

A GUIDE TO THE PERMITS AND PROCEDURES FOR IMPORTING BIRD PRODUCTS INTO THE UNITED STATES FOR SCIENTIFIC RESEARCH AND DISPLAY



A PUBLICATION OF THE ORNITHOLOGICAL COUNCIL

PROVIDING SCIENTIFIC INFORMATION ABOUT BIRDS

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ABOUT THE ORNITHOLOGICAL COUNCIL

The Ornithological Council, founded in 1992, is a consortium of scientific societies of ornithologists. The research conducted by our members spans the globe and their cumulative expertise comprises the knowledge that is fundamental and essential to science-based bird conservation and management.

Our current member societies are:

- Association of Field Ornithologists
- BirdsCaribbean
- CIPAMEX: Sociedad para el Estudio y Conservación de las Aves en México
- Neotropical Ornithological Society
- North American Crane Working Group
- Pacific Seabird Group
- Raptor Research Foundation
- Waterbird Society
- Wilson Ornithological Society



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The Ornithological Council (1) ensures that the best ornithological science is incorporated into policy, research, and management decisions that affect birds and the study of birds; (2) safeguards and enhance the ability of ornithologists to pursue professional activities; and (3) serves as the collective voice of the ornithological community in amplifying the influence of ornithological knowledge in public affairs



For more information about the Ornithological Council and its services, please visit [BIRDNET](#). For questions and comments about this guide, or for assistance with questions or problems pertaining to the import of bird products, please [contact](#) the Ornithological Council.

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INTRODUCTION

Importing avian material for scientific research or display has become an extremely complex and time-consuming process. Already challenging by 2005, when this guide was first published, the import process is now even more daunting and sometimes frustrating. Careful compliance with the permit requirements and the many paperwork and procedural requirements is essential. Failure to comply could result in loss of the imported material, suspension, or revocation of permits, or even – in very rare cases – civil or criminal liability. Even one case of noncompliance can stain the reputation of the profession in the minds of the federal agencies that issue permits and the port staff who implement these myriad requirements and thus hinder the ability of other ornithologists to import.

This guide is intended to provide a step-by-step guide for the ornithologist. Busy ornithologists have not had ready access to clear and consistent information. To rectify this situation, the Ornithological Council developed this accurate, thorough guide to lead the ornithologist through the entire process, from paperwork to port and beyond. In addition to the hard-and-fast rules and requirements, this guide also offers best practices and helpful hints.

In 2005, two federal agencies regulated the import of bird products – the Animal and Plant Health Inspection Service of the U.S. Department of Agriculture and the U.S. Fish and Wildlife Service of the U.S. Department of the Interior. As of 2020, the Centers for Disease Control is also involved. There could also be a request for a document for the Environmental Protection Agency. Each of these agencies implements different laws for different purposes. To add to the complexity, the entire system is now controlled by a gateway process managed by the U.S. Customs and Border Protection Service, which has proved very challenging, particularly for hand-carried imports. Further restrictions emanate from the International Air Traffic Association, which develops and implements rules for “dangerous goods” which can include some of the substances used to preserve biological materials.

These agencies offer very little written guidance beyond the actual regulations which are very complex, legal requirements, augmented by minimal guidance on websites. For the U.S. Fish and Wildlife Service, which functions on a regional basis, there is often variation among regional interpretation. The agency has made efforts to address this situation, but the problem persists.

The basics

***Forget what you think you know!**

Over the years, policies and procedures have changed, and these changes were not always committed to writing or communicated to the Ornithological Council or to the ornithological community at large. As a result, varying interpretations and understandings arose and spread throughout the ornithological community. We encourage users of this Guide to start with a clean slate and relinquish information or explanations received in the past from either the government

agency staff or other ornithologists. Please contact the Ornithological Council as needed for direct assistance with the process.

*** Moving targets**

This information is current as of March 2026. Many efforts to revise this document over the years have been stymied by constant changes in policies and procedures, and major changes in actual implementation. To address this problem, we have now identified “moving parts” or uncertainties by marking the relevant sections as such. We will make every effort to keep this Guide current by updating as regulations or procedures are changed. Each version will have a “current as of” date. You can also keep informed about these changes by subscribing to AVECOL discussion group on OrnithologyExchange.org, the where the Ornithological Council regularly post notices about government policies that affect ornithologists who import scientific material. See directions for joining OrnithologyExchange.org and the AVECOL discussion group in Appendix A.

*** We can’t help you if we don’t hear from you!**

The Ornithological Council encourages the readers of this guide to contact us with questions or problems encountered in importing bird products. Your experiences will help us to update this guide, but more importantly, will help us to identify regulations or procedures that are in need of revision. We can then work with the relevant regulatory agency to try to bring about those changes.

*** Language barriers**

Federal agencies often use words that are also used by ornithologists, but the meaning to a federal agency is not always the same as the meaning understood by the ornithologist. For instance, to the APHIS Animal Import Export program, the word “species” means “bird” or “mammal.” To the U.S. Customs and Border Protection, your import is “cargo” even if it arrives in your accompanying luggage. In this guide, we attempt to point out language barriers so you can avoid wasting time and energy trying to figure out why that rule or requirement applies to your import.

*** Allow plenty of time before your planned import, make it easy for the permit examiner and permit biologist, prepare to be patient, and always keep an eye to the future.**

The agencies that issue permits have been short-staffed for many years and that situation has worsened drastically in recent years. Realize that they issue many types of permits other than research permits. In fact, the research community is probably the smallest of the many permit applicant groups, at least for APHIS.

The USFWS regulations [50 CFR §13.11(b)(5)] actually state:

The Service will process all applications as quickly as possible. However, we cannot guarantee final action within the time limit you request. You should ensure that applications for permits for marine mammals and/or endangered and threatened species are postmarked at least 90 calendar days prior to the requested effective date. The time we require for processing of endangered and threatened species incidental take permits will vary according to the project scope and significance of effects. Submit applications for all other permits to the issuing/reviewing office and ensure they are postmarked at least 60 calendar days prior to the requested effective date. Our processing time may be increased by the procedural requirements of the National Environmental Policy Act (NEPA), the requirement to publish a notice in the Federal Register requesting a 30-day public comment period when we receive certain types of permit applications, and/or the time required for extensive consultation within the Service, with other Federal agencies, and/or State or foreign governments. When applicable, we may require permit applicants to provide additional information on the proposal and on its environmental effects as may be necessary to satisfy the procedural requirements of NEPA.

In reality, a permit for a species listed as endangered or a CITES Appendix I species can easily take six months or more to process.

Make it easy for the permit examiner! **Make your requests clear and simple.** State exactly what you are seeking permission to do before you go into more detail about the project.

Example:

I plan to conduct a study of the impact of mercury accumulation on reproduction in 10 species of aquatic birds from 10 countries with a gradient of mercury emissions levels over the past 100 years. To do this, I will:

- Import feathers and blood samples from museum specimens
- Import feathers and blood samples collected from living birds

The countries from which this material will be obtained are: (list countries)

The species to be included are: (list species).

None of these species are listed under the Endangered Species Act or on any CITES appendix for any country or region. Those marked with an asterisk are listed under the Migratory Bird Treaty Act.

I plan to import 3 feathers from each of 20 birds of each of the 10 species, per country, for a total of 600 feathers per country and a grand total of 6,000 feathers.

I plan to import 2 blood samples from each of 20 birds of each of the 10 species, per country, for a total of 400 blood samples per species per country and a grand total of 4,000 blood samples.

If your permit application is confusing or incomplete, the permit examiner will need to contact you for clarification or additional information, which means it will take even longer to obtain the permit. If time is running short, contact the issuing office to check on status and explain the reason for your concern but again, have realistic expectations about how long it might normally take to issue this permit.

Finally, realize that you will have a long career ahead of you and will need many permits over the years. Establish a good reputation with the permitting offices and you will find that it will become easier to obtain your permits in a timely manner.

*** Always always always READ YOUR PERMIT upon receipt and before each field season or import.**

Sometimes the permit issuer may have made a mistake, or you realize that you made an error when submitting it. Sometimes, your plans will have changed after you submitted your application. In any case, read the permit as soon as you receive it so you are not in need of a correction or amendment at the last minute. Read it again before your field season/expedition to be sure you are aware of all restrictions and requirements (such as the requirement for advance notice of your arrival back into the United States).

*** Getting the permit is just the start of the process!**

Be sure to read all the information about the additional paperwork and procedures involved in importing and when you have slogged through all that information, use the checklist in Appendix B to be sure you are getting the correct permits and will maximize your chances of a trouble-free import.

*** Consider using a customs broker to handle the formal entry declaration process for you if hand-carrying.**

Using a customs broker for shipped imports is also advisable to avert problems that can arise from using the U.S. Fish and Wildlife Service e-decs system or from confusion and errors on the part of Customs officers who are attempting to implement the complex import restrictions of 20 other federal agencies. Full detail is given below, in Section V (Import Methods). Using a customs broker is a small price to pay to assure that your import is permitted to enter the United States and to reduce the stress associated with the process.

ACRONYMS AND TECHNICAL JARGON

Regulatory usage can and usually does differ from common and scientific usage. These terms are defined in the manner in which they are used by the regulatory agencies.

U.S. Department of Agriculture (USDA)	
APHIS	Animal and Plant Health Inspection Service; the agency responsible for protecting the health of agriculture in the United States
APIE	Animal Product Import Export Program (formerly National Center for Import Export Services). Regulates the import of animals, animal products, and biologics.
Approved Establishment	A regulatory mechanism for the import of bird products without a permit; can be used by museums but only for preparation of display mounts and study skins
AVIC	Area Veterinarian in Charge; inspects facilities for Approved Establishment and BSL2 status
BSL2	Biosafety Level 2; a status required for microbiological and biochemical research involving imported bird products from END countries/regions that have not been treated prior to import and for all HPAI countries/regions
Bird product	Anything that was once part of a bird; a dead bird, whether freshly killed or prepared museum specimen (regardless of age), or part of a bird, including feathers, tissues, blood, and bones; DNA extracts and PCR products, but note discussion of PCR product in text.
Certificate of origin	Documentation to prove the country of origin for bird product that will be imported into the United States
Certificate of treatment	Documentation to certify the method of treatment used to inactivate END or HPAI in bird product to be imported into the United States
CBP	Customs and Border Protection, an agency of the Department of Homeland Security; CBP agricultural specialists perform port inspections.
Display mount	Bird skin prepared for display in museum. Note that APIE uses the term “museum specimen, not realizing that the term specimen is generally used by ornithologists to mean “study skin” rather than “display mount.” To APIE, a museum specimen is a taxidermy mount that is displayed in a museum.
HPAI	Highly Pathogenic Avian Influenza (all subtypes)
Museum specimen	To the USDA: synonymous with “display mount.”
NVSL	National Veterinary Services Laboratory (part of Veterinary Services)
Research	Use of bird parts (feathers, tissue, blood, bones) for DNA extraction, stable isotope, or contaminants analysis, or other microbiological or biochemical research; anything other than preparation of display mounts and study skins
Select agent	Isolates of END or HPAI (or other microbes on APHIS or CDC Select Agent lists)

Species	APIE uses the word “species” to mean “birds,” “mammals,” etc. When the APIE asks for species on its permit application form (VS 16-3), it is not requesting a list of individual species.
Study skin	Flat or round (stuffed) bird skin
Transport	Movement of imported materials from the importing institution to another institution in a different state within the United States
Unprocessed, untreated	Not treated with one of the treatment methods approved by the NVSL to inactivate END or HPAI. The two words are synonymous.
vND	Virulent Newcastle Disease; variant of the viral disease that does not occur in the United States.
VS	Veterinary Services (a division of APHIS); safeguards animal health
Centers for Disease Control (CDC)	
Accepted treatment methods	Not defined by CDC; best practice is to use a method approved by APHIS
Infectious substance	Any material known or reasonably expected to contain an infectious biological agent; the CDC apparently has no list of pathogens of concern, so presumably the term includes all pathogens, even if they already occur in the U.S. and/or are of low pathogenicity
Pathogens of concern	Not defined by CDC, presumably includes all pathogens, even if they already occur in the United States and/or even if they are of low pathogenicity
U.S. Customs and Border Protection (CBP)	
ACE	Automated Commercial Environment; process CBP uses to process imports
Clearance	Process through which CBP ensures that importers have a permit, or, if no permit is required, the materials were legally acquired in the country of origin and left to country legally
Formal entry	Process that CBP uses to process imports through the Automated Commercial Environment
U.S. Fish and Wildlife Service (USFWS)	
Accessioned	A permanent record is made and maintained; implies acceptance of legal responsibilities and rights; need not be a unique number identifier
CITES	Convention on International Trade in Endangered Species
CITES Appendix	Three lists of species that are protected under CITES; the greatest degree of protection is given to species listed on Appendix I, those on Appendix III are given the lowest degree of protection
Convention	Alternate reference to CITES
COSE	Certificate of Scientific Exchange; a document issued under CITES that allows a loan, donation, or exchange between CITES-registered institutions, rather than via a permit
DMA	USFWS Division of Management Authority; issues CITES, ESA import, export-reimport, and COSEs.

