



# Memorandum D19-7-1- Interpretation of the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

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The Canada Border Services Agency (CBSA) assists Environment and Climate Change Canada (ECCC) with the administration and enforcement of legislation and regulatory controls, which aim to protect Canadian and foreign species of animals and plants that may be at risk of overexploitation due to poaching and illegal trade and to safeguard Canadian ecosystems from the introduction of species considered to be harmful.

This memorandum provides guidance on the importation and exportation - of certain food, plants, animals and related (FPA) products, that are covered through a system of certain permits or certificates, which helps to regulate the international trade of wild animals, plant and their parts or derivatives to ensure it does not threaten their survival. It aims to protect endangered, threatened and at-risk species of wild animals and plants against overexploitation due to international trade.

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## Updates made to this D-memo

- Added Single Window Integrated Import (SWI) declaration release

- Removed Phytosanitary Certificates as acceptable CITES export documentation from Canada
- Removed reference to Schedule I of WAPTR
- Updated instructions for the CITES trusted exporter program (postal stream)
- Added information for goods being held in a Customs bonded warehouse
- Updated new link for CITES species database to the [CITES Species List](#).
- Added information for Musical Instruments, Travelling Shows and Scientific Exchanges
- Changes to wording due to CBSA Assessment and Revenue Management (CARM) implementation
- Updated general terminology
- Amendments to the Wild Animal and Plant Trade Regulations (WAPTR) for the import and export of Elephant Tusk (ivory) and Rhinoceros Horn

## Definitions

### 1. For the purposes of CITES:

a) "animal" means any specimen, whether living or dead, of any species of animal that is listed in one of the CITES appendices, and includes any egg, sperm, tissue culture or embryo of any such animal;

b) "plant" means any specimen, whether living or dead, of any species of plant that is listed in an appendix to CITES, and includes any seed, spore, pollen or tissue culture of any such plant.

### 2. For the purposes of species imported in contravention of the laws of foreign states under WAPPRITA:

a) "animal" means any specimen, whether living or dead, of any species of animal, and includes any egg, sperm, tissue culture or embryo of any such animal;

b) "plant" means any specimen, whether living or dead, of any species of plant, and includes any seed, spore, pollen or tissue culture of any such plant.

## Guidelines

3. The purpose of the [Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act \(WAPPRIITA\)](#) and the [Wild Animal and Plant Trade Regulations \(WAPTR\)](#) is to protect certain species of animals and plants, including those listed in the [Convention on International Trade in Endangered Species of Wild Fauna and Flora \(CITES\)](#), and to regulate international and interprovincial trade in those species.

4. WAPPRIITA applies to:

- a) Foreign species whose capture, possession, and export are prohibited or regulated by laws in their country of origin;
- b) Wild animal and plant species on the CITES species list;
- c) Alien species that can endanger Canadian species by way of introduction into Canadian ecosystems (Schedule II of the WAPTR); and,
- d) Canadian species whose capture, possession, transportation, and exportation are regulated by provincial or territorial laws.

The Convention (CITES) is an international agreement between governments; its purpose is to ensure that the international trade of specimens of wild animals and plants does not threaten their survival. As a Party to CITES, Canada has an international obligation to regulate the trade in CITES-listed wild animals and plants. WAPPRIITA is the legislative vehicle through which Canada meets its obligations under the Convention.

### For detailed information:

- [Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act](#)
- [Wild Animal and Plant Trade Regulations](#)
- [Convention on International Trade in Endangered Species of Wild Fauna and Flora](#)

## CITES appendices

5. Animals and plants are placed into one of three categories; their placement is made on the basis of the degree to which the species is considered endangered. These

categories are shown as Appendices to the Convention and are listed according to the following criteria:

- a) Appendix I – species threatened with extinction worldwide that are or may be affected by trade;
- b) Appendix II – species not yet threatened with extinction but which could become so if international trade continues without restriction;
- c) Appendix III – Species included in the Appendix at the request of a Party that regulates trade in those species and has requested assistance of all other CITES Parties in controlling the trade.

### **CITES species list**

6. A list of the species subject to CITES controls and the Appendices under which they are listed in the Convention, can be found on the international CITES Secretariat's CITES Species List.

7. Searching the CITES Species List by the scientific name is the most effective method of determining whether or not a species is protected by CITES. For example, you can find that the common wolf is listed in Appendix II by searching the terms "Wolf," "Grey Wolf," "Common Wolf" or "Canis lupus." Using the common name to search the CITES species list can be too broad and should be used with caution. For example, 'deer' will yield quite a few results, making it hard to pinpoint the specific species

### **CITES documents**

8. When imported or exported goods are determined to be subject to CITES controls, and CITES permits or certificates must be presented to a border services officer. These permits or certificates must meet the following criteria:

- a) the permit is valid and not expired;
- b) the permit is an original document,

**Note:** All permits must be original documents, except for multiple shipment permits from the United States for which the importer retains the original and completes specified fields on the photocopy.

c) the descriptions of goods presented for inspection and provided on the customs documents match the descriptions on the permit;

d) the quantities of the goods presented for inspection and provided on the customs documents do not exceed the quantities specified on the permit;

e) the document is signed by the appropriate government authority.

9. All permits (originals and multiple shipment photocopies) are valid only with an original stamp and signature from the issuing office and/or from a foreign customs agency.

## **Importation**

### **Importation requirements for CITES**

10. Subsection 6. (2) of WAPPRIITA prohibits the importation into Canada of any animal or plant, or part or derivative of an animal or plant except in accordance with a permit issued pursuant to subsection 10. (1).

11. The Regulations (WAPTR) specify the species of animals or plants protected by CITES and any exemptions to the permit requirements. These exemptions are outlined in the section entitled, 'Exemptions and special cases'. The following are general requirements for the importation of CITES controlled goods:

### **Appendix I species**

12. Specimens of animals or plants that are listed in Appendix I to the Convention, and their parts and derivatives, to be imported into Canada must be accompanied by:

a) a Canadian CITES import permit issued by the Canadian CITES Management Authority, **and**

b) a CITES export or re-export permit issued by the exporting country.

### **Appendix II species**

13. Specimens of animals or plants that are listed in Appendix II to the Convention, and their parts and derivatives, to be imported into Canada must be accompanied by:

a) a CITES export or re-export permit issued by the exporting country.

### **Appendix III species**

14. Specimens of animals or plants that are listed in Appendix III to the Convention, and their parts and derivatives, to be imported into Canada must be accompanied by:

- a) a CITES export or re-export permit issued by the exporting country if the specimen is from a listing nation, or a CITES export, **or**
- b) re-export permit or a CITES certificate of origin if the specimen is from **other than** a listing nation.

