal(s), provide the following:
 - a. Scientific name (genus, species, and if applicable, subspecies);
 - b. Common name;
 - c. Specific location (name and address) where the animal(s)/samples were taken from the wild;
 - d. The name of the individual(s) who collected the animal/samples and their authorization to do so, including copies of foreign and domestic (Federal, State, and/or Tribal) government collecting permits, licenses, contracts and/or agreements;
 - e. Method of collection including: sampling protocol, approximate length of time animal was held in captivity, injury and mortality rates experienced during collection, transport, or holding, and whether animals were returned to the wild after sampling;
 - f. Whether any remuneration, either financial or in-kind was provided for acquiring the animal(s)/sample(s);
 - g. Efforts to use captive specimens (e.g., captive-born, captive-held), or parts thereof, in lieu of taking animals from the wild.

Justification for Requested Activity

9. Please provide a detailed description on how the proposed activities will enhance or **benefit the wild population within its native range** (e.g., direct or indirect **conservation efforts**) and provide documentation (e.g., signed memorandums of understanding) demonstrating your commitment to supporting specific programs and how these programs contribute directly to the species identified in your application.

Technical Expertise & Facilities Involving Live Animals

Provide the following information for **the buyer (you)**:

10. CV or resume outlining your technical experience working with, maintaining, and/or propagating live specimens of the species, including experience with other similar species.

11. If **live animals** are to be held in captivity as part of the proposed activity provide:

- a. Current inventory of the species at the facility (males.females.unknown sex; e.g., 10.2.0);
- b. Number of years the species has been maintained at the facility (*if applicable*);
- c. Number of species births per year over the last 5 years (*if applicable*);
- d. Number of species (or similar species) mortalities per year over the last 5 years and steps taken to avoid or decrease such mortality;
- e. A detailed description, including diagrams, and photos clearly depicting the existing facilities **where the wildlife will be maintained** including dimensions, construction materials, and protection from the elements (do not provide blueprints);
- f. Approximate carrying capacity for the species at your facility.

Transport/Shipment of Live Animals

12. The transport conditions for live animals must comply with the CITES Guidelines for Transport of Live Animals. All air transport must also comply with our regulations at [50 CFR 14](#), Subpart J and the [International Air Transport Association \(IATA\)](#) live animal regulations (contact airline for information). As such, describe:

- a. The type, size, and construction of any shipping container; and
- b. The arrangements for watering or otherwise caring for the wildlife during transport.

All international shipment(s) must be through a designated port. A [list of designated ports](#) (where a wildlife inspector is posted) is available. If you wish to use a port not listed, please contact the Office of Law Enforcement for a Designated Port Exemption Permit (Form [3-200-2](#)).

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 to average as follows:

Original submission - paper-based: 2.5 hours
Original submission - electronic: 1.75 hours
Amended submission - paper-based: 1.75 hours
Amended submission - electronic: 1.5 hours

These burden estimates include 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 (JAO/3W), Falls Church, VA 22041-3803, or via email at Info_Coll@fws.gov. Please do not send your completed form to this address.

Questions regarding permits from Management Authority should be sent to managementauthority@fws.gov.