DMBM	USFWS Division of Migratory Bird Management
Decs, E-decs	USFWS Form 3-177 for the declaration of imported wildlife; E-decs is an electronic filing system for this form
Designated wildlife port	The ports through which the wildlife that requires a USFWS must be imported
ESA	Endangered Species Act
LE	USFWS Office of Law Enforcement; the USFWS port inspectors are LE staff
MBTA	Migratory Bird Treaty Act
Museum specimens	Birds or parts of birds accessioned into a museum collection.
Research	The regulation that exempts import of scientific specimens (of species that do not require import permits) from the designated port rule defines research as “taxonomic or systematics research.”

I. U.S. FISH AND WILDLIFE SERVICE PERMITS AND PROCEDURES

The U.S. Fish and Wildlife Service implements several laws intended to protect wild bird populations, including the Migratory Bird Treaty Act, Endangered Species Act, and the Convention on International Trade in Endangered Species (CITES). There are also procedures and paperwork required for all animals and plants, whether or not protected by these laws. All permits issued by USFWS under the MBTA, ESA, and CITES can be applied for [online](#).

Start here! Always check each of these lists to determine which laws cover your species:

- [Migratory Bird Treaty Act](#)
- [Endangered Species Act](#)
- [CITES](#)

Never assume that a species is or is not listed. Not all species protected under the Migratory Bird Treaty Act are migratory; the name of the Act reflects legal and historical circumstances rather than the actual migratory behavior of all species protected under the law. **Always check!**

For CITES Appendix III species imports, note whether the country you're importing from is the listing country. At the CITES link above, once you search for the species name, clicking on the 'III' icon will tell you which countries have listed the species.

Helpful hints

Always allow at least 120 days for new permit applications to be processed and 90 days for renewal applications to be processed! CITES certificates and permits expire on the stated date, whereas you can continue to use ESA and MBTA permits provided that your application for renewal was submitted at least 30 days prior to expiration of the existing permit.

Before filling in permit application forms, read the details below. The USFWS has internal procedures that obviate the need to complete and submit multiple applications for the same activity. In most cases, you will need only one application form.

A. Summary chart and fees

The chart below shows the USFWS permits needed for import of bird specimens and samples for protected species. The specific forms depend on the combination of permits needed – the USFWS has established procedures to avert the need for multiple application forms for one activity. The text below will explain exactly which permit application forms to use. In addition to the permits listed, **you ALWAYS need to file the USFWS 3-177**. COSE refers to a “Certificate of Scientific Exchange.” See text below for detail.

CITES	ESA	MBTA	Permits needed
Appendix I	Not listed	Not listed	COSE <i>or</i> CITES Import (3-200-37e) <i>and</i> VALIDATED CITES Export from country of export
		Listed	COSE <i>or</i> CITES Import (3-200-37e) <i>and</i> MBTA import (3-200-6) <i>and</i> VALIDATED CITES Export from country of export
	Listed	Not listed	COSE <i>or</i> CITES Import (3-200-37e) <i>and</i> ESA Import/Export (3-200-37e) <i>and</i> VALIDATED CITES Export from country of export
		Listed	COSE <i>or</i> CITES Import (3-200-37e) <i>and</i> <i>Combined</i> MBTA/ESA Import/Export (3-200-37e) <i>and</i> VALIDATED CITES Export from country of export
Appendix II	Not listed	Not listed	COSE <i>or</i> VALIDATED CITES Export from country of export
		Listed	COSE <i>or</i> VALIDATED CITES Export from country of export <i>and</i> MBTA import (3-200-6)
	Listed	Not listed	COSE <i>or</i> VALIDATED CITES Export from country of export <i>and</i> ESA (3-200-37)
		Listed	COSE <i>or</i> VALIDATED CITES export from country of export <i>and</i> MBTA import (3-200-6)

CITES	ESA	MBTA	Permits needed
Appendix III	Not listed	Not listed	<p>Importing from a listing country: COSE <i>or</i> VALIDATED CITES Export</p> <p>Not importing from a listing country: any non-CITES export permit required by country of export <i>and</i> a certificate of origin</p>
		Listed	<p>Importing from a listing country: COSE <i>or</i> VALIDATED CITES export <i>and</i> MBTA Import (3-200-6)</p> <p>Not importing from a listing country: any non-CITES export permit required by the country of export <i>and</i> certificate of origin <i>and</i> MBTA Import (3-200-6)</p>
	Listed	Not listed	<p>Importing from a listing country: COSE <i>or</i> VALIDATED CITES export <i>and</i> ESA Import/Export (USFWS 3-200-37e)</p> <p>Not importing from a listing country: any non-CITES export permit required by the country of export <i>and</i> certificate of origin <i>and</i> ESA Import/Export (USFWS 3-200-37e)</p>

CITES	ESA	MBTA	Permits needed
		Listed	<p>Importing from a listing country: COSE <i>or</i> VALIDATED CITES export <i>and</i> Combined MBTA/ESA Import/Export (USFWS 3-200-37e)</p> <p>Not importing from a listing country: any non-CITES export permit required by the country of export <i>And</i> A certificate of origin <i>and</i> Combined MBTA/ESA Import/Export (USFWS 3-200-37e)</p>
Not listed	Listed	Not listed	ESA Import/Export (USFWS 3-200-37e)
		Listed	Combined MBTA/ESA Import/Export (USFWS 3-200-37e)
	Not listed	Listed	MBTA Import (USFWS 3-200-6)
		Not listed	Any non-CITES export permit required by the country of export and proof that materials were legally obtained such as an in-country collecting permit or documentation from the in-country museum or university

Fees

Fees for permits discussed herein are as of March 2026. Note, however, that for several years, the USFWS has stated that it is preparing a new fee schedule. The Ornithological Council will publish a notice on OrnithologyExchange.org and revise this document when that occurs.

Permit type	Form number	New	Amendment
Migratory Bird	3-200-6	\$75	No fee
ESA and CITES Museum exchange (Certificate of Scientific Exchange)	3-200-39	\$100	\$50

Permit type	Form number	New	Amendment
ESA only – export and re-import of museum specimens (i.e., a loan)	3-200-40	\$100	\$50
CITES permits/ESA	3-200-37	\$100	\$50
CITES Master file (facility is exporting or re-importing a given product on a regular basis – usually for commercial transactions)	If applicable, request “programmatic file”	\$200 (\$100 for renewal)	n/a
Single-use permit issued on Master file	n/a	\$5	n/a
Designated port exception	3-200-2	\$100	\$50

B. CITES Certificates and Permits

Check the CITES appendices by common name, scientific name, and country to determine if the species is listed. Also check higher taxon levels, as entire groups of some species are listed by genus, family, or order (e.g., Psittaciformes, Strigiformes, Bucerotiformes). Be aware that countries can list species as Appendix III (the country already regulates trade in that species and is requesting the cooperation of other countries to prevent illegal trade or unsustainable levels of take) unilaterally, and some countries list a very large number of species, even species that are common in the country. Do not assume that a common species will not be listed or that a species that is not in international trade will not be listed.

The CITES appendices can be searched [here](#). As noted above, for CITES Appendix III species imports, pay attention to whether the country you are importing from is the listing country. At the CITES link above, once you search for the species name, clicking on the ‘III’ icon will tell you which countries have listed the species.

1. Certificates for pre-convention specimens

If the species is listed, but the specimen was acquired prior to the date CITES applied to that species, then no permit is needed [50 CFR 23.13(c)] but a certificate is required. However, if that particular specimen can be imported on a COSE, use the COSE. It is easier than obtaining a pre-convention certificate. If you cannot use the COSE (e.g., because the exchange is not between registered institutions), use accession records to demonstrate the date of acquisition.

2. Certificate of Scientific Exchange (COSE)

If the specimen is a loan, donation, or exchange between CITES-registered institutions then a Certificate of Scientific Exchange (COSE) can be used. Both the sending and receiving institutions must be [CITES-registered](#). This is the most common means of transferring materials among museums.

To become a CITES-registered institution, apply for a Certification of Scientific Exchange using Form 3-200-39 or through [ePermits](#). If the USFWS Division of Management Authority (DMA) determines that your institution is eligible to become a CITES-registered institution, the DMA will forward the information to the CITES Secretariat for inclusion on the registration list. There is no fee for state or municipal facilities; all others pay \$100.

Once issued, the COSE will allow you to receive and send CITES materials that have been accessioned by your museum to any other CITES-registered institution, without an individual permit. The COSE is valid for four years. If a specimen is also ESA-listed, the COSE cannot be used. You will need a CITES/ESA permit. The same is true for specimens requiring MBTA permits.

Procedure for imports under COSE: Packages must be labeled with the names and addresses of the consignor and consignee. The letters “CITES” (acronym for the Convention), a description such as “bird specimens,” and the code letters assigned by the Service to the scientist or scientific institution, must be entered on the Customs declaration form affixed to each package or container. It is best to include this information on the air waybill, too. Specimens that have not been accessioned by a CITES-registered institution require permits, as described below.

It is an open question whether the COSE can be used for subsamples of accessioned specimens (e.g., tissue or skin subsamples or individual feathers taken from a voucher specimen). Both the Convention itself (and the Resolutions addressing scientific exchange) and the USFWS regulations are silent on this issue. It has been the interpretation of the USFWS that there is no distinction between a sample and a subsample. Therefore, the subsample would have to be either accessioned or returned (in entirety) if the COSE is used. Subsamples are typically transferred among institutions for testing, and commonly, the testing destroys all or part of the sample. However, museum standards call for accessioning only when material is to be maintained as part of a permanent collection. It is also the practice of institutions that any unused portion of the subsample be returned to the lending institution. Therefore, the extra time, effort, and paperwork associated with accessioning is not warranted.

In 2005, the Ornithological Council entered into a dialogue with the USFWS Division of Management Authority to try to resolve this issue. No official (regulatory) change has been made but since 2005, it has been the informal policy of the USFWS that so long as part of the original sample remains where accessioned, the COSE can be used. The term “subsample” will not be used, because it is not recognized by the CITES parties, but the purpose and intent of this

regulatory change, if promulgated, would be to allow the use of the COSE for transfers of a piece of a specimen or a sample, even if that material is to be destroyed in testing, provided that the original specimen or sample remains accessioned in at least one of the two institutions.

File your annual reports! Your COSE requires you to file annual reports listing all shipments sent or received under the COSE. **Note that non-activity must also be reported.** The form 3-200-29a is only a suggested format. So long as you provide the required information, you can use any format you prefer. You must report incoming and outgoing transactions. Follow the instructions on your permits for submitting your report.

Remember that the COSE expires on the date stated on the document. It is not automatically extended by the filing of a renewal application. Be sure to file your request for a renewal at least 90 days prior to the expiration date.

3. CITES permits

When the specimen is not pre-convention and the Certificate of Scientific Exchange is not applicable (because one or both of the institutions is not CITES-registered, or because the specimen was not accessioned by the CITES-registered institution that is sending the material or because the specimen is ESA or MBTA listed), then permits are needed as follows:

CITES Appendix I species:

Requirements:

- **VALIDATED** export permit from the Management Authority of the country of origin
- Import permit from the USFWS Division of Management Authority (Form 3-200-37e)

The USFWS will issue an import permit only if (1) the specimen was legally obtained; (2) the trade will not be detrimental to the survival of the species; and (3) an export permit has already been issued. You must obtain the export permit **FIRST!** As soon as you receive the export permit, apply immediately for the import permit as it could take several months to obtain the import permit and the export permit will expire one year after issuance. The CITES/ESA import application (Form 3-200-37e for research specimens) is available [here](#).

If the species is Appendix I and you also need ESA and/or MBTA permits, you need submit only this one form. The Division of Management Authority, if it determines that it is biologically appropriate to issue a permit, will consult with the Division of Endangered Species and/or the Division of Migratory Bird Management, as appropriate, and will issue one permit that covers all applicable authorities.

CITES Appendix II species:

Requirements:

- **VALIDATED** export permit from the Management Authority of the country of origin
- The United States does not require a CITES import permit for Appendix II species but you may need an ESA and/or MBTA permit.

If both CITES and ESA are needed, you may submit one application to the Division of Management Authority using the ESA form. The Division of Management Authority will automatically determine if permits are needed under the other authorities, and if they are required, and if the Division of Management Authority determines that issuance is appropriate, the permit will include all applicable authorities. The CITES/ESA import application (Form 3-200-37e for research specimens) is available [here](#).

If the only import permit needed is MBTA, use the form for migratory bird import/export [here](#).

CITES Appendix III species:

Requirements:

- In the case of trade from a country that included the species in Appendix III, a **VALIDATED** export permit issued by the Management Authority of that country is required. This may be issued only if the specimen was legally obtained and, in the case of a live animal or plant, if it will be prepared and shipped to minimize any risk of injury, damage to health or cruel treatment.
- In the case of export from any other country, a certificate of origin issued by its Management Authority is required. The certificate states that the specimen was not collected in a country that has listed that species on Appendix III.
- The United States does not require a CITES import permit for Appendix III species but you may need a permit under [ESA](#) or [MBTA](#).