### **Personal importations**

15. All travellers entering Canada must report all food, plants, animals and related products, including CITES and WAPPRITTA goods to the CBSA, regardless of whether the goods are exempted or not.

16. For those travellers with CITES goods arriving by air, the question involving food, plant, animal and related products must be completed using the Primary Inspection Kiosk (PIK) or the Advanced CBSA Declaration which can be accessed via the ArriveCan application.

17. Travellers must present the goods and any required permits/certificates to the border services officer.

### **Commercial importations**

18. Importers or persons in possession, or care and control of the goods are responsible for ensuring that their goods comply with the requirements of all government departments and agencies prior to importation into Canada.

19. All commercial importations must be reported to the CBSA at the first point of arrival in Canada in accordance with the [CBSA D3-series memoranda](#). Release from CBSA control can be obtained by following the release and accounting procedures outlined in the [CBSA D17-series memoranda](#).

20. Under certain conditions, as described in CBSA D3-series memoranda, shipments may be allowed to move inland, in-bond, where formal release procedures will be followed and compliance with the requirements of other government departments verified.

21. Commercial goods subject to CITES/WAPPRITTA requirements may be released electronically via the Single Window Integrated Import Declaration (IID), by Commercial

Accounting Declaration, CAD C-Type or paper Release on Minimum Documentation (RMD) service options.

22. Documentation submitted to the CBSA must be true, accurate and complete. For all wildlife (plants and animals), including CITES goods, it is important to ensure that goods are accurately reported and the exact species are identified. See [Memorandum D1-4-1, CBSA Invoice Requirements](#) for information on how to describe commodities, including plants and animals and their parts and derivatives, on the Canada customs invoice or commercial invoice.

23. All documents presented for the release of commercial goods will be closely scrutinized for CITES purposes. Where documents indicate that goods are subject to CITES controls, the proper permits/certificates must be presented before the goods are released.

24. Documents with incomplete or vague descriptions involving goods that are, or could be, made from plants or animals may be rejected pending clarification. If necessary, the goods will be examined. Section 99 of the *Customs Act* grants the authority for the examination.

25. Importers and brokers should also be aware that incomplete or missing documentation may result in delays, refusal or an Administrative Monetary Penalty (see paragraph 110).

26. Importers should be aware that goods subject to CITES controls may also be subject to Canadian Food Inspection Agency (CFIA) and to Fisheries and Oceans Canada (DFO) import requirements. All CFIA and DFO import requirements must be met before the release of goods is authorized.

27. The issuance of a CITES permit does not relieve the owner or the importer of the obligation to comply with any other relevant federal or provincial, territorial, or municipal legislation or requirements. See [Memorandum D19-1-1, Food, Plants, Animals and Related Products](#) for information related to CFIA requirements. For information related to DFO requirements:

- [Memorandum D19-8-5, Import Prohibitions and Requirements for Commercial Importers of Aquatic Species and for Travellers Under the Aquatic Invasive Species Regulations](#)
- [Customs Notice 21-02, Fisheries and Oceans Canada \(DFO\)'s Prohibition on the Importation and Exportation of Shark Fins](#)

### **Validation of CITES import permits**

28. The border services officer will validate the permit or certificate by:

- a) Stamping the permit/certificate in an appropriate blank space.
- b) Completing all fields in Box 17 – “For Customs Use Only” (including stamp and handwritten signature) when a Canadian CITES Import Permit is presented (for CITES Appendix I species).
- c) Writing the transaction number for commercial entries, or for travellers, writing the accounting document number, in an appropriate blank space (if not already provided).

**Note:** The format of the CITES export permit, re-export permit, or certificate from the governments of the exporting states varies to such a degree that no representative sample of these documents is available. In general, the export documents bear the CITES logo or are identified as Convention documents.

29. The original CITES permit or certificate presented to the CBSA will be collected by the CBSA and forwarded to the ECCC CITES Management Authority.

### **Customs bonded warehouse**

30. CITES goods may be stored in a Customs Bonded Warehouse as long as the following steps are taken:

- a. The goods and CITES permits will be inspected by a border services officer at time of import. The original CITES permit is validated, stamped and collected by the CBSA and provided to ECCC as per the instructions in this Memorandum.
- b. When the goods enter the warehouse, the importer/broker should ensure that they have a copy of the validated permit as evidence that proper import procedures were followed. When the goods are ex-warehoused, they can enter Canadian commerce without any further actions.
- c. If the goods are exported to the United States (U.S.), the broker, or exporter, will have to apply for a CITES re-export permit from ECCC.

### **Prohibitions of imports of wild animals and plants illegally exported from foreign states**

31. Under subsection 6. (1) of WAPPRIITA, the importation into Canada of any animal or plant that was taken, or any animal or plant, or any part or derivative of an animal or



plant, that was possessed, distributed or transported in contravention of any law of any foreign state is prohibited. Importers are expected to be aware of and abide by foreign laws concerning exportation of wild animals and plants from foreign states. Timber, flooring, pulp and paper, and other wood products obtained from sources associated with illegal logging are examples of commodities that may be subject to WAPPRIITA import prohibitions.

32. Border services officers may detain shipments suspected to be in violation of foreign laws and refer them to ECCC.

### **Single Window Integrated (SWI) import declaration release**

33. The CBSA has implemented the Single Window Electronic Data Interchange (EDI) release service option, the Integrated Import Declaration (IID service option 911), as the primary method of obtaining commercial release of regulated goods.

34. The IID allows for the provision of licence, certificate, permit and other import documentation information submitted via the Digital Image Functionality and/or as dematerialized information. **This functionality does not replace the requirement to present the original CITES permits/certificates to a border services officer.**

35. CITES and WAPPRIITA requirements are covered under Wildlife Enforcement in Appendix B3.3 of Chapter 23 of the CBSA's [Electronic Commerce Client Requirements Document \(ECCRD\)](#). The ECCRD provides information on technical and system requirements that includes a list of required data elements for all Participating Government Agencies (PGAs).

36. ECCC will receive the IID information at time of release of each shipment of CITES declared goods.

37. Please refer to the Single Window Initiative webpage for more [information on the Integrated Import Declaration](#). For Wildlife Enforcement, the CBSA's [Regulated Commodities – Data Element Matching Criteria Tables](#) list the HS codes that do or may contain CITES, WAPPRIITA or WAPTR regulated commodities. For any goods that fall within these HS codes, the importer or customs broker must answer the following compliance statement:

Indicate whether or not these goods are subject to the *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES) as regulated in Canada under the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* (WAPPRIITA) or are listed in Schedule II of the *Wild Animal and Plant Trade Regulations* (WAPTR).

