



## Export/Re-Export/Import/Interstate/Foreign Commerce of Plants (CITES/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.

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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

<b>*Business Name</b>	<b>doing business as (dba)</b>

\*Indicate your business type:

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

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

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

<b>*Principal Officer Name</b>	<b>*Principal Officer Title</b>	<b>*Principal Officer Email</b>
<b>Tax ID Number</b>	<b>*Business Phone</b>	<b>Alternate Phone</b>

<b>*Street Address</b>	<b>*City</b>

<b>*State/Province</b>	<b>*Zip or Postal Code</b>	<b>*Country</b>

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

<b>*Street Address</b>	<b>*City</b>

<b>*State/Province</b>	<b>*Zip or Postal Code</b>	<b>*Country</b>

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.

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

## EXPORT/RE-EXPORT/IMPORT/INTERSTATE/FOREIGN COMMERCE OF PLANTS (CITES/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 these 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.

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 lines, 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.

1. What activity are you requesting authorization to carry out?

- Export
- Re-export
- Import
- Interstate commerce
- Foreign commerce

2. 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(s) (e.g., whole plant, cuttings, parts, products; size, height, length);
  - c. Quantity of specimen(s):
  - d. Source of specimen(s) – wild (see question 5) or artificially propagated (see question 6):
3. The current location of the specimen(s) (address and country):
4. 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 sender 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 5 and/or 6 for each species/specimen, as appropriate):**

5. 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 Question 2c)];
  - 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.



6. 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**

7. 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.
8. 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. Description of the propagation method (e.g., seed, cutting, mericlone) used.
  - c. Description of the conditions under which the plants are grown and photographs of your facilities.
  - d. Description of 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. Willingness to participate in a cooperative propagation program and maintain or contribute data regarding your propagation success with the species.
  - f. A copy of your State license, as appropriate.
9. 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, a description of the type, size, and construction of shipping containers
  - c. For live specimens, a description of 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 to average 45 minutes (electronically) to 1 hour and 30 minutes (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 (JAO/3W), Falls Church, VA 22041-3803, or via email at [Info\\_Coll@fws.gov](mailto: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](mailto:managementauthority@fws.gov).