CITES permit validation

The USFWS requires that the CITES export permits issued by the country from which the export takes place be **VALIDATED at the time of export**. This requirement implements a decision made by the parties to CITES, as reflected in Resolution 12.3 (adopted in 2002) that:

Export permits and re-export certificates be endorsed, with quantity, signature, and stamp, by an inspecting official, such as Customs, in the export endorsement block of the document. If the export document has not been endorsed at the time of export, the Management Authority of the importing country should liaise with the exporting country's Management Authority, considering any extenuating circumstances or documents, to determine the acceptability of the document;

It can be problematic to obtain these endorsements. If for some reason there is a problem with the validation, try asking the USFWS port inspector to ask the supervisor to ask the USFWS Division of Management Authority to “liaise with the exporting country's Management

Authority, considering any extenuating circumstances or documents, to determine the acceptability of the document.” To the best of our knowledge, the USFWS has not been willing to utilize this measure, which is permitted by the CITES resolution but given that it will be the only option left to you at this point, you should request it.

Best practices

- Determine before you leave the US who [agency, name(s) of individual(s)] is authorized to validate CITES export permits. The best (and probably the only) contact for that information is the CITES Division of Management Authority, found [here](#).
- Contact that office/individual before you leave the United States or immediately upon arrival in the country from which you will export.
- Arrange a time and place to meet for inspection and permit validation.
- If possible, re-confirm that meeting several days before your planned departure.
- Allow plenty of time between the meeting and your flight, in case the individual cannot be found and you must find a substitute.
- If they cannot be found, attempt to locate the wildlife agency office at the airport, if there is one; many countries do not have wildlife agency offices at the airports. If there is no wildlife agency office, locate the customs office and/or the agriculture office at the airport (these agencies are often delegated the responsibility of endorsing the CITES export permits)
- Be sure to check the endorsement when it is completed; if it is not completed properly, the USFWS will reject it. The validation must:
 1. indicate the actual quantity of specimens exported or re-exported;
 2. use the same units of measurement as those on the CITES document; and
 3. be validated or certified by the stamp or seal and signature of the inspecting authority at the time of export or re-export. If the endorsement box is too small to list all the specimens and samples being exported, a continuation page may be used. Each such page must be numbered and an authorized signature and ink stamp or seal, preferably embossed, of the Management Authority issuing the CITES document must also be included on each page of the annex. The CITES document must indicate an attached annex and the total number of pages [50 CFR 23.23(e)].

Helpful hint

Be sure to determine if the country of origin has valid authority to issue export permits. It can happen that a country’s permitting authority has been suspended or canceled. Some suspensions are for all trade, some are for all commercial trade, and some are for particular species. You can check the status of a country’s authority to issue permits by checking the [notifications page](#).

What if a species is CITES-listed, but the country of origin is not a party to CITES?

Only a few countries are still not party to the convention. If the non-party country has designated a competent authority to the CITES Secretariat then that authority may be able to prepare an “in-lieu-of” document that takes the place of the export permit. The authority would have to certify in the “in-lieu-of-document” that the export meets the criteria applicable to the Appendix on which the species is listed (Appendix I and II: not detrimental to the survival of the species and legally acquired; Appendix II: legally acquired).

Non-party countries with no designated authority (no import permits will be issued by the USFWS and no “in-lieu-of” documents or permits will be accepted by the USFWS):

Anguilla
East Timor
Nauru
Paracel Islands
Tuvalu

Non-party countries with an authority designated to prepare an in lieu of document (a “non-CITES permit” that is recognized as valid for export of that material):

Andorra
Cook Islands
Haiti
Holy See
Kiribati
Marshall Islands
Micronesia
Federated States of Niue
Turkmenistan
Turks and Caicos Islands

These lists can and do change. Always double-check this [list of parties](#). If a country does not have a national authority listed, assume that the USFWS will not issue a CITES import permit, will not accept an “in-lieu-of” document or CITES permit issued by that country, and that a COSE cannot be used.

C. Endangered Species Act permits

The application form for an ESA import permit is the same as the CITES import form ([From 3-200-37e](#)). The list of species protected under the ESA is found [here](#). Permits are not required for candidate species. If a species is ESA-listed and also listed on CITES appendix I, you will need both an ESA and a CITES import permit. If the species ESA-listed but is not listed on CITES appendix I, you will not need a CITES import permit.

You will also need an export permit from the country of origin if the species is CITES Appendix I or II. If the species is CITES Appendix III, you will need an export permit only if the country of origin is a country that listed the species on Appendix III. If the species is CITES Appendix III but is not coming from a listing country, you need only a CITES certificate of origin.

If you are exporting a museum specimen (meaning accessioned material) that you expect to have returned to you (in whole or in part), i.e., a loan, file a form 3-200-40 prior to export; the return import permit will be issued simultaneously.

Permits are not needed for pre-Act specimens. All that is needed is an affidavit that the specimen was acquired prior to 28 December 1973 and that it is not imported for commerce.

Remember that CITES permits and certificates expire on the date stated on the document. Unlike MBTA permits, they are not automatically extended by the filing of a renewal application. Be sure to file your request for a renewal at least 90 days prior to the expiration date.

D. Migratory Bird Treaty Act permits

If a species is protected under the Migratory Bird Treaty Act, you will need an MBTA import permit. The list of protected species can be found [here](#). This is not an official list and may not be up-to-date, but the list is updated only infrequently (usually no more than once every five years). To be absolutely sure of the status of a species, you would need to check both the Code of Federal Regulations and the Federal Register (from the date of publication of the most recent Code of Federal Regulation to the date of your application).

If the species is listed on CITES Appendix I, you will also need a CITES import permit. As noted above, if the species is CITES Appendix I, use Form 3-200-37. The Division of Management Authority will automatically determine if an ESA or MBTA permit is also needed and, if it determines that it is biologically appropriate to issue a permit, will issue one permit to include CITES and MBTA (as well as ESA, if applicable).

If the species is MBTA ONLY, the appropriate application form is [Form 3-200-6](#).

Moving target

As of 2021, the USFWS is moving away from “all-countries, all-species” Migratory Bird Import/Export permits and is requiring more specific permits. We continue to pursue the matter, but for now, the best advice we can offer is to list on an attachment to the application every MBTA species except those you are certain you do not intend to collect. Please contact the OC for more guidance if needed.

E. Lacey Act

The Lacey Act makes it illegal for a person to import, export, transport, sell, receive, acquire or purchase in interstate or foreign commerce: fish or wildlife taken, possessed, transported or sold in violation of a state law, state regulation or foreign law; plants taken, possessed, transported or sold in violation of a state law or regulation.

Even if NO import permits are required (e.g., the import does not include species protected by CITES, the Endangered Species Act, or the Migratory Bird Treaty Act), you will likely be required to show proof that the material was acquired legally in the country of origin and that it was legally exported. Documentation of legal take could consist of a scientific collecting permit for field-collected material or, in the case of material obtained from collections, documentation from the institution of legal collection (such as a copy of its scientific collecting permit, if available, or a letter from the institution). Documentation of legal export could be an export permit or a scientific collecting permit **if** the collecting permit includes export authority. Do not use a scientific collecting permit as evidence of legal export unless you read it first and are sure it includes export authority. The USFWS will also accept a letter or other documentation from the wildlife officials in the country of origin or re-export. Most countries require export permits for all wildlife. Be sure to determine the export restrictions in the countries where you plan to collect and make arrangements before you leave the U.S.

F. Bald Eagles and Golden Eagles

For Bald Eagles and Golden Eagles, “import” permits are required under 50 CFR 22; the law does not allow the permanent import of dead Bald Eagles or Golden Eagles so this permit is called a transport permit. The law allows only the “transport” into or out of the United States. The time limit is established by the permit itself. The form to “transport into” the U.S. is available [here](#). The form to “transport from” the U.S. is available [here](#).

G. Wild Bird Conservation Act

When enacted in 1992, the Wild Bird Conservation Act was intended to apply only to LIVE birds. Over the years, port inspectors would occasionally tell researchers that a WBCA permit was needed for non-living research material. The Ornithological Council has worked with the USFWS Division of Management Authority (DMA) on this issue and they have assured the OC that the WBCA does not apply to dead scientific specimens. Of course, this exchange does not ensure that all port inspectors will agree with this interpretations. In 2023, the USFWS Office of Law Enforcement issued a [Notice to the Import/Export Community](#) regarding the WBCA. It stated that the definition of “exotic bird” does not include “dead museum specimens” or “dead scientific specimens.” Follow up with OLE by OC staff resulted in assurance that wildlife inspectors had also been provided the same guidance included in the public bulletin. They indicated that, if a Wildlife Inspector requires a WBCA permit when one is not needed, the importer/exporter should refer them to the public bulletin.

If you are at a lesser-known institution or a university, perhaps you could carry with you copies of accession records, letters from faculty advisors, or copies of grant awards for research involving those species. You may also want to print and bring along a copy of the [Notice](#).

Material that either has some clear physical characteristics that suggest museum specimen (dry skin with museum labels) or that has no other use (blood, plasma, excreta, genetic material) is unlikely to cause concern. Loose feathers or casques from certain species might be of more concern, depending on the identity of the sender and the recipient. Coming into your “home port” where you are known is less likely to be a problem than coming into a different port or using FedEx or a customs broker. If you have a CITES Appendix I permit, that indicates that the USFWS recognized that this is a scientific import from the start. Moving material on a COSE might be an adequate indication, as it means the material is moving between two CITES-registered scientific institutions.

In the meanwhile, if you feel your best option is to get the WBCA permit, the form is [3-200-47](#). In order to use this form prospectively, i.e., so you can have the permit before you leave for your collecting trip, most of it will have to be “unknown” or “estimated” or “per export permit limits.” You may not have date/location collected or will have to approximate. Quantity might be “as authorized by export permit” because you won't know how many you will have in advance. All you know is that you can't export more than the export permit allows. In the case of a COSE, where you are exporting accessioned scientific specimens, there is no permit and therefore no permit limits. You might want to guesstimate the number of samples generously. If your in-country collecting permit has not yet been issued, at least include a copy of the application and note “awaiting issuance.” In some countries, you can't obtain your permit before you get there.

Allow 90 days for the issuance of the WBCA permit.

H. Nagoya Protocol

The Nagoya Protocol is a supplementary agreement to the Convention on Biological Diversity. It provides a transparent legal framework for the effective implementation of one of the three objectives of the CBD: the fair and equitable sharing of benefits arising out of the utilization of genetic resources. The Nagoya Protocol was adopted on 29 October 2010 in Nagoya, Japan and entered into force on 12 October 2014, 90 days after the deposit of the fiftieth instrument of ratification.

In essence, the Nagoya Protocol formalizes the requirements already in place in a number of countries for benefit-sharing requirements as a condition of export. As with most international agreements, it establishes a rather complex and weighty set of requirements upon the parties to the agreement, including the identification of a “national focal point” (a contact), the identification of a “competent national authority,” the enactment of domestic implementing

legislation, the development of National Model Contractual Clauses, the development of a national website for the Protocol, and, of course, an enforcement mechanism.

The United States is not a party to the Convention on Biological Diversity and is not a party to the Nagoya Protocol. However, for the purposes of imports, it can be assumed that under Lacey Act, which prohibits imports that do not comply with the laws of the exporting country, if a country requires any kind of documentation pursuant to Nagoya (or separately requires this document), a researcher importing into the United States must have that documentation.

Generally, this documentation includes two specific items:

- Prior informed consent (PIC), which is a permission given by the Competent National Authority of a country to an individual researcher or institution seeking to obtain access to genetic resources
- Mutually agreed terms – essentially a Materials Transfer Agreement, between provider country/provider of genetic resources and the users, on the conditions of access and utilization of the resources, and on the benefits to be shared between both parties.

I. Other USFWS paperwork requirements

All wildlife imports *must* be declared on Form 3-177. This is not a permit, but a declaration form that has to be submitted to the USFWS Law Enforcement Office at the port of entry. At some ports, Customs officers may be willing to accept this form if the USFWS inspector is not present, but this is not always the case. The Form 3-177 can be found [here](#). You can also file electronically through [e-Decs](#).

However, declarations for museum specimens (as defined below) can be filed up to 180 days after the import UNLESS the import is subject to any of the following permit requirements [50 CFR 14.62 (d)]:

- 50 CFR Part 16, Injurious wildlife (Lacey Act)
- 50 CFR Part 17, Endangered and threatened wildlife and plants
- 50 CFR Part 18, Marine mammals
- 50 CFR Part 21, Migratory birds
- 50 CFR Part 22, Eagles
- 50 CFR Part 23, Endangered Species Convention (CITES)

Definition of museum specimens for purposes of this exemption: dead, preserved, dried or embedded scientific specimens or parts imported by accredited scientists or accredited institutions for taxonomic or systematic research. An accredited scientist means any individual associated with, employed by, or under contract to and accredited by an accredited scientific institution for the purpose of conducting biological or medical research, and whose research activities are approved and sponsored by the scientific institution granting accreditation.