38. To answer the compliance statement truthfully, an importer or customs broker working on behalf of an importer must first know the scientific name of each species (live, product, derivative) in a shipment. Secondly, each species must be checked against the [CITES control list](#) and [WAPTR Schedule II](#). If any species fall within these lists, or the importer/broker is aware that the species were illegally harvested, taken, exported or transported from another country or state, the mandatory compliance statement must be coded as EC17. Otherwise, it is coded as EC18.

**Note:** Importers who incorrectly use the EC18 code, indicating that there are no CITES or WAPPRIITA or WAPTR regulated species in a shipment, may be subject to CBSA and ECCC enforcement measures.

39. The following guidelines are provided for the submission of the hard copies of CITES/WAPPRIITA permits that must be submitted to the CBSA for IID transactions:

- a) Original CITES/WAPPRIITA permits must be provided to the CBSA commercial office responsible for the port of entry where the goods are to be released.
- b) A document (cover letter or lead-sheet) that references the transaction number and the cargo control number must also accompany the permit(s). In order to facilitate entry, importers and brokers should provide these documents before the goods arrive at the port of entry where the goods are to be released.
- c) For goods that are being released at the first point of arrival in highway mode, the permits must be attached to the lead sheet or cargo control document for presentation to the border services officer.
- d) Failure to follow these instructions will result in the entry being rejected due to a lack of the presence of the hard copy CITES/WAPPRIITA permit(s).

**Note:** The data element matching criteria tables are not comprehensive for CITES goods. If you are importing goods regulated by CITES/WAPPRIITA that fall outside the HS codes matched to the Wildlife Enforcement Program for the IID, please submit a paper release via an RMD PAPER (174) or Commercial Accounting Declaration (CAD) C-Type entry with the permits attached, instead of an IID.

40. Importers must not use the 257 or 125 EDI service options for release of any goods that fall within the HS codes on the [Regulated Commodities – Data Element Matching Criteria Tables](#) for ECCC Wildlife Enforcement as they may include ECCC regulated goods and the importer is responsible for answering the compliance statement referred to above. Importers must also not use the 257 or 125 EDI service

options for CITES/WAPPRIITA goods even when they are classified under HS codes not included in the data element matching criteria tables for the Wildlife Enforcement Program.

### **Paper release**

41. For CAD C-Type and RMD paper (release service options 331 and 174, respectively), CITES/WAPPRIITA permits must accompany the release package. The pre-arrival review system paper service option 117, must not be used to release CITES or WAPTR Schedule II goods. Submission of CAD Type C and RMD paper release documentation for CITES goods via the electronic (E) longroom release process is not permitted as CITES permits must be presented in person.

### **Exportation**

#### **Export requirements for CITES goods**

42. Subsection 6. (2) of WAPPRIITA prohibits the export of CITES controlled species without the proper permits.

43. **A CITES export permit or re-export certificate** issued by Canada is required for the export of Appendix I, II and III species.

#### **Presenting goods for export**

44. All goods subject to CITES controls must be presented to the CBSA along with the proper permits or certificates before the goods can be lawfully exported from Canada.

45. As with any other goods, when exporting CITES goods from Canada, an export declaration may also be required.

46. There are 2 methods currently available to submit export declarations:

[Canadian Export Reporting System, CERS](#) (recommended)

[G7 Electronic Data Interchange Export Reporting, G7-EDI](#)

47. The exporter must complete and present a printed copy of their export declaration and any applicable permits/certificates/licence to the CBSA at the place specified on the permit authorizing the exportation. If no place is specified in the permit, the exporter

must present these documents at the export reporting office located closest to the place of exit of the goods from Canada.

48. When reviewing documents relating to shipments for export, border services officers will examine documents for CITES purposes. When documents indicate that goods are subject to CITES controls, the goods, the proper permits and a copy of the export declaration (if required) must be presented before the goods are allowed to be exported. Two original copies of the Canadian CITES export permit must be presented to the border services officer. For appendices I, II and III species, only a CITES export permit or re-export certificate issued by ECCC, DFO, or a provincial/territorial authority will be accepted.

### **Commercial export to the United States**

49. When exporting CITES goods to the United States (this does not include CITES goods transiting through the United States for export to another country):

- a) an export declaration is not required
- b) however, exporters must provide the required CITES permits/certificates and the goods within the time frames by mode of transportation (refer to the "Time frames" section in D20-1-1), at the place specified in the permit authorizing the exportation, or if no place is specified in that permit, at the export reporting office located closest to the place of exit of the goods from Canada.

### **Commercial export to countries other than the United States**

50. When exporting CITES goods to countries other than the United States:

- a) an export declaration is required
- b) exporters must provide the printout of the electronic declaration (example: Canadian Export Reporting System) along with the required CITES permits/certificates and the goods within the time frames by mode of transportation (refer to the "Time frames" section in D20-1-1) at the place specified in the permit authorizing the exportation, or if no place is specified in that permit, at the export reporting office located closest to the place of exit of the goods from Canada
  - the export permit number must be quoted on the export declaration in the proper field

**Note:** Please see [D20-1-1, Exporter Reporting](#) for further details.

### **CITES export documents permit validation**

51. Where goods for export are determined to be subject to CITES controls and CITES permits or certificates are presented, the documents will be processed in the following manner:

- a) Border services officers will check the description and quantity on the CITES permit against that described on export documents and the contents of the shipment. The quantities of the goods presented for inspection and provided on the customs documents cannot exceed the quantities specified on the permit. The CITES permits must be originals.
- b) Border services officers will ensure the validity of the CITES permit by verifying the effective date and expiry date.

52. To validate the permits a border services officer must complete all fields of Box 17 For Customs Use Only as follows:

- the total number of shipping containers,
- the bill of lading or air waybill number (when available),
- the name of the port of export, the date of export, and the total number or quantity of each type of specimen or product authorized in blocks A, B or C that is actually exported. Note that the port and date of export are identified within the CBSA stamp;
- adding stamp and handwritten signature to the permit;
- One of the originals of the permit must be retained and forwarded to
- The other original must be left with the shipment for presentation to customs officials at the country of destination.

**Note:** The CITES permit is valid only if endorsed by the CBSA. If the permit is not properly validated by the CBSA, officials in the country of destination may detain, refuse and/or seize a shipment containing CITES goods.

### **CITES goods exported by mail (postal)**

53. Exporters must report all CITES goods, along with the accompanying CITES permits/certificates being exported by mail, to the CBSA. Border services officers must inspect the goods and validate the CITES permit prior to the mailing of the goods. As there are no border services officers at Canada Post offices to validate permits,

exporters cannot directly mail CITES goods, even if the goods have been inspected by the CBSA at a different office. An option is to hire the services of a customs service provider whose responsibility it is to present the goods, the CITES permit and the copy of the export declaration (if required), to the CBSA for inspection. The customs service provider will then proceed with mailing the CITES goods on behalf of the exporter. Another option for certain commodities is to apply to ECCC to participate in the Trusted Exporter Program for Postal.

### **CITES trusted exporters (Postal)**

54. ECCC has implemented a trusted exporter program for certain Canadian companies exporting goods to the U.S. by post, that are subject to CITES and are species of low conservation risk.

55. Exporters must apply to ECCC for approval to participate in the program.

56. In order to participate in the program, clients will be required to sign a formal declaration attesting that under no circumstances will they alter the goods contained in a parcel after CBSA permit validation has occurred.

57. ECCC will validate the declaration letter by stamp and signature, which represents ECCC's approval for the exporter to participate in the program. Failure to abide by these conditions will result in the exporter's removal from the program and may result in enforcement action by ECCC.

58. Prior to export, clients are required to proceed to the nearest CBSA designated export reporting office located, closest to the place of exit where they are to present the goods, the permit(s) and a copy of the declaration letter to the CBSA for inspection.

59. If all is in order, the CBSA will validate the CITES permit(s) and then allow the client to leave with the goods and a validated copy of the CITES permit(s) for mailing at a Canada Post Office.

60. CITES trusted exporters are exempt from the requirement to use a customs service provider /broker.

### **CITES goods exported using a courier company**

61. All CITES goods being exported by courier must be presented along with the accompanying CITES permits/certificates and a copy of the export declaration (if required) to the CBSA. Border services officers must inspect the shipment and validate the CITES permit prior to export. Exporters must advise the courier company of the presence of CITES goods in the shipment and verify that the courier company will

submit a copy of the export declaration, the CITES permit and the CITES goods to the CBSA for validation.

62. If there are any doubts or suspicions that a shipment contains goods that are subject to CITES control, border services officers may examine the shipment under the authority of paragraphs 99.(1) (c) and (e) of the Customs Act.

### **Export permits for artificially propagated plants**

63. The headquarters office of ECCC, Canadian Wildlife Service, is responsible for the issuance of all CITES export permits for shipments of **artificially** propagated plants being exported to any country. A CITES export permit with inventory is required for the export of artificially propagated plants. The procedures are as follows:

#### **Multiple-use CITES Export Permits for Artificially Propagated Plants**

(a) The permits will be issued in whatever numbers of originals are needed in order to export all shipments from a nursery within six months. Originals are to be presented to foreign customs, while photocopies of the original are left with the CBSA. Both the original and the photocopy are to be endorsed by the CBSA.

#### **Multiple-use CITES Export Permits for Cultivated American Ginseng**

b) With respect to American ginseng grown in Canada, the same multiple-use CITES export permit procedures are used.

c) Ginseng stickers are used for small quantities (4.5 kg or less) that are exported for personal use and carried by the traveling individual on their person or in their luggage. The sticker has a reference to the CITES permit issued and its expiry date. The remaining fields of the sticker are filled out by the user – Block (e.g. A, B, C, referring to the corresponding Block on the CITES permit), Specimen (e.g. root, powder), Quantity (which must not exceed 4.5 kg), Destination Country and Shipment Date (which must not be later than the permit expiry date). **NOTE:** American ginseng with stickers cannot be mailed or sent by courier.

#### **Regular CITES Export and Re-export Permits**

d) This form will be used to export artificially propagated plants in cases where there is a single shipment.

e) These permits will be issued by ECCC. Two original permits will be presented to a border services officer for validation and one of the originals is to be returned to ECCC.

### **WAPTR and Provincial/Territorial export requirements**

64. Under the provisions of Section 8 of WAPTR, the exportation from Canada of animal and plant species that are subject to provincial and territorial export requirements are prohibited, except when accompanied by an export permit or certificate issued by an appropriate provincial or territorial authority of the province or territory in which the species was taken. If in doubt about provincial or territorial requirements for the exportation of plants and animals and their parts and derivatives, contact provincial/territorial authorities or the appropriate ECCC office.

**Note:** This section applies to species that are not controlled under CITES. If the species are CITES-listed, they are subject to the WAPPRITA export requirements outlined in paragraphs 42 to 48 above.

### **Exemptions and special cases**

65. In accordance with the sections in WAPTR concerning personal and household effects, border services officers are allowed to release, without a CITES permit, personal effects, including certain tourist souvenirs and household effects as long as they are declared to the CBSA and meet all applicable CFIA requirements; all of these goods must be for personal use only.

66. In order to facilitate entry, it is recommended that travellers carry documentation to support that items qualify for an exemption (e.g., proof of inheritance, receipt from the country of origin).

**NOTE:** Items containing or made with elephant tusk (ivory) or rhinoceros horn **DO NOT** qualify for the personal or household effect exemptions

### **Personal effects**

67. With the **exception of live animals**, a CITES permit will not be required for goods listed on the CITES Control List as Appendix I, II or III, that at the time of import or export, are part of an individual's clothing or accessories or are contained in an individual's personal baggage, and that the person has owned and possessed in their ordinary country of residence. An individual must not sell or dispose of the CITES-controlled item within 90 days after the date on which the exemption is claimed.



68. Reference to products made from plants and animals that do not require CITES permits, when imported as personal effects, as well as exclusions from this exemption can be found on ECCC Web site.

69. The personal effects exemption does not apply to:

- a) live animals and plants;
- b) Elephant tusk (ivory) and rhinoceros horn (raw or worked)
- c) hunting trophies;
- d) species listed in Appendix I of CITES;
- e) injurious species requiring an import permit listed under Schedule II of WAPTR;
- f) species that are listed as endangered or threatened in Canada under Schedule III of WAPTR;
- g) sturgeon caviar (more than 250 grams);
- h) items imported or exported for commercial purposes.

### **Exemption examples for personal effects**

70. A person from an African country visiting Canada with a traditional leopard fur hat (Appendix I); a U.S. resident crossing the border with a pair of python skin boots (Appendix II); a European citizen visiting Canada wearing a Lynx fur coat (Appendix II).