Accredited scientific institutions means any public museum, public zoological park, accredited institution of higher education, accredited member of the American Zoo and Aquarium

Association, accredited member of the American Association of Systematic Collections, or any State or Federal government agency that conducts biological or medical research. For all practical purposes, you will almost always need a Form 3-177 for bird specimens and tissues, and it is undoubtedly easier to get through the port with the form than without it, even if it is not technically required to be presented at the port.

For scientific specimens imported for scientific institutions for taxonomic, systematic research, or faunal survey purposes, you may describe the imported materials in general terms (e.g., “hummingbirds.”). This may be necessary in cases where individual specimens have not been fully identified. However, you must file an amended Form 3-177 within 180 days after filing of the general declaration with the Service. The declaration must identify specimens to the most accurate taxonomic classification reasonably practicable using the best available taxonomic information. The Director may grant extensions of the 180-day period.

Instructions for completing Form 3-177 are available [here](#). Specific issues that have come to the attention of the Ornithological Council, which then asked the USFWS for clarification are:

Quantity of wildlife

Box 19a asks for the quantity of wildlife, asking for both numbers and units of measurement. The instructions treat all scientific specimens – including skins, tissue, blood, and histological preparations – as one type of item (Code SPE in box 18). There is no standardized method of reporting at this time. It is unclear whether you should report the number of vials or the mass of the sample contained in each vial, or whether you should report the total mass of all samples of a given species. It is also unclear whether you should report tissue and blood samples separately from an accompanying voucher specimen. If your permit references specific quantities or units, use those quantities or units on the 3-177 to avoid discrepancies between the permit and the declaration form.

Value of specimens

Box 19b of the Form 3-177 asks for the monetary value of the imported wildlife. Do not write “n/a” or leave these boxes blank. The boxes must contain a number but the number can be -0- (zero). In other words, you cannot write n/a. You must enter a number. However, note that the value has to match the value declared on the U.S. Customs form. Handling fees - charged by some museums - are not considered value of the specimen or tissue. Do not include service fees or handling fees in the value of the specimen or tissue. Note, however, that commercial shippers and customs agents may require you to provide a value above zero; in that case, value the import at a nominal amount (such as \$1.00).

J. Permits Amendments

Should you find yourself in need of a permit amendment, submit a full written justification and supporting information to the office that issued the original permit.

K. Appeals from USFWS permit denials

Permit denial is rare but it does happen; partial denials are slightly more common. There may be conditions imposed that the permittee considers unduly burdensome. On rare occasions, a permit is suspended or revoked. To appeal any adverse decision, you must take the following actions:

Step 1: Request for reconsideration

Once you have received a written notice of denial, partial denial, suspension, revocation, you must, within 45 calendar days of the date of the written notification, submit a written request for reconsideration. Note that it must be RECEIVED by the office that issued the notice within 45 calendar days. State the decision for which reconsideration is requested and state the reasons for the request. Give any new information that is relevant to the request.

CRITICAL ELEMENT: The regulation requires that your request for consideration include the following 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, Code of Federal Regulations, and I further 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 suspension or revocation of this permit and to the criminal penalties of 18 U.S.C. 1001.

The USFWS is required to notify you in writing of the decision on the request for reconsideration within 45 days of the receipt of your request. The notice must state the reasons for the decision and must contain a description of the evidence relied upon by the deciding officer.

Step 2: Appeal

If the decision is still adverse, you may submit a written appeal to the Regional Director for the region in which the issuing office is located (for Migratory Bird permits), or to the Director for offices which report directly to the Director.

The appeal must be submitted (RECEIVED BY) the appropriate office within 45 days of the date of the notification of the decision on the request for reconsideration. Again, state the reasons for the appeal and submit any new information. Although the regulations do not require it, you should include this 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, Code of Federal Regulations, and I further 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 suspension or revocation of this permit and to the criminal penalties of 18 U.S.C. 1001.

You are entitled to present oral arguments to the Regional Director or the Director if either deem it necessary to clarify issues raised in the written record. The Service is required to notify you of its decision, in writing, within 45 calendar days of the receipt of your notice of appeal. The decision of the Regional Director or the Director constitutes the final decision.

Many decisions are based on scientific disputes. The regulations seemingly allow the USFWS to seek external review: “The Service may institute a separate inquiry into the matter under consideration.” To date, the Service has denied requests for external, scientific peer review of permit disputes that turn on scientific issues. The Ornithological Council continues to encourage the Department of the Interior to consider convening external scientific peer review panels to consider the scientific aspects of permit issues.

Please notify the Ornithological Council if your permit application has been denied in whole or in part or if your permit has been suspended or revoked. Although we do not provide legal advice or represent individual ornithologists involved in permit disputes, we can provide guidance. It is also important for ornithologists to alert the Ornithological Council when permit problems occur, so we can identify problems that need to be addressed.

Helpful hint

Be sure to carry the names, e-mail addresses, and phone numbers, of the relevant USFWS permit offices and Law Enforcement offices with you when you leave for the field.

II. U.S. DEPARTMENT OF AGRICULTURE PERMITS AND PROCEDURES

The United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) Veterinary Services (VS) regulates the importation of animals and animal-derived materials to ensure that exotic animal and poultry diseases are not introduced into the United States. An APHIS permit is needed to import most materials derived from animals or exposed to animal-source materials, including animal tissues, blood, cells or cell lines of livestock or poultry origin, RNA/DNA extracts, hormones, enzymes, and microorganisms including bacteria, viruses, protozoa, and fungi.

The APHIS Veterinary Services (VS) program is charged with safeguarding animal health and the Animal Product Import Export program (APIE) is charged with regulating the import of animals, animal products, and biologics.

Import regulations and restrictions apply to “bird products” and are intended to exclude Virulent Newcastle Disease (vND) and **all** subtypes of Highly Pathogenic Avian Influenza (HPAI). Depending upon the origin of the avian material and the purpose for which it is imported, the material may have to be treated to inactivate viruses, institutions may be required to meet certain biosafety standards, and use of the material after import may be restricted.

The legal authority for this oversight stems from the constitutional authority of the U.S. government to regulate foreign commerce. Therefore, the authority is limited to material that crosses over the U.S. border. The U.S. government also has the constitutional authority to regulate commerce between and among the states (i.e., crosses state borders), so APHIS can continue to regulate imported material if it is transferred across state lines. However, the agency does not have authority to regulate transfer of the material within a state.

A. What is a bird product?

For purposes of determining USDA import restrictions, the term “bird product” is any dead bird or part of a bird, including feathers, tissues, blood, and bones. Both DNA extracts and PCR products are considered bird products.

Many ornithologists thought that PCR products should not be considered bird products. This issue was discussed at the permits workshop held at the AOU meeting in Santa Barbara (August 2005), with Terry Morris, DVM, representing the VS, APIE. Subsequently, the Ornithological Council provided VS, APIE with information about the PCR process and demonstrated that the specificity of the primers assures that foreign genetic material will not be replicated, and that in the unlikely event that foreign genetic material such as viral genetic material is replicated, that the PCR process, including the lysing of cells with SDS and precipitation of DNA in 100% ethanol, heating in excess of 60° C for more than 30 minutes, meet USDA- approved treatments standards to render the virus inactive. The VS, APIE agreed that these conditions meet USDA- approved treatment standards. Therefore, while PCR products are still considered bird products, and must be listed on the import permit application, there is no need for further treatment (e.g.,

the PCR product need not be heated). When you certify that the PCR product has been treated (if certification is needed), the PCR process itself constitutes the treatment.

A permit is needed whether the material freshly killed, recently collected, or prepared museum specimen (regardless of age).

Moving parts

The Ornithological Council has had numerous conversations with VS APIE about this issue. The program recognizes that there is likely a point at which viable virus is unlikely to be present on untreated skin or tissue and the material could be imported safely without the need for treatment. However, federal agencies must base decisions of this type on scientific information and there is very little reported research on the persistence of these viruses under these or similar conditions.

Virologist Erica Spackman of the USDA Agricultural Research Service conducted experiments to determine the persistence of END and HPAI on bird carcasses held at ambient temperatures. Published in July 2024, that research involved preparing study skins from chickens infected with END and HPAI and testing them for the viruses after 2 and 4 weeks. After 4 weeks, viable viruses were not detected in either skin or feather pulp samples.

APIE is aware of this research, but is not willing to change their treatment requirements, until additional studies are completed. It is hoped that, in the future, APHIS will make a determination that skins and tissue samples that have been held beyond the time when these viruses have been shown not to persist can be imported untreated, regardless of origin.

Spackman E, Stephens CB, Pusch EA. Duration of Highly Pathogenic Avian Influenza Virus and Newcastle Disease Virus Infectivity in Dried Ornithologic Study Skins. *J Wildl Dis.* 2024 Jul 1;60(3):774-778. doi: 10.7589/JWD-D-24-00010. PMID: 38717893.

For purposes of USDA import requirements, the date of import is the date that determines whether treatment is required. Once a country disease status that triggers import permits and treatment and certification of treatment has been announced, all imports after that date must meet the applicable permit and treatment requirements. Even if the material was collected prior to the determination of the country disease status, if it is imported after the date that the disease status was announced, you must comply with treatment requirements and certification of treatment requirements. Therefore, you must check the country disease status before you return to the United States to be sure there has been no change in the country disease status. Occasionally, a country or region is declared to be free of the disease and the restrictions are removed, in which case, treatment restrictions will apply only if the material was collected during the outbreak and in the immediate area of the outbreak.

This also means that the treatment and certification of treatment requirements apply to museum specimens imported after the date that the country disease status was announced, no matter how old the specimen. Exceptions may be considered on a case by case basis for specific shipments of very old study skins maintained at room temperature. A separate permit application is required.

For tissues, flat skins, and round skins, this may be burdensome because you may have to treat materials prior to import. Treatment is always required for materials that originate in HPAI countries. If you wish to import from countries that are HPAI-free but where END is present, you can import without treatment if your institution is USDA-approved as BSL2. Chances are that your university or museum already requires your lab to meet BSL2 standards so your lab is likely to pass a USDA inspection as well.

See Appendix D for details about determining the disease status of a country or region.

B. When is a permit required?

Whether a permit is needed depends on the status of the institution and the intended use of the imported material.

1. Import for purposes of preparation of display mounts

If the only use after import will be the preparation of display mounts and any blood, tissue, or other material remaining after preparation is discarded, **a permit is not needed** if the institution is an approved establishment. Note the terminology – APIE uses the term “museum specimen” in its regulations but in fact, it equates to “display mount.” When the regulations were written, APIE was not cognizant of the difference between display mounts and study skins and did not realize that the vast majority of the avian research material imported by ornithologists was imported for research purposes. Therefore, although the regulations allow “museum specimens” to be imported to Approved Establishments, this does not in fact include study skins.

2. Import for research purposes: facilities USDA-approved as BSL2

If you plan to handle the specimen for any purpose, or if you retain the skin, loose feathers, tissue, or blood for research, even if you have no immediate plans to conduct that research, you cannot use the Approved Establishment Agreement for the import. **An import permit will be required.** The only permissible use of specimens imported under Approved Establishment Agreements is preparation of display mounts. You are not permitted to take skin or feather samples from research specimens imported under an Approved Establishment Agreement for DNA extraction, testing for contaminants, or other research

If your facility is USDA-approved as BSL2 and you are importing for research purposes, you must have an import permit. With that permit, you may import untreated materials – except from

countries where HPAI is present (no material from these countries or regions may be imported unless treated prior to import). You may conduct research, including handling of specimens to take morphometric measurements or study molt patterns, retention of loose feathers, blood, and tissue, and including DNA extraction and other types of microbiological and biochemical research such as testing for contaminants and for stable isotope analysis and may also prepare display mounts.

See below for procedures for attaining USDA-approved BSL2 status.

3. Import for research purposes: facilities that have *not* been USDA-approved as BSL2

If your facility is not USDA-approved as BSL2 and you are importing for research purposes, you must have an import permit.

For imports from countries certified to be free of both Virulent Newcastle Disease and HPAI (see Appendix D):

In Box 9 of the permit application form (VS16- 3), state, “None required. Materials are to be imported from [identify country or countries] which has/have been certified to be free of HPAI and vND.”

Countries certified to be free of vND are listed on the APHIS website and in Appendix D.