### **Tourist souvenirs**

71. A CITES export permit (from the country visited) is not required for residents of Canada returning from a trip outside the country with souvenirs of CITES Appendix II or III species, if imported in their accompanying baggage or as part of their clothing or accessories. However, tourists are still advised to check with the CITES authority of the exporting country, which may have its own requirements with respect to what wild animals and plants may or may not be taken out of the country by tourists.

**Note:** Live animals, live plants, Appendix I species and other species requiring an import permit (Schedule II of WAPTR) **still require all appropriate CITES or import permits.**

72. The tourist souvenir exemption does not apply to:

- a) live animals and plants;
- b) Elephant tusk (ivory) and rhinoceros horn (raw or worked)
- c) hunting trophies;
- d) species listed in Appendix I of CITES;

- e) injurious species requiring an import permit listed under Schedule II of WAPTR;
- f) species that are listed as endangered or threatened in Canada under Schedule III of WAPTR;
- g) sturgeon caviar (more than 250 grams);
- h) items imported or exported for commercial purposes.

### **Exemption examples for tourist souvenirs**

73. The following is a non-exhaustive list of products made from **Appendix I** species that must never be exempted as tourist souvenirs:

- a) shahtoosh shawls;
- b) whale bone carvings and teeth (of Appendix I species);
- c) cat skins, teeth, and claws (of Appendix I species);
- d) elephant ivory carvings, jewellery, chopsticks, etc., and elephant leather products (from populations other than Botswana, Namibia, South Africa and Zimbabwe);
- e) rhinoceros horn carvings;
- f) primate (monkeys and apes) products such as skins, skulls, and hands;
- g) sea turtle shells and tortoise shell products including oils, jewellery, and ornamental items; sea turtle meat, soup, and leather products such as purses, wallets, and belts; and
- h) traditional medicines containing tiger, rhino, and other Appendix I species parts or derivatives.

### **Household effects**

74. A CITES permit is not required for the following goods, provided that the goods are not intended for commercial purposes. An individual may not sell or dispose of the goods within 90 days after the date on which the exemption is claimed.

- a) **Moving to or from Canada:** Goods listed on the CITES Control List (except live animals) that an individual has owned and possessed in their

ordinary country of residence and that form part of their household belongings, which are being shipped to or from Canada to their new residence.

**b) Inheritance:** Goods listed on the CITES Control List (except live animals) that form part of an inheritance from an estate that are being imported into, or exported from Canada.

### **Elephant tusk (ivory) and rhinoceros horn**

75. Raw elephant tusk (ivory) and raw rhinoceros horn are prohibited from being imported into or exported from Canada, unless the proper permits are obtained, which will be issued only for specimens destined for a museum or zoo, used in scientific research, or used in support of law enforcement activities.

76. Raw elephant tusk (ivory) and rhinoceros horn includes the whole tusk or horn, polished or unpolished and in any form, cut pieces, polished or unpolished and changed from its original form, except for 'worked' elephant tusk (ivory) or rhinoceros horn.

77. Permits are also required for the import and export of **all items** of worked elephant tusk (ivory) or worked rhinoceros horn, **including those that are personal effects or household effects.**

78. Worked elephant tusk or rhinoceros horn has been carved, shaped or processed, either fully or partially. This does not include whole tusks or horns in any form, except where the whole surface has been carved. This includes, but is not limited to, items such as musical instruments, jewelry, game pieces, cutlery handles and sculptures.

79. A permit for the import or export of raw elephant ivory or rhinoceros horn or the import and export of all worked elephant tusk (ivory) or rhinoceros horn items will be issued under subsection 10(1) of [WAPPRIITA](#).

80. Hunting trophies that are or contain raw elephant tusk (ivory) or rhinoceros horn are prohibited from importation into and exportation from Canada. Import/export permits will no longer be issued for these items, regardless of when they were hunted or obtained.

81. Exhibitions or musicians travelling to Canada with a CITES Travelling Exhibition Certificate or CITES Musical Instrument Certificate will also need a Canadian certificate to allow entry into Canada.

82. ECCC's restrictions on the import and export of elephant ivory and rhinoceros horn have been implemented via amendments to the [Wild Animal and Plant Trade Regulations](#) (WAPTR) by adding the following Elephant tusk and rhinoceros sections 12.1, 12.2, and 12.3.

### **United States (U.S.) and Canadian hunters in Canada**

83. Individuals who are residents of Canada and the U.S. and are entering or leaving Canada may claim exemptions for CITES permit requirements **for black bear and Sandhill crane** hunting trophies if the following conditions are met:

- a) for black bears the trophy consists of the hide or hide with paws and claws attached and/or skull and meat; for Sandhill cranes the trophy consists of the carcass and meat (all organs are excluded for both species);
- b) the trophy is part of the individual's accompanying baggage; and
- c) it was acquired and possessed through legal hunting in Canada or the U.S.

**Note:** All other permits, certificates, or licences still apply and must be presented to the CBSA at the border, as required.

### **Eagle feathers and other items for Indigenous religious or ceremonial purposes**

84. Many items being imported, such as eagle feathers may belong to species that are regulated under CITES. Ceremonial objects, including clothing, which contain parts from North American wildlife species may enter Canada without a CITES permit (goods listed in Appendix I, II or III of the Convention) if at the time of import or export, are part of an individual's clothing or accessories or are contained in an individual's personal baggage. The person must have owned and possessed the items in their country of residence. Such items must also meet CFIA requirements as outlined in CFIA's [Automated Import Reference System](#) (AIRS).

85. These permit exemptions do not apply to commercial importations.

### **Pre-convention goods**

86. This refers to endangered species acquired before the Convention entered into force in Canada on July 3rd, 1975, or any goods manufactured from an endangered

species before that date (e.g., big game trophies that predate CITES). Canada does not provide a permit exemption for pre-convention goods; all CITES requirements must be met. Border services officers will refer such matters to ECCC. The goods will be detained in the normal manner.

### **Diplomats and persons of special status**

87. All importations of CITES controlled commodities (including live animals and live plants) are subject to the requirements outlined in this memorandum regardless of any diplomatic immunity or privilege extended to the person importing the goods.

### **Injurious species (Schedule II WAPTR)**

88. Species listed in Schedule II of WAPTR require an import permit issued by ECCC to enter Canada. This permit is required in addition to any necessary CITES permits.

89. Effective May 31, 2017, salamanders (Caudata) were added to Schedule II and are prohibited from entering Canada unless accompanied by a permit to import injurious wildlife, issued by ECCC. Import permits for salamanders can be obtained by contacting ECCC's CITES Permitting Office at [ec.cites.ec@canada.ca](mailto:ec.cites.ec@canada.ca) or 1-855-869-8670.

"**Salamanders**" means all species of the Order Caudata, which is in the Class Amphibia (amphibians), and includes axolotls, newts, mudpuppies, waterdogs, hellbenders, olm, ensatinas, sirens, amphiumas, and all other types of salamanders, whether live or dead.

90. Live salamanders are to be reported to the Canada Border Services Agency (CBSA) under the Harmonized System (HS) Code for live amphibians (HS: 0106.90.00.20).

### **Canadian endangered and threatened species subject to CITES**

91. [Schedule III of WAPTR](#) contains a list of the CITES species recognized as endangered or threatened in Canada. Specimens or products from these species are excluded from any CITES permit exemptions.

### **Live animals**

92. Personal pets (on the CITES Species List) travelling with their owners require a CITES permit to cross the border. travelling with species of pets protected by CITES is a Certificate of Ownership (aka Pet Passport) by ECCC. Foreign travellers may also

have Certificates of Ownership issued by their CITES authorities for their pets. This enables tracking of the movement of pets during the validity period of the Certificate (valid for 3 years). Upon exit from a country, the export side of the record sheet will be stamped. Upon entry into a country, the import side of the record sheet will be stamped. Additional pages on a Cross-Border Movement Record Sheet may be required along with the Certificate of Ownership.

**Note:** The Certificate of Ownership (Pet Passport) is not implemented and/or recognized by all CITES Parties. In these cases, normal CITES permit requirements as outlined above apply.

**93. Importers must ensure that the proper welfare of any live animals is maintained. This applies to importation of animals for personal use and for commercial purposes. Importers must ensure live animals are transported in accordance with both the *Health of Animals Act* and Regulations and the CITES guidelines for transport and preparation of shipment of live animals.**

**Note:** The importation of live animals without required documentation or authorization to import **and** without appropriate CBSA facilities to detain/hold the animals for ECCC examination **will be refused entry into Canada.**

### **Musical instruments**

94. Instruments made of CITES species (on the CITES Species List), travelling with their owners, may require CITES permits to cross the border (e.g., bagpipes with ivory components). Canadians travelling with instruments made with species protected by CITES may be issued a Temporary Movement Certificate (aka Musical Instrument Certificate) by ECCC. Foreign musicians may also have a Musical Instrument Certificate issued by their CITES authorities for their instruments. This enables tracking of the movement of these instruments during the validity period of the Certificate (valid for three [3] years). Upon exit from a country, the export side of the record sheet will be stamped. Upon entry into a country, the import side of the record sheet will be stamped. Additional pages on a Cross-border Movement Record Sheet may be required along with the Musical Instrument Certificate.

95. For individuals travelling with musical instruments and/or musical ensembles (orchestras, piping bands, etc) made of worked elephant ivory/ rhinoceros horn:

- Import: Musical instrument certificate issued by the CITES authority of the musician's/ensemble's home country AND a Canadian Temporary Import and Export Certificate (TIEC) . Canadian residents/ensembles with a Temporary Movements Certificate for their instrument(s) do not require a TIEC to enter Canada.

- Export for Canadian resident/ensembles: A Canadian CITES export permit or a Canadian CITES Temporary Movement Certificate (multi-use import/export permit), allowing musicians/ensembles to travel abroad and return with their instrument(s) (only available to Canadian residents/ensembles).
- Export for foreign resident/ensembles: Musical instrument certificate issued by the CITES authority of the musician's/ensemble's home country AND a Canadian TIEC.

**Note:** The Musical Instrument Certificate is not implemented and/or recognized by all CITES Parties. In these cases, normal CITES permit requirements, as outlined above, apply.

96. The Musical Instrument Certificate could also be held by an orchestra or musical ensemble which is responsible for a large number of instruments.

### **Travelling exhibitions**

97. Exhibits made with species of CITES species (on the CITES Species List) travelling on tour may require CITES permits to cross the border (e.g., museum or gallery exhibits). Canadian museums or galleries sending exhibits across the world with items made with species protected by CITES may be issued a Temporary Movement Certificate (aka Travelling Exhibition Certificate) by ECCC. Foreign institutions may also have Travelling Exhibition Certificate issued by their CITES authorities for their exhibits. This enables tracking of the movement of these exhibits during the validity period of the Certificate (valid for three [3] years). Upon exit from a country, the export side of the record sheet will be stamped. Upon entry into a country, the import side of the record sheet will be stamped. Additional pages on a Cross-border Movement Record Sheet may be required along with the Travelling Exhibition Certificate.

98. For Travelling Exhibitions that may have exhibits that include worked elephant tusk (ivory) or rhinoceros horn:

- Import (from foreign institutions): Travelling exhibition certificate issued by the CITES authority of the institutions home country AND a Canadian Temporary Import and Export Certificate (TIEC). When a Canadian TIEC is presented at the border, BSOs will compare the information with the information on the Traveling exhibition certificate.
- Export (from Canadian institutions): A Canadian CITES export permit or a Canadian CITES Temporary Movement Certificate (multi-use import/export permit) allowing the exhibit to leave Canada and return.

- Export (from foreign institution): Travelling exhibition certificate issued by the CITES authority of the institution home country AND a Canadian TIEC.

**Note:** The Travelling Exhibition Certificate is not implemented and/or recognized by all CITES Parties. In these cases, normal CITES permit requirements as outlined above apply.

### **Scientific exchanges**

99. Scientific institutions in Canada and other countries may be registered with CITES to facilitate exchanges of scientific material. These registered institutions may use Scientific Certificates to send their specimens of CITES species (on the CITES Species List). The Scientific Certificate issued to the exporting institution is the only CITES document required. In the case of a specimen of Appendix I species imported into Canada, there is no additional Canadian CITES permit required, only the Scientific Certificate issued to the exporting institution is needed. The Scientific Certificate may look quite similar to either a standard CITES permit or it might be a form of sticker. In Canada, the Scientific Certificate appears very similar to a standard CITES permit.

### **Plant welfare**

100. Importers must ensure that the proper welfare of live plants is maintained. In this regard, exotic plants such as cacti and orchids are extremely sensitive to cold weather. Tropical plants tend to be sensitive to direct sunlight. All plants are sensitive to any change in their natural environment and their welfare is in jeopardy if their environment is not properly maintained.

### **Enforcement and administration**

101. CBSA border services officers are responsible for reviewing the import declaration, conducting inspections, and validating CITES permits and certificates with the CITES goods.