The permit issued by VS, APIE will require that the importer present documentation at the port, on the letterhead or other business stationery of the shipper, certifying that the material originated from the country or countries specified on the permit and that it has not been commingled with or exposed to avian origin material derived from birds originating from countries or regions classified by the USDA as affected with vND and/or HPAI. See **CRITICAL INFORMATION REGARDING CERTIFICATION OF TREATMENT ON PAGE 37.**

For import from a country where either HPAI or vND occurs:

If the materials are coming from a country where HPAI is present, treatment will generally be required. You may:

(a) treat the materials prior to import, with one of the following methods:

- Heat to at least 100° C for at least 20 minutes
- Heat to at least 60° C for at least 30 minutes
- Heat to at least 56° C for at least 3 hours
- Immersed in a minimum final concentration of 10% formalin (remain immersed throughout the import process)
- Immerse in 3% solution beta-Propiolactone

- Immerse in sodium dodecyl sulfate solution for at least 30 minutes
- Immerse in phenol/chloroform (no solution strength specified; remain immersed throughout the import process)
- Treated with proteinase K, followed by heating at a minimum of 95°C for at least 15 minutes (for nucleic acids only)
- Immerse in a minimum of 70% alcohol (remain immersed throughout the import process)
- Placed on FTA cards (liquids only)
- Methanol-fixed slides
- 4M Guanidine hydrochloride (DNA/RNA Shield apparently satisfies this requirement)

Note: these solution strengths and times are the minimums for vND; you may exceed these minimum standards.

These methods have been approved by either the USDA National Veterinary Services Laboratory in Ames, Iowa or the Office International des Epizooties.

In Box 9 of the permit application (VS Form VS16-3), state materials will be treated with one of the treatment methods approved by VS, APIE and list all approved methods.

(b) Propose an alternate treatment. (NOT recommended)

In Box 9 of the permit application (Form VS16-3), state the proposed alternate method of treatment in your application form. The VS, APIE will have it evaluated for effectiveness and acceptability by the National Veterinary Services Laboratories. The evaluation could significantly delay the issuance of your permit. Allow a minimum of three months for a decision regarding the approval/disapproval of your proposal. The VS, APIE will also submit alternate treatment methods for approval even if the proposed method is submitted without a permit application.

NOTE: If you are requesting approval of an alternate treatment but not submitting an application, you may want to ask the Ornithological Council to submit the request for you. If you receive approval for an alternate approval method, please notify the Ornithological Council so we can update this guide. These procedures will allow us to keep track of changes in the approved methods and to share that information with all ornithologists.

(c) request safety testing by the USDA.

On your permit application form (VS Form 16-3), state in Box 9 that you are requesting safety testing by the USDA.

NOTE: OC is unaware of anyone who has used this method, so cannot speak to the advisability of this option.

If the material is coming from a country where vND but not HPAI occurs, you may be able to make arrangements to use another USDA-certified BSL2 lab space at your institution or at a nearby BSL2 institution. If you choose this option, the materials must go directly from the port to the designated establishment. If the import permit obtained by that institution restricts use of the material to that facility, the material cannot be transferred unless the receiving facility first treats the material with an approved treatment method and both institutions obtain transport permits. You will not be able to obtain untreated materials from the receiving facility unless your own lab becomes certified as a BSL2 by the USDA. See the section on Transport, below, for information about transfer of materials between institutions.

4. Re-import of materials of U.S. origin

Animal products of U.S. origin re-imported into the U.S. must be accompanied by a veterinary import permit. Restrictions on the permit would include confirmation of the country of origin as well as a confirmation that the U.S. origin material was not exposed to any other animal origin material while outside the U.S.

5. Summary chart

The chart below summarizes the USDA permits and treatments for import of bird specimens and samples.

Your lab Status	Country/region vND status	Country/region HPAI Status	Materials status	Permit needed?	USDA Paperwork needed at port
Not USDA-approved as BSL2	vND free	HPAI free	Untreated prior to import	YES Form VS 16-3	Signed VS 16-6A, pro forma invoice, certificate of origin
	vND free or present	HPAI present	Untreated prior to import	IMPORT PROHIBITED	
	vND free or present	HPAI present	Treated prior to import	YES Form VS 16-3	Signed VS 16-6A, certificate of treatment, and pro forma invoice
	vND present	HPAI free	Untreated prior to import	IMPORT PROHIBITED	
	vND present	HPAI free	Treated prior to import	YES Form VS 16-3	Signed VS 16-6A, certificate of treatment, and pro forma invoice

Your lab Status	Country/region vND status	Country/region HPAI Status	Materials status	Permit needed?	USDA Paperwork needed at port
USDA-certified as BSL2	vND free or present	HPAI free	Untreated or treated prior to import	YES Form VS 16-3	Signed VS 16-6A, certificate of origin, and pro forma invoice
	vND free or present	HPAI present	Untreated prior to import	IMPORT PROHIBITED	
	vND free or present	HPAI present	Treated prior to import	YES Form VS 16-3	Signed VS 16-6A, certificate of treatment, and pro forma invoice

Helpful hint

At one time, the USDA required that the certificate of treatment be issued by the “producer” or “manufacturer” in the country of origin. Therefore, by requiring certification on the letterhead of the producer, they were requiring certification of treatment on the letterhead of a foreign organization. This is no longer the case; importers can now “self-certify” on their own institution’s letterhead.

C. How to obtain USDA BSL2 approval

BSL2 status is needed if you wish to import untreated avian research material (other than material originating in countries where any form of Highly Pathogenic Avian Influenza is present; material from HPAI countries MUST be treated prior to import). Designation by your university as a BSL2 lab is **not** sufficient for importing purposes; the lab must be inspected and approved by APHIS once every three years.

The first time you apply for an import permit to import untreated materials for research purposes, the VS APIE will contact you and your information will be entered into the VS APIE database. When you submit renewal permit applications, APIE staff will check the database to be sure your facility is BSL2-approved. If the inspection was not conducted within the past three years, APIE will arrange for a new inspection. Once your facility has been inspected and approved as a BSL2 facility, it will not need to be re-inspected for another three years.

The BSL2 standards are found in the [Biosafety in Microbiological and Biomedical Laboratories](#), 6th edition. The checklist used by the VS inspector differs very slightly from the BMBL. You will receive a copy of the checklist the inspector will use when you receive the preliminary questionnaire.

The Ornithological Council strongly recommends that labs prepare carefully for the inspection and consider asking their university risk management experts to assist. Most universities require adherence to BSL2 standards anyway, so the university will generally have someone with biosafety expertise who can provide guidance.

D. How to obtain an import permit

1. Permit form

You can either apply online through the [APHIS eFile system](#) or download the [paper form](#) at and submit it via email to apie@usda.gov. Do NOT submit one permit application for all the departments in your institution. Submit the bird application separately; VS, APIE will no longer accept a single application for both birds and mammals.

2. Timing

Allow 6-8 weeks for the processing of your application. If APIE requests more information, answer the request promptly to avert a delay in the issuance of your permit. If your lab has not been certified as a BSL2, it could take up to three months to obtain your permit, depending on the availability of an inspector. The permit is not issued until the lab has been inspected, although you can apply for a permit to import treated material and after the inspection, amend to include untreated material. For renewal permits for labs that were previously certified as BSL2, APIE will issue the renewal pending the inspection.

Once the permit application is approved, you will receive a signed VS Form 16-6A: United States Veterinary Permit for Importation and Transportation of Controlled Materials and Organisms and Vectors. This form will list any restrictions or conditions. Be sure to READ the permit when you receive it, to be sure there are no errors or conditions that you don't understand. You don't want to learn right before an import that there is a problem that needs to be corrected. Read it again before each import to be sure your procedures comply with the conditions.

3. What to include on your permit application

The application can cover all activities for a full year. Therefore, if you import various products from numerous countries during the duration of the permit, you should file an application that covers all possible imports from all countries. Otherwise, you may find yourself in need of a permit amendment, which will require an additional fee and a delay.

Whether applying on paper or online, include an attachment that details your import plans. A sample attachment is found in Appendices H and I.

For the paper form

Box 1, Mode of transportation: Check “any”

Box 2, U.S. Ports of Entry: *Various*

Box 3, Importer

At the present time, the USDA requires that the permit be issued to a single, named individual. Permits generally include an exception to allow redistribution of treated samples to other researchers for their own work, if accompanied by a signed document confirming the viral inactivation treatment that was applied and a record of the redistribution is maintained. Untreated material may be distributed to other institutions for their own work if the recipient has a transport permit. If the permittee leaves the institution, a request to change the permittee to their successor can be made as part of a permit amendment or renewal.

Box 4, Shippers: enter “*various*” shippers and “*various*” countries

Box 5, Materials to be imported: list “*see attached*”

It is advisable to list all bird products in your application, even if you intend to import only some kinds of products. Otherwise, if you then decide to bring in other types of products, your samples or specimens will be refused entry and you will need to contact a customs broker to hold the import (at a cost, of course) while you apply for an amended permit. The suggested list of bird products, developed in consultation with APIE, is shown in the sample attachments (Appendices H and I).

Box 6, Quantity, frequency of importation, completion date: *numerous shipments of various quantities throughout the duration of the permit*

Box 7, Proposed use of material: *Preparation of display mounts, study skins; physical handling and manipulation of mounts and skins; biochemical and microbiological research using tissues; distribution to other research institutions, museums, and educational facilities.*

Box 8, if for use in animals, specify the species: *this applies only to in vivo research: Enter “not applicable” unless you intend to conduct research involving live cells or living organisms.*

Box 9, treatment of material prior to import into United States: *for materials imported from countries from HPAI countries, the following treatments will be used (list one or more of the*

treatments on the USDA-approved treatment list as are appropriate for the materials you anticipate importing. We recommend that you list all approved treatment methods.

Box 10, final disposition of imported material and derivatives: *Some material will be retained indefinitely for future research, some will be destroyed in testing, some will be distributed to other research institutions, museums, or educational facilities. All other material will be disposed of via [describe the manner of bio hazard disposal, such as high temperature incineration].*

For the online application

Apply online through the [APHIS eFile system](#). After you log on, you will be on a screen titled “Welcome to APHIS eFile.”

Under ‘Ready to Apply?’ use the drop down menu to select the VS 16-3 and then continue to the Permitting Assistant, which will help you begin to populate the fields of your application by asking some questions about your import. If you have already started an application but have not yet submitted it, you can find that application on the main screen, under ‘My Activity.’

Under ‘Step 1,’ select import under Movement Type. For Material, you can use the search bar or review the provided list of materials. Common materials imported by ornithologists include:

Material to be Imported	Material Name within the E-File system	E-File Subcategory	Comments
Egg shell fragments, nonviable uninfected eggs	Inedible Egg & Egg Products	Eggs and Egg Products	
Blood samples, plasma samples, serum samples	Whole blood (unprocessed) Or Plasma Or Bulk Serum	Blood and Blood Products	Do not select “serum as an ingredient”
Feathers	Bulk Feathers	Miscellaneous Body Fluids, Tissues, and Tissue	

DNA or RNA already extracted from tissues/ body fluids/ blood/ feathers	Nucleic Acid	Miscellaneous Body Fluids, Tissues, and Tissue Derivatives	Do not select “RNA extracted from cell cultures” or “DNA extracted from cell cultures”
Skins for research, beaks, claws, organs, tissue samples	Tissues or Glands	Miscellaneous Body Fluids, Tissues, and Tissue	Does not include cell/tissue culture materials
Semen samples, ova, embryos	Semen/Ova/Embryos (Not for Reproduction)	Miscellaneous Body Fluids, Tissues, and Tissue	

For Animal Origin, select Avian. For Intended Use, select Research. Chose country of origin/ country of export as appropriate, and click on the search button.

Helpful hint

If you’d like your permit to cover various imports from various countries over the course of a year, choose a material from a representative country here. Once you proceed to the application itself, you can broaden your application to “various countries” in the “supply chain”/exporter section.

If your institution is a BSL-2 facility, APIE suggests selecting an vND-affected country as the country of origin and export in the Permitting Assistant. Under ‘Step 2,’ for treatment, first select “yes” and add material; then select “no” and add material. That will result in 2 permit applications, one for treated and one for untreated. Once you get to the VS 16-3 application, in the supply chain/exporter section, you can indicate “various countries,” and for the untreated materials application, add a qualifier, such as “various HPAI-free countries of export/origin” in the in the free-text explanation field.

For institutions that do not have BSL-2, APIE suggests selecting any country in the VSPA for their treated permit, as above. For an untreated permit, they would need to select a country that is free of vND and HPAI. In the application, they can indicate various countries in the exporter/ supply chain section, and for the untreated permit, either add a qualifier “various countries free of HPAI and vND” (or add the specific HPAI/vND-free countries).

Under Step 2, complete the check boxes as appropriate.

Under Step 3, once your material shows up in Step 3, click ‘Add to application.’ Once you’ve added all your imports, click ‘View Summary’ and then ‘Proceed to applications.’

Note: If you’re using eFile to renew a permit first issued from ePermits, enter that permit number on the summary of the Permitting Assistance, before clicking ‘Proceed to Application.’ This will prompt the system to adjust your fee accordingly.

Select ‘Go to Draft’ on the appropriate permit and follow the prompts to enter the permittee and delivery information.

On the supply chain tab, you can enter specific information about the exporter, or if you’d like your permit to cover all exports from various countries for a year, answer no to the questions and type “various shippers” in the text box.