**Border services officers will take the original CITES permit presented by the customs broker or importer and forward the permit to ECCC. This is the means by which CITES management authorities monitor the import and export of CITES species.**

### **Detention personal imports**



102. When it is suspected that imported goods are without the required permits or certificates, they are detained under the provisions of section 101 of the *Customs Act*. ECCC will be contacted and advised that there are goods waiting for their inspection/identification.

103. Detained goods imported by a traveller are documented on Forms BSF156, Food, Plant and Animal Interception Receipt and the BSF241, *Non-Monetary General Receipt*. The traveller is given the original copy of both forms. Travellers will receive an ECCC Inspection Report confirming the requirements that they must meet to import their goods into Canada.

104. Travellers will be advised that they have 70 days in which to obtain release of the goods if detained under the *Customs Act* and 90 days to obtain release of the goods if detained under WAPPRIITA; otherwise the goods, if held by the CBSA, will be forfeited under the *Customs Act* and transferred into the custody of ECCC.

105. If duties are owing on the detained goods, a note to this effect will be made on Form BSF241 that is attached to or placed with the goods so that when the required permits are obtained, these duties may be collected and the goods released. Similarly, in cases where the duties have already been paid before the goods were detained, a copy of the accounting document will be placed with the goods so that the duties may be refunded, in the event that the goods are forfeited and subsequently destroyed or exported. If goods are abandoned to the Crown (as opposed to being detained), duties may be refunded or processed for a refund at the time of their abandonment.

**Note:** Duties are not refunded on detained goods that are forfeited until it is confirmed by ECCC that it will not release the goods to the person.

### **Detention of commercial goods**

106. The same legislation apply as outlined above for travellers. In the case of commercial goods that are detained for CITES purposes, Form K26, *Notice of Detention* is issued and the accounting package presented for release of the goods is rejected. The Form K26 in this instance will be referenced with the cargo control document number. If the goods are held for ECCC inspection, a BSF241 will also be issued.

107. If the goods detained for CITES purposes make up only part of a shipment, they may be separated from the shipment through a *Cargo Control Abstract* (Form A10) process. An abstract must be prepared for each portion of the shipment requiring separate acquittal. The entire quantity shown on the carrier's original cargo control document must be accounted for on the *Cargo Control Abstract*.

### **Detention of goods for export**

108. When goods are tendered for export but are without the required export permits or certificates, they may be detained under the authority of section 101 of the [Customs Act](#) using Form K26, *Notice of Detention*. In the case of shipments by commercial carrier, a "detention sticker" is to be affixed to the shipment. Border services officers will contact the appropriate ECCC office because there is a potential infraction for trying to export without a CITES permit (WAPPRIITA 6.(2)). Exporters will be advised to contact the appropriate ECCC office.

### **Detention of live animals**

109. Shipments of live animals that have permits but are difficult to identify or are not accompanied by the appropriate permits or certificates may be detained by the CBSA, and referred to the appropriate ECCC office for further inspection.

110. In certain instances (i.e., welfare of animals is in jeopardy), some animals may have to be released to the importer temporarily. For commercial use, they will be held on a Temporary Importation Form (BSF865) prepared and submitted through the CARM Client Portal. The importer must include a printed version of the BSF865 as part of release package (replacing existing paper E29B) presented to a Border Services Officer prior to release. Non-commercial temporary importations will be documented on a *Temporary Admission Permit*, (Form E29B), for a period not exceeding 30 days (see [Memorandum D8-1-4, Form E29B, Temporary Admission Permit](#) for further information on temporary importations).

111. In the case of an export shipment, the exporter should be requested to terminate the export movement and to return the animals to more appropriate quarters pending the acquisition of the proper permits.

### **Animal welfare**

112. Importers must ensure that the proper welfare of any live animals is maintained. This applies to importation of animals for personal use and for commercial purposes. Importers must ensure live animals are transported in accordance with both the [Health of Animals Act](#) and Regulations and the CITES guidelines for transport and preparation of shipment of live animals.

113. In the event that a shipment arrives containing sick, injured, dead or dying CITES animals, or the animals appear to be suffering from abuse or neglect and/or a border services suspects inhumane transport of imported live CITES-controlled animals, both the nearest CFIA veterinarian and ECCC will be notified immediately by the CBSA. Follow-up action may be taken by the CFIA and/or ECCC.

### **Alteration of detained goods (removal of protected parts)**

114. The removal of a protected part may be considered in the following circumstances:

- a) the part is not essential to the use or integrity of the item;
- b) the owner requests the removal and the item is not required as evidence in a prosecution;
- c) the item is valuable and the owner can replace the removed part with an alternative; and
- d) the owner agrees to bear the cost of the removal.

115. In general, parts coming from protected species will not be removed from detained/seized items if:

- a) doing so greatly reduces the value or alters the nature of the item;
- b) the item has little commercial value;
- c) a specialist is required to remove the part; and
- d) the item is required as evidence in a prosecution.

116. At the request of the owner, an ECCC officer may authorize removal of a protected part, at the owner's expense. The CBSA border services officer or ECCC officer who detained the goods will return the item without the protected part to the owner. The removal of the protected part does not release the individual from further legal action by ECCC.

### **Forfeiture**

117. Forfeiture to the Crown automatically occurs 70 days after the date of notification of detention by the CBSA or 90 days after the date of the notification of detention if ECCC takes possession of the goods.

### **Disposition**

118. When goods have been detained by the CBSA pursuant to section 101 of the [Customs Act](#) and these goods remain unclaimed after 70 days (exclusive of goods detained for export purposes), or when goods have been abandoned to the Crown, they will be transferred into the custody of ECCC as goods unsuitable for sale. Under no circumstances are goods detained for CITES purposes disposed of by public

auction. Under the authority of WAPPRIITA, goods subject to CITES that are seized for a contravention of the *Customs Act* will also to be transferred into the custody of ECCC as goods unsuitable for sale.

## Penalty provisions

119. The penalty provisions of WAPPRIITA also cover subsequent offences, continuing offences, additional fines, and orders of court. ECCC officers are responsible for the enforcement of penalty procedures under WAPPRIITA. Border services officers have not been designated under WAPPRIITA and therefore have **no authority to seize goods on behalf of ECCC**. Nevertheless, seizures for infractions, such as smuggling and misdescription, under the *Customs Act* can apply to CITES controlled goods.

120. The Administrative Monetary Penalty System (AMPS) authorizes the CBSA to impose monetary penalties for non-compliance with the *Customs Act*, the *Customs Tariff* and the Regulations under these Acts, as well as contraventions of the terms and conditions of licensing agreements and undertakings. If prescribed documentation has not been presented to the CBSA with the release request, a penalty may be issued by the CBSA for not providing required permits or information before the goods are released. Please refer to the [Memorandum D22-1-1](#), *Administrative Monetary Penalty System* for details.

## References

Consult these resources for further information:

[Convention on International Trade in Endangered Species of Wild Fauna and Flora](#)

[D1-4-1](#), [D2-6-7](#), [D3 series](#), [D7-4-4](#), [D8-1-4](#), [D17 series](#), [D19-1-1](#), [D22-1-1](#)

## Applicable legislation

***Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA)*** and ***Wild Animal and Plant Trade Regulations (WAPTR)***

WAPPRIITA and WAPTR provide the legislative and regulatory authority for CITES controls in Canada. The following sections of WAPPRIITA and WAPTR are applicable to border enforcement by the CBSA:

### Prohibitions under WAPPRIITA

Subsection 6. (1): No person shall import into Canada any animal or plant that was taken, or any animal or plant, or any part or derivative of an animal or plant, that was possessed, distributed or transported in contravention of any law of any foreign state.

Subsection 6. (2): Subject to the regulations, no person shall, except under and in accordance with a permit issued pursuant to subsection 10(1), import into Canada or export from Canada any animal or plant, or any part or derivative of an animal or plant.

**Note:** WAPPRIITA and the related Regulations establish Environment Canada's own permit system for animals and plants protected by CITES. The Regulations specify the species of animals and plants protected by the Act and any exemptions to the permit requirements.

Paragraph 8 (a):

8. Subject to the regulations, no person shall knowingly possess an animal or plant, or any part or derivative of an animal or plant,

(a) that has been imported or transported in contravention of this Act.

#### **Issuance of Permits Under WAPPRIITA**

Subsection 10. (1): The Minister may, on application and on such terms and conditions as the Minister thinks fit, issue a permit authorizing the importation, exportation or interprovincial transportation of an animal or plant, or any part or derivative of an animal or plant.

#### **Detention of Controlled Goods Under WAPPRIITA**

Section 13: Any thing that has been imported into or is about to be exported from Canada, or has been transported, or is about to be transported, from a province to another province, may be detained by an officer until the officer is satisfied that the thing has been dealt with in accordance with this Act and the regulations.

#### **Offence and Punishment Under WAPPRIITA<sup>1</sup>**

Subsections 22. (1) and 22. (3):

22. (1) Every person who contravenes a provision of this Act or the regulations

- (a) is guilty of an offence punishable on summary conviction and is liable

- (i) in the case of a person that is a corporation, to a fine not exceeding fifty thousand dollars, and
- (ii) in the case of a person other than a person referred to in subparagraph (i), to a fine not exceeding twenty-five thousand dollars or to imprisonment for a term not exceeding six months, or to both; or
- (b) is guilty of an indictable offence and is liable
  - (i) in the case of a person that is a corporation, to a fine not exceeding three hundred thousand dollars, and
  - (ii) in the case of a person other than a person referred to in subparagraph (i), to a fine not exceeding one hundred and fifty thousand dollars or to imprisonment for a term not exceeding five years, or to both.

22. (3) Notwithstanding subsection (1), any fine imposed on a conviction for an offence involving more than one animal or plant, or part or derivative of an animal or plant, may be computed in respect of each animal, plant, part or derivative as though it had been the subject of a separate complaint or information and the fine imposed shall then be the sum payable in the aggregate as a result of that computation.

### **Exportation of Plants and Animals Subject to Provincial Controls Under WAPTR**

Subsection 8. (1): This section applies only in respect of animals and plants that are not listed as “fauna” or “flora” in any appendix to the Convention.

Subsection 8. (2): A person who exports from Canada an animal or plant to which this section applies, or any part or derivative of any such animal or plant, is exempted from holding a permit issued under subsection 10. (1) of the Act where the thing being exported is transported out of a province that does not prohibit such transportation and that

- (a) allows such transportation only if the person has obtained a permit or certificate issued by a competent authority in the province that authorizes such transportation; or
- (b) does not require provincial authorization for such transportation.

### **Customs Act**

WAPPRIITA is enforced by the CBSA on behalf of Environment Canada under the provisions of the *Customs Act* as follows:

### **Obligation to Provide Accurate Information**

Subsection 7.1: Any information provided to an officer in the administration or enforcement of this Act, the *Customs Tariff* or the *Special Import Measures Act* or under any other Act of Parliament that prohibits, controls, or regulates the importation or exportation of goods, shall be true, accurate and complete.

**Note:** Border services officers can reject any transaction and request more specific information, such as the scientific names of any plant and animal species, if the information provided at the time of import or export is not true, accurate and complete (i.e., if only common names are provided).

### **Examination of Goods**

Subsection 99. (1): An officer may:

- (a) at any time up to the time of release, examine any goods that have been imported and open or cause to be opened any package or container of imported goods and take samples of imported goods in reasonable amounts;
- (c) at any time up to the time of exportation, examine any goods that have been reported under section 95 and open or cause to be opened any package or container of such goods and take samples of such goods in reasonable amounts;
- (e) where the officer suspects on reasonable grounds that this Act or the Regulations or any other Act of Parliament administered or enforced by him or any regulations thereunder have been or might be contravened in respect of any goods, examine the goods and open or cause to be opened any package or container thereof;

**Note:** Border services officers can examine any goods, open any package, or container and search any conveyance where they have reasonable grounds to suspect that any acts or regulations administered or enforced by them have been or might be contravened.

### **Detention of Controlled Goods**

Section 101: Goods that have been imported or are about to be exported may be detained by an officer until he is satisfied that the goods have been dealt with in accordance with this Act, and any other Act of Parliament that prohibits, controls or regulates the importation or exportation of goods, and any regulations made thereunder.

### **Superseded memoranda D**

Memorandum D19-7-1 dated October 4, 2013.

### **Issuing office**

Other Government Department Programs Unit  
Commercial Program Directorate  
Commercial and Trade Branch  
Email: [fpa-ava@cbsa-asfc.gc.ca](mailto:fpa-ava@cbsa-asfc.gc.ca)

### **Contact us**

[Contact border information services](#)

For information on how and where to apply for a CITES permit, contact Environment and Climate Change Canada at: [ec.cites.ec@canada.ca](mailto:ec.cites.ec@canada.ca) or

#### **Management Authority**

Convention on International Trade in Endangered Species  
Canadian Wildlife Service  
Environment Canada  
Ottawa ON K1A 0H3  
Telephone: **1-800-668-6767** (toll-free number)  
or 819-997-1840 (National Capital Region)  
Fax: 819-953-6283