On the transportation tab, select any port, chose your method of transport, and request authorization to hand carry (if desired). We strongly recommend that you request that your APHIS permit allow you to hand carry your import. Otherwise, the airline may require you to send it as cargo which requires advance arrangements that can be fairly challenging in many countries and, of course, it means that your import will not necessarily travel with you. Although the language on the APHIS permit is not legally binding on the airlines, it at least indicates to the airlines that you are not legally prohibited from carrying the material in your personal luggage.

NOTE: These instructions are designed to request a single permit that will cover all imports from all countries for the duration of the permit (one year) so that no amendments are needed. If you are absolutely certain that you will have only one import in that year, you may, if you wish, identify that particular shipper. However, it really serves no purpose to do it this way.

Transport permit

We recommend that if there is any chance at all that you will obtain material from another institution within the United States (outside your own state) or send material to another institution within the United States (outside your own state), you should apply for a transport permit at the same time you apply for the import permit.

4. Permit duration, amendment, and renewal

Permits are good for one year. The Ornithological Council has previously requested that the permit duration be increased to three years. The problem is that APIE relies on permit fees for operating expenses but ornithologists have expressed willingness to pay increased fees in exchange for a longer permit duration. The suggestion has been made that the fees be doubled and permit duration be extended to three years, resulting in a 2/3 workload reduction and a 1/3 increase (per year) in fees. The Ornithological Council will continue to make this request as

occasions arise (i.e., whenever the agency is considering changing its fees, which occurs approximately every five years).

Be sure to submit the request for renewal at least 90 days prior to the expiration of the permit. The renewed permit will contain an updated list of HPAI countries that is current as of the time of permit issuance.

If you need an amendment for any reason, including a change of the named permittee, be sure to file it immediately – especially if your researchers are about to return to the United States with imports. If you need the amendment within six weeks of the date of the researcher’s planned return, you should explain the circumstances to VS, APIE (including the planned return date) and request expedited processing. If the researcher returns without the amended permit, it is likely that the imports will be confiscated and either destroyed or returned to the country of origin.

E. Transport within the United States

Once avian materials of foreign origin are admitted into the United States, there are restrictions on transport within the country.

The easiest way to understand the interstate transport rules is to regard state boundaries as the equivalent of national boundaries. In essence, the institution that originally imported the material is now functioning as an exporter to a “foreign state.”

The transport permit will specify the conditions under which the distributions may be made (e.g., whether the material must be treated prior to distribution outside the permit-holder’s state and limits on who may receive the material). For instance, material that originated in a country where vND or HPAI occurs and that was not treated prior to import can be sent only to another USDA-certified BSL2 institution unless it was treated after import.

A transport permit is not needed to return treated material to the importing institution. For untreated material, the recipient of previously imported material should have a transport permit. A blanket-style transport permit for materials from any shipper in the U.S. would cover, but not be limited to, returns. Import permits usually allow distribution of adequately treated material without a transport permit.

F. Additional APHIS documentation needed at the time of import

Entry with a permit:

If a permit is required, you will be expected to have the signed permit (VS Form 16-6A). Declare (on the Customs declaration form) that you are carrying restricted materials and be prepared to show the permit, along with the required statements or documentation specified in the permit.

Certificate of origin

A certificate of origin is acceptable in two instances:

- If your facility is USDA-certified as BSL2 and you are importing avian material from countries where HPAI does not occur but that are not certified to be free of END, the permit allows you to bring the materials in untreated.
- If your facility is not BSL2 but the material originates in one of the countries that has been declared free of END and is not a country where HPAI occurs (See Appendix D)

In either of these two instances, you will need a certificate of origin on your institution's letterhead and [signed in blue ink](#), stating:

I [name of permit holder] certify that the avian material imported under APHIS VS16-6a [permit number] on or about [date] originated in [name of country]. I further certify that it has not been exposed to or commingled with avian material from any country where HPAI occurs.

Certificate of treatment

A certificate of treatment is needed in two instances:

- All non-BSL2 institutions unless the imported material is from one of the countries certified to be free of END (see Appendix D) and is not a country where HPAI occurs
- All institutions, regardless of BSL2 status, importing avian material from countries where any form of HPAI occurs, or material that was commingled with material that originated in an HPAI country

The certificate of treatment should be on your institution's letterhead and [signed in blue ink](#), stating:

I [name of permit holder] certify that the avian material imported under APHIS VS16-6a [permit number] certify that it been treated to inactivate virus by [list the method used; it must be one of the methods listed on your permit]

Helpful hint

If you are hand-carrying your material into the United States, bring some letterhead with you when you embark on your collecting trip. If you forget to do so, have someone back in the U.S. send some by FedEx. Alternatively, the Customs and Border Protection Agricultural Quality Inspectors will also accept letterhead from the institution of your in-country collaborators or a government agency of that country, such as the agriculture agency or wildlife agency.

If you are having materials shipped from a colleague outside the United States, they would simply use their institution's letterhead.

Letter of authorization to use permit

The import permit may allow someone other than the permittee to hand-carry the material from the exporting country to the permittee's lab, if the permittee issues a letter authorizing this person to do so on their behalf. This authorization letter must be original, on letterhead, and specific to the particular shipment(s), and shall be valid for no more than 2 months from the date of issuance. Make sure the letter is dated, signed (in blue ink) and specific to the shipment (including country of export, person authorized to hand-carry and time period the hand carrier is expected to return to the U.S. and bring the materials back to the permittee's lab).

The VS, APIE cannot guarantee that the Department of Homeland Security staff at the port will accept this documentation. However, no problems have ever been reported to the Ornithological Council. As an alternative or a supplement, you can ask for a permit amendment naming the specific individual or individuals who will be carrying materials into the country. This is a more time-consuming and costly alternative.

G. Contacting VS, APHIS

The Veterinary Services APIE staff can be reached by calling (301) 851-3300, Option 4. However, it can be difficult to get through by phone due to a high call volume. The VS, APIE staff has graciously agreed to a suggestion by the Ornithological Council that you contact them by e-mail. If you use e-mail, please consider sending a copy to the Ornithological Council – this will allow us to track the kinds of questions and problems ornithologists are encountering and will make it possible for VS, APIE and the Ornithological Council to work together to resolve those problems.

Send all questions to apie@usda.gov. That box is monitored frequently, and your email will be assigned to the appropriate person for response.

To copy the Ornithological Council: laurabiesoc@gmail.com

III. REQUIREMENTS FOR THE CENTERS FOR DISEASE CONTROL

The Centers for Disease Control (CDC) requires permits for imports of infectious animal material. In addition to paperwork requirements or, potentially, the need for a permit, the requirement has implications for the manner of import, as described below.

Moving target

The entire situation with CDC, which first arose in 2019, is a moving target. The requirements, such as the pathogens of concern and accepted treatment methods are unknown; the CDC will not provide this information. Below, we describe the current requirements as verified by conference call with the CDC Import Program Staff. In January 2020, the Ornithological Council communicated with the CDC Director of the Office of Science Quality and the CDC Director of the Office of Science to request that the CDC conduct formal process to re-examine the requirements for non-living animal matter, including an assessment of the scientific basis for such wide-ranging requirements as well as a risk analysis. In April 2020, the CDC's Director of the Division of Select Agents and Toxins of the Center for Preparedness and Response responded but merely reiterated the requirements. Further requests from the OC have not yielded a substantive response.

CDC regulations define an “infectious substance” as “any material that is known or reasonably expected to contain an infectious biological agent.” (42 CFR §71.54). The CDC apparently has no list of pathogens of concern, so presumably the term includes all pathogens, even if they already occur in the United States and/or even if they are of low pathogenicity.

If you work through the CDC [e-tool](#), and answer that you do not know if the imported material is infectious to humans, then you are told you need a permit. There is no information available from the CDC about how to determine if the material might be infectious. Since the normal microbiome of virtually all animals includes some microbes that can cause zoonotic infections (i.e., salmonella), then unless all such microbes can be eliminated from the material prior to import, the logical conclusion is that the material is or could be infectious to humans.

This is contrary to their prior practice. In the past, when an emerging infectious disease that does not already occur in the U.S. posed a threat to either human health or agriculture, or both, the CDC would impose an embargo on imports. Then after the threat was assessed and it was determined if the threat was of concern primarily to human health or agriculture, responsibility for imposing and implementing import controls would be “assigned” to the CDC if the primary concern was human health and to APHIS if the primary concern was agriculture.

On 27 October 2019, a conference call was held with the CDC and VS, APIE to (1) get clarity on what the CDC is requiring for import of avian research material; (2) encourage CDC and APHIS to work together to eliminate duplication and inconsistency and reduce paperwork requirements; and (3) discuss the potential impact of the research being conducted by the Agricultural Research Service on the persistence of viruses and bacteria on dead avian material, and its implication for import policy and procedures. Below we summarize that discussion by outlining what the CDC requires.

As to HPAI and vND only, the CDC will defer to APHIS as to issues such as degree of pathogenicity, appropriate import requirements, and paperwork. Therefore, the CDC will accept the treatment methods approved by NIES for vND and HPAI. The importer should draft a CDC certification statement and include these methods as the basis of belief that the material is non-infectious. Should the NIES determine in the future, based on ongoing research and a new risk assessment by ARS, or other scientific information deemed acceptable by NIES, that vND and HPAI do not persist on non-living avian material after a certain time at ambient conditions and that therefore, this would also be an adequate basis for a certification that untreated material is not infectious as to HPAI or vND.

As to **all other zoonotic pathogens**, regardless of the presence or absence of that pathogen in the United States, the CDC requires either a **statement** confirming that the material is not known to contain or suspected of containing an infectious biological agent or has been rendered non-infectious or an **import permit** from the CDC.

The CDC recommends that the Importer Certification Statement includes the following:

- A statement the material is not known or suspected of containing an infectious biological agent or has been rendered non-infectious.
- A detailed description of the material being imported.
- One of the following:
 - Why you believe the material is not known or suspected to contain an infectious biological agent
 - How you know the material is not known or suspected to contain an infectious biological agent
 - A description of how the material was rendered non-infectious

The CDC has developed a [template form](#) as a resource for importers, which includes all the fields that should be included in the Importer Certification Statement to facilitate the importation.

NOTE: The CDC pointed out that if you can find literature about a particular pathogen or pathogens that addresses the persistence of viability on non-living material, that could certainly be the basis for your statement. The ARS microbiologist said that there should be literature of this type on a variety of pathogens, but not for most. But still - at least look for it.

NOTE: The CDC does not have and will not provide a list of acceptable treatment methods. The OC has asked the CDC to do so but the CDC has not responded except to say that it is the researcher's responsibility to determine if a treatment method will render the material noninfectious. Therefore, it is possible that your import could be rejected at the time of import if the port inspectors decide that your method of treatment is unacceptable.

Best practice

Use a method approved by APHIS VS APIE and in your CDC certificate, describe the method used and note that it is a method approved by APHIS VS APIE.

CDC Import Permit

If the importer cannot certify either that the material does not contain an infectious biological agent or cannot certify that there is no reason to suspect that it contains an infectious biological agent, then a CDC import permit is required.

There is currently no fee for this permit and it is an online application only. Applications are made through the electronic BioPermit website. In order to use that system, you must first register for a SAMS account. There is no registration form per se. Simply complete this [support request](#).

In the Category box, select Request SAMS account from the drop-down list. Once you have been registered for SAMS, [log in](#) and complete and submit your application.

Impact of CDC permit on hand-carrying imports

Under IATA regulations, if you import under a CDC infectious material permit, you may not be able to hand-carry. In FAQs on its website, the CDC says, “The issuance of an import permit is not an authorization to hand carry the imported material into the United States. The shipment of infectious biological agents, infectious substances, or vectors of human disease into the United States must be packaged, labeled, and shipped in accordance with all federal and international regulations.”

The Ornithological Council agrees that neither the CDC nor APHIS regulates the manner of transport; this is an IATA issue. However, see the ‘moving target,’ below.

The IATA Dangerous Goods manual classifies infectious substances into two categories. Category A comprises an infectious substance which is transported in a form that when exposure to it occurs, is capable of causing permanent disability, life-threatening or fatal disease in

otherwise healthy humans or animals. Infectious materials meeting these criteria which cause disease in humans or both humans and animals must be assigned to UN 2814. Infectious substances which cause disease only in animals must be assigned to UN 2900. Assignment to UN 2814 or UN 2900 must be based on the known medical history and symptoms of the source human or animal, endemic local conditions, or professional judgment concerning individual circumstances of the source human or animal. Anything classified as UN2814 or UN2900 is considered a dangerous good and must be packed by an employee trained to package this category of dangerous goods. Training is obtained by successfully completing an accredited course. The IATA manual includes a table of examples, expressly said not to be all-inclusive; it applies primarily to cultures.

Category B means an infectious substance that is not in a form generally capable of causing permanent disability or life-threatening or fatal disease in otherwise healthy humans or animals when exposure to it occurs. Infectious substances in Category B must be assigned to UN 3373. Infectious substances must not be hand carried or carried in checked-in baggage during air travel. It would seem, therefore, that if you are importing material that meets the IATA definition of an infectious good, you may not hand-carry. By definition, the issuance of a CDC permit would indicate that the import is infectious or may be infectious.

However, the fact that you have obtained a CDC permit does not necessarily mean that you can't hand-carry, because the IATA definitions are not congruous with the CDC definition. For instance, *Chlamydia psittaci* avian strains can cause human illness so if the material is not treated and you otherwise can't certify that it is not infectious, you would need a CDC permit. However, the IATA regulations apply only to cultures of that pathogen. So, for instance, if you are importing feathers that might have been taken from a bird that carried *Chlamydia psittaci*, it would not be considered an infectious substance under the IATA regulations and you should be able to hand-carry even with a CDC permit.

Moving target

Guidance released in 2023 by the CDC indicates that, the agency “will not approve applications that indicate the imported material will be hand-carried in a passenger cabin due to risks to public health and safety.” The OC has been in touch with both the CDC and DOT on this issue, but has not been able to resolve it. So, for now, a CDC permit may mean that you cannot hand carry. This document will be updated as this situation changes.

IV. REQUIREMENTS OF THE ENVIRONMENTAL PROTECTION AGENCY

As explained elsewhere, Customs and Border Protection is now acting as a gatekeeper for all the “government partner agencies” that have some role in controlling imports. As might be expected, it is challenging for the CBP staff to know and understand the regulations and requirements of 20 other agencies so sometimes mistakes are made. Such is the case with regard to the EPA’s requirement for a Toxic Substances Control Act (TSCA) certificate. In 2018, the CBP refused entry for avian research materials because the researcher did not have a TSCA certificate. The regulation [40 CFR § 720.22] pertains to “import [of] a new chemical substance into the United States for commercial purposes must submit a notice, unless the substance is excluded under § 720.30 or unless the substance is imported as part of an article. A new chemical substance is “New chemical substance means any chemical substance which is not included on the Inventory” [40 CFR § 720.3(v)].

That Inventory can be found [here](#). For purposes of regulation under TSCA, if a chemical is on the Inventory, the substance is considered an “existing” chemical substance in U.S. commerce. Any chemical that is not on the Inventory is considered a “new chemical substance.” Not surprisingly, ethanol is on the inventory.

This is a clear and classic case of the problems that can occur because of the attempt by a single agency to implement the enormously complex regulations and procedures of 20 other agencies. Fortunately, it has occurred only the one time. However, no one can predict when this might occur again. You don’t want to be standing at Customs, being told that your import is denied entry.

Fortunately, there is a very easy solution. You could, of course, try to prove to the Customs official that the TSCA regulation applies only to new chemical substances, that anything on the inventory is not a new chemical substance, and that ethanol is not on the inventory (assuming that is the substance they are concerned about). Good luck with that. A much easier solution: as it happens, there is an express exemption for research [40 CFR 720.30(i) and 40 CFR §720.36]. Of course, that means research *on* the substance, but for your purposes, the exemption will solve the entry problem. If you should be asked for a TSCA certificate, what you need is this [form](#) and a “positive certification.” According to the EPA helpline, write “R&D exemption” in the product description box. You may also write, “I certify that all chemical substances in this shipment comply with all applicable rules or orders under TSCA and that I am not offering a chemical substance for entry in violation of TSCA or any applicable rule or order thereunder.”

Alternatively, you can submit a “negative” certification: “I certify that all chemicals in this shipment are not subject to TSCA.” However, be sure to check the TSCA inventory to be sure that is true as to all the substances in the shipment.

V. IMPORT METHODS

A. Customs brokers

The import process has become considerably more complex since Customs and Border Protection became the “gate-keeper” for the nearly two dozen federal agencies that impose some form of import control, each of which has a complex set of rules for myriad products. This complexity was magnified by the development and deployment of the Automated Commercial Environment (ACE) process through which all aspects of each import must be processed. Despite the name, ACE is not limited to commercial imports. It is a declaration system for all imports. Unfortunately, individual importers do not have access to the ACE system. There is a paper version of ACE but the two forms are incredibly complex and full of jargon that only an import specialist, such as an import broker, would understand. Further, the CBP port officers are not required to accept the paper forms as they do not have the time to enter the information into ACE. Experience suggests that no ports are accepting the paper forms.

From a legal point of view, the CBP considers your imports to be merchandise because under the CBP regulations, they are not personal or household goods because they are not intended for personal use. All merchandise is subject to formal entry requirements, although the CBP regulations allow for “informal entry” for merchandise valued at less than \$2500 at the sole and virtually arbitrary discretion of the Customs officials. Informal entry is the process that ornithologists have become accustomed to over past decades: declare the wildlife to Customs, have Customs (or, in some cases, USFWS port inspectors) clear the USFWS paperwork, show the materials and permits to the Agricultural Quarantine Inspectors, and then enter the United States with the import. The problem is obvious. If for any reason the Customs official refuses to allow informal entry, you are stuck at the port with no means of filing the formal entry and your import will be refused entry.

For this reason, whether hand-carry or shipped via a courier, we strongly recommend that you consider availing yourself of the services of a customs broker. If you are hand-carrying, the customs broker will file the “formal entry” for you in advance of your arrival. Customs officials can refuse to allow an “informal entry” at the time of arrival, you would have a very difficult, stressful problem in that your import will be refused entry. If you are shipping via a courier and consign the shipment to a broker, the broker will file the formal entry and that is almost certain to prevent the problems that arise from the implementation of the incredibly complex ACE system.

The Ornithological Council strongly and highly recommends that ornithologists use [John S. Connor, Inc.](#), based in Baltimore, MD, which is a designated wildlife port. This company has worked with biologists and with the Ornithological Council for a number of years and has done an excellent job with both declarations for hand-carries and for shipped imports. Their staff has developed the requisite expertise and always reaches out to the Ornithological Council if they have any questions. Some universities and museums have their own customs brokers. That’s fine but if you prefer to use John S. Connor, the Ornithological Council can provide you with a

written explanation that you can provide to your university officials explaining why a formal entry via ACE is preferable to the “informal entry” process described in option B and why John S. Connor, Inc. is the best broker for imports of ornithological specimens and samples. In order to have John S. Connor, Inc. (or any customs broker) handle your entry declarations, you will need to sign a power of attorney. This document will be provided to you by the broker.

If you use this method, you will then provide the information on your permits and paperwork to the broker who will then handle the formal entry through the ACE system and obtain an entry number for you. Be sure you have your cell phone on and the battery charged so they can text this number to you. The Customs staff in the passenger terminals have access to the ACE system and can verify your entry number if they wish to do so.

B. In person aka “hand-carry”

“In person” is the same thing as “hand-carry.” It means that the import arrived in your personal accompanying baggage, rather than being shipped separately as cargo (whether on your passenger flight, another passenger flight carrying cargo, or on a cargo flight). From a legal point of view, the CBP considers these imports to be merchandise because under the CBP regulations, they are not personal or household goods because they are not intended for personal use. All merchandise is subject to formal entry requirements, although the CBP regulations allow for “informal entry” at the sole and virtually arbitrary discretion of the Customs officials.

If you have opted to hand-carry and have decided against using a customs broker to handle the formal entry for you, and the customs official refuses to allow you to use the informal entry method to declare your import, your options are limited. The CBP headquarters officials with whom the Ornithological Council has been discussing this problem advise, “If there is any kind of problem at all, please ask for a supervisor or “professional service manager.” Keeping calm, and being polite will no doubt be your best option. It may be possible, if you can contact a customs broker, to have the broker meet you at Customs, retrieve your import, and hold it in bond until they can take care of the formal entry, and then either return the import to you at Customs or ship it to you. This is significant stress that is best avoided; if you need a customs broker, you might as well engage the customs broker in advance rather than under these circumstances.

The advantage of hand-carry, of course, is that if you are permitted to bring the material on board (and this may not be the case, depending on airline rules pertaining to quantity and size of carry-on luggage, dry ice, ethanol, and so on), you will be assured that your material will arrive at the intended destination. However, if you must check the packages or put the material in your checked luggage, it can, of course be misdirected or lost. In that case, there may be no advantage to hand-carry and given the other challenges of hand-carry, it may be best to consider shipping by courier.

However, if you insist on hand-carrying, we again suggest you engage a customs broker to handle the declaration process for you.

1. Where to import

For APHIS purposes, you can enter through any U.S. Customs port. However, this option is of course constrained by the USFWS requirements that apply to your import.

You must come into the United States through a [designated wildlife port](#) if you are importing wildlife that requires a permits under:

- Part 16 – Injurious Wildlife
- Part 17 – Endangered or threatened wildlife and plants
- Part 18- Marine Mammals
- Part 21 – Migratory Birds
- Part 23 – CITES

The regulations provide for a designated port exemption, which was previously needed for Canadian and Mexican border ports, as none are designated as wildlife ports. However, in 2016, the USFWS decided that it would no longer issue designated wildlife port exemptions. The USFWS rescinded that decision in December 2016 but only if there are Service officers available to travel to the ports. This is an expensive proposition for importers as they must pay for Service officers' door-to-door travel. If for some reason you must drive across these borders, it may be best to ship your import before you leave to return to the United States.

If it is impractical or burdensome to enter through a designated port and you are unable or unwilling to ship your import before you leave to return to the United States, you may request a designated port exemption, as follows:

- the requested port of entry must be a Customs port (must have Customs inspectors)
- you may request an exemption for a single importation, a series of importations, or for a specified period of time (to a maximum of two years)
- you must apply to the U.S. Fish and Wildlife Service, using [Form 300-2-2](#) or online through [the eDecs system](#)
- the exemption will not be granted automatically; the USFWS makes its decision based on four factors:
 1. Whether the permit benefit a bona fide scientific research project, other scientific purpose, or facilitation of the exchange of preserved museum specimens;
 2. The kind of wildlife involved and its place of origin;
 3. The reasons why the exception is requested; and
 4. Availability of a Service officer.

You may enter through any U.S. Customs port if you are importing dead, preserved, dried, or embedded scientific specimens (including parts that are not taken as a result of sport-hunting) that do **not** require a permit under:

- Part 16 – Injurious Wildlife
- Part 17 – Endangered or threatened wildlife and plants
- Part 18 – Marine Mammals
- Part 21 – Migratory Birds
- Part 23 – CITES

Additionally, if no permit is needed for import to these locations and these locations are the final destination, you can enter through:

- Alaska: Alcan, Anchorage, Fairbanks, or Juneau.
- Puerto Rico or the U.S. Virgin Islands: through San Juan, Puerto Rico
- Guam: through Agana, Guam

2. Timing

Plan to come into the U.S Monday through Friday, during regular business hours (9am - 5pm). Avoid legal holidays. Avoid flights that are scheduled to arrive late in the day; if inspection is required, you will have to pay for overtime. You must arrange for overtime inspections in advance. If your flight is late and you do not arrive for your inspection appointment, the inspectors are not required to wait and you may end up waiting overnight at the airport. A CBP inspector may be willing to clear your import, allowing you to send your paperwork to the USFWS inspector at a later date. However, if the USFWS wants to inspect the shipment, you may have to return to the port or send the shipment back for inspection.

When you book your flights, be sure to allow plenty of time between your flight into the United States and your connecting flight to your destination, particularly if you are coming in on a weekend or holiday (which you should avoid anyway), busy travel seasons, or busy times of day.

Helpful hint

While the USFWS regulations require advance notice only for perishable shipments or live animals, in practice the USFWS permits require advance notice to the ports of at least 48 hours (some require 72 hours advance notice) for ALL imports requiring a permit. Giving advance notice is to your benefit as you may find that the port will clear your shipment in advance of your arrival unless for some reason they wish to inspect the shipment. If you send the paperwork (USFWS 3-177 and any required permits) in advance, they will likely inform you that no inspection is needed and that a Customs Officer may clear your shipment. Most, if not all designated wildlife ports will send you a form to complete with all the information they need, including your date/time of arrival, flight number, cell phone number, etc.

3. Documentation need at the port

- Documents from country of origin showing that the material was collected or obtained legally and exported legally. The former can be a scientific collecting permit for field-collected material or a loan agreement or other document from the institution that has provided collections-based material. The latter should be the appropriate export permit if one is required. The evidence showing that the material was collected or obtained legally and exported legally may be contained in one document. Read your permits carefully! Do not assume that a scientific collecting permit includes export authority. If the country of export requires a Materials Transfer Agreement, you must have that as well. Note the discussion about Nagoya documents, above. Be sure to note the information about validation of CITES permits, below.
- All required USFWS permits
- USFWS 3-177 declaration form
- APHIS VS16-6A import permit
- A certificate of origin or certificate of treatment, as applicable to your import
- A pro forma invoice (see Appendix F)

All documents **must** be written in English. When signatures are required, they must **not** be in black ink. Both USFWS and APHIS port inspectors have told importers and the Ornithological Council that if a document is signed in black ink, they can't determine if it is the original or a photocopy.

4. The declaration process

Option A (recommended): use a customs broker to do the entry declaration for you. You will have to make these arrangements in advance of leaving the United States. The Ornithological Council strongly and highly recommends that ornithologists use [John S. Connor, Inc.](#), based in Baltimore, MD. This company has worked with the Ornithological Council for a number of years and has done an excellent job with both declarations for hand-carries and for shipped imports. Their staff has developed the requisite expertise and always reaches out to the Ornithological Council if they have any questions.

Some universities and museums have their own customs brokers; that's fine but if you prefer to use John S. Connor, the Ornithological Council can provide you with a written explanation that you can provide to your university officials explaining why a formal entry via ACE is preferable to the "informal entry" process described in option B and why John S. Connor, Inc. is the best broker for imports of ornithological specimens and samples. In order to have John S. Connor, Inc. (or any customs broker) handle your entry declarations, you will need to sign a power of attorney. This document will be provided to you by the broker.

If you use this method, you will then provide the information on your permits and paperwork to the broker who will then handle the formal entry through the ACE system and obtain an entry number for you. Be sure you have your cell phone on and the battery charged so they can text this number to you. The Customs staff in the passenger terminals have access to the ACE system and can verify your entry number if they wish to do so.

Note that this entry number implies “clearance.” Any agency – usually the USFWS – can still require inspection.

Option B: Legally, you may use the “informal entry” process, which is the same process that ornithologists have been using for years. Again, it is legal but it has become increasingly challenging. There is simply no way to know in advance if the CBP officer will hold up the import for any one of myriad reasons. Most commonly, the CBP customs officers mistakenly believe that if clearance by any one of the partner government agencies is required, then informal entry is not allowed. Should this occur, you’ve got quite a problem. The Ornithological Council has had numerous meetings with two different divisions of Customs and Border Protection and has repeatedly asked for guidance to the ports or training, to no avail. The response has always been that Customs can require a formal entry process for any reason whatsoever.

The informal entry process entails completing the blue-and-white 6059B Customs Declaration form record (or the Global Entry kiosk questions, if you use Global Entry). In either case, be sure to indicate that you are bringing in wildlife (question 11b). When you hand this form to the Customs officer, the officer will ask for your USFWS 3-177 declaration form and any required permits. As USFWS port inspectors are not present in the passenger terminals, the Customs officer can clear the import. If, after you gave the required (at least) 48-hour advance notice of your arrival to the USFWS at that port, the USFWS has notified you that inspection will be required, meet the USFWS port inspector at the designated time and place. The Customs officer may also ask to see your CDC declaration. The Customs officer should also direct you to the CBP Agricultural Quarantine station where you will present your APHIS VS16-6a permit, your certificate of treatment or certificate of origin, as applicable, and your pro forma invoice. The Agricultural Quarantine specialist may opt to inspect the contents of your package. Assuming that Customs, the CBP Agricultural Quarantine specialist, and the USFWS port inspector (if you were required to meet with the inspector) have cleared your entry, you may continue your travel within the United States.

Best practice

If you need a permit amendment, obtain it before returning to the United States

Do not even think of attempting to come into a port with materials that are not listed on your Form VS 16-6A, or materials that have not been treated as required, or species that are not listed on your USFWS permit. If you do so, the materials will be confiscated and may later be

destroyed or returned to the country of origin. There is no guarantee that you will be able to retrieve materials that were returned to the country of origin. If you find that you want to bring materials that are not listed on your permit, or that have not been treated in accordance with the conditions on your permit, you **MUST** apply for and receive a permit amendment before you attempt to bring these materials into the United States.

If you completed your APHIS application as recommended above, this should not be a problem, as those instructions are intended to result in a comprehensive permit that will cover all imports and all treatment requirements, regardless of the origin of the samples/specimens.

C. Import by courier such as FedEx or freight forwarder

Materials of avian origin can be sent into the United States by courier such as FedEx or by a freight forwarder. They will automatically be directed to the courier's international shipping center where USFWS and APHIS staff are present.

From everything the Ornithological Council has learned from extensive discussions with VS, APIE staff, Customs and Border Protection staff, and the USFWS staff, it appears that using a courier or freight forwarder may be the best option as the shipments automatically go to the shipping companies' international facilities where USDA and USFWS staff are available to inspect and clear the shipments. See details regarding USFWS policies pertaining to international shipment via FedEx, UPS, and DHL, below. The one exception to this recommendation is shipment of imports that require CITES validation. It is virtually impossible to assure that a courier or a customs broker will obtain the validation and will assure that the validation is completed properly. Unless you or your shipper can arrange to have the CITES permit validated before you deliver it to the courier or freight forwarder, be cautious about shipping. In this case, personal accompanying baggage may be the better option.

On the air waybill, in the description box, write "WILDLIFE: [list any U.S. permits needed] HTS9705100090. It is critical that you use the correct Harmonized Tariff System code, which is 9705100090.

Examples:

WILDLIFE: No USFWS permits req., APHIS req. Permit enclosed. HTS9705100090

WILDLIFE: USFWS CITES; APHIS req. Permits enclosed. HTS9705100090

WILDLIFE: USFWS MBTA; APHIS req. Permits enclosed. HTS9705100090

It is also a good idea to mark two or more surfaces of the package with this information.

In the plastic document pouch, enclose:

- any foreign permits (scientific collecting, export) that are required or other documentation to prove that the material was obtained and exported legally
- any USFWS permits that are required
- USFWS 3-177 declaration form or a print-out of the e-dec (in case the USFWS law enforcement system is down when the shipment arrives)
- APHIS VS16-6a permit
- APHIS certificate of treatment or certificate of origin, as applicable
- pro forma invoice

Be sure the air waybill is on top of the other documents.

Another reason to use a customs broker -

Generally, packages sent through FedEx automatically route through Memphis, which has been designated as a wildlife port. However, FedEx can clear these shipments at any other designated wildlife port. The shipper has no means of controlling the routing of the package. This is a problem if you filed an e-dec for Memphis and FedEx decides to clear the package elsewhere, because e-decs are port-specific. If FedEx decides to clear the shipment in Miami, there will be no USFWS declaration form. You will have to track the package and if it has gone somewhere other than Memphis, you will need to withdraw the e-dec filed with Memphis and file a new e-dec for the port through which FedEx decided to clear the package.

Further, wherever the package goes, FedEx will handle the clearance, although not always properly. For these reasons, the Ornithological Council recommends using John S. Connor, Inc. or another customs broker to handle these shipments. To do this, the shipment should be “consigned” to the broker. When you file your e-dec, you would file it with Baltimore. Once the shipment arrives in the United States, FedEx will send it “in bond” to John S. Connor, Inc., who will handle the entire entry process and send the package on to you.

Helpful hint

If a colleague outside the United States is shipping material to you, prepare all the documents and packaging, ship them to your colleague along with instructions and a checklist. This will maximize the likelihood that the shipment will be accompanied by all the correct documents, properly completed.

If you are conducting research outside the United States and would rather ship your specimens and samples home rather than hand-carrying, prepare and carry the documents and shipping materials with you.

D. Import through the international mail

Current regulations (50 CFR 14.24) do not allow the use of the international mail for specimens that require permits under:

- Part 16 – Injurious Wildlife
- Part 17 – Endangered or threatened wildlife and plants
- Part 18- Marine Mammals
- Part 21 – Migratory Birds
- Part 23 – CITES

If a permit is NOT required, then the international mail may be used, although this exception applies **only** to dead, preserved, dried, or embedded scientific specimens or parts thereof, imported or exported by accredited scientists or accredited scientific institutions for taxonomic or systematic research purposes. These need not be accessioned specimens.

Moving target

The USFWS is aware that this definition is more restrictive than the definition of museum specimens for CITES and ESA purposes, and also recognizes that there are other valuable forms of research for which such material is used. The Ornithological Council has discussed with the USFWS this restrictive definition of research and has requested that the USFWS consider revising the regulation to include a broader definition of the term “research.”

In 2014, the Ornithological Council filed a formal petition for a regulatory change but the USFWS has not responded. The USFWS stated some years ago that it planned to change this definition. That has not occurred, but if it ever does, the Ornithological Council will notify the ornithological community and will update this Guide.

Under 50 CFR 14.4, an accredited scientist or accredited scientific institution is defined as: Accredited scientist means any individual associated with, employed by, or under contract to and accredited by an accredited scientific institution for the purpose of conducting biological or medical research, and whose research activities are approved and sponsored by the scientific institution granting accreditation. Accredited scientific institutions means any public museum, public zoological park, accredited institution of higher education, accredited member of the American Zoo and Aquarium Association, accredited member of the American Association of Systematic Collections, or any State or Federal government agency that conducts biological or medical research.

Most international mail facilities are located in cities that are designated ports. If your customs label and the package are properly marked, the package should route through one of these cities

and be directed to CBP for the clearance procedures. Be sure to mark the shipping label and customs form (the form from the country where the package is being shipped) as follows:

“WILDLIFE: [list any U.S. permits needed] HTS9705100090.”

Examples:

WILDLIFE: No USFWS permits req., APHIS req. Permit enclosed. HTS9705100090
WILDLIFE: USFWS CITES; APHIS req. Permits enclosed. HTS9705100090
WILDLIFE: USFWS MBTA: APHIS req. Permits enclosed. HTS9705100090

It is critical that you use the correct Harmonized Tariff System code. It is also a good idea to mark two or more surfaces of the package with this information.

NOTE: As of March 2020, the U.S. Postal Service no longer accepts hand-printed customs forms. The USPS notice says that this restriction results from international regulations. Presumably, the same rule is being implemented in all countries. Therefore, advise your shipper to use the electronic system offered by the postal service in that country, printing the completed form to include with the shipment.

In the plastic document pouch, enclose:

- Any foreign permits (scientific collecting, export) that are required or other documentation to prove that the material was obtained and exported legally
- Any required USFWS permits
- USFWS 3-177 declaration form or a print-out of the e-dec (in case the USFWS computers are down at the time the shipment arrives).
- APHIS VS16-6a permit
- APHIS certificate of treatment or certificate of origin, as applicable
- A pro forma invoice

Helpful hint

If you have requested a specimen or samples from an institution outside the United States and for some reason, you want them to use the international mail rather than Fedex, send the shipper all the completed documents (they will need to fill in the dates), a set of instructions listing the documents to be included, and a completed customs label marked as detailed above.

NOTE: If you receive a package from an institution outside the United States and there is no indication that the shipment has been cleared by the USFWS, do not open the package. Contact the nearest wildlife port for instructions regarding clearance. Failure to do so could result in

prosecution by the USFWS and/or confiscation of the shipment. It could jeopardize your ability to obtain permits or renew your COSE. Furthermore, you will not be able to export a cites specimen if you don't have proof that it was legally imported. The USFWS port inspector may allow you to send a 3-177 and clear the shipment "on the paperwork" but you may not open the package until it has been cleared by the USFWS port inspector.

E. USFWS Inspection and Clearance

Inspection means the actual, physical inspection of the shipment and accompanying paperwork [50 CFR 14.61]. The USFWS inspectors are authorized to inspect any shipment but they are not required to do so. Many ornithologists report that their shipments are not inspected. However, the paperwork is always reviewed at the port to be sure that you have a permit, or, if no permit is required, that you have proof that the materials were legally acquired in the country of origin and left to country legally. That process is known as clearance, which is mandatory, except in the case of dead, dried, or embedded scientific specimens or parts thereof, imported or exported by accredited scientists or accredited scientific institutions for taxonomic or systematic research purposes, unless the shipments require permits under Part 17 (Endangered and threatened wildlife and plants) or Part 23 (CITES).

Moving target

The Ornithological Council has asked the USFWS why this exemption is limited to specimens that will be used for taxonomic or systematic research. We pointed out that specimens are imported for other research purposes, and that other research is as worthwhile as taxonomic and systematics research. We have requested that USFWS consider revising this definition, to encompass all forms of scientific research. A formal petition was filed in 2014 asking the USFWS to revise this regulation. The agency has yet to respond.

If you are coming through a non-designated port (with a permit to do so) and no USFWS inspector is available, or if you are coming through a designated port, but the USFWS inspector is not available, a CBP inspector may clear your shipment, subject to post-clearance inspection and investigation by the Service. You may be asked to send copies of the permits and the 3-177 forms to the inspector who can then clear the shipment, even though you have already left the port of entry. You may even be asked to send the actual shipment to the nearest USFWS law enforcement office for inspection, although this is unlikely. However, because it is a possibility, you should not open the packaging until the USFWS has actually cleared the shipment.

Inspection fees:

Inspection fees are used to pay for inspection facilities, the inspectors’ salaries and benefits, the data input, maintenance, and storage of import/export information. Fees collected for shipments at other than a designated port reflect the need to pay for this non- normal request for inspection, including travel and salary costs, if necessary, and the establishment of inspection facilities and services for relatively few shipments. All base inspection fees, premium inspection fees, and overtime fees will apply regardless of whether or not a physical inspection of your wildlife shipment is performed). The current fee structure is published in the Code of Federal Regulations (CFR) at 50 CFR 14.91. These fees were last increased in 2008. For a number of years, the USFWS has stated that it is working on a new fee rule. As of March 2026, no proposed rule to increase fees had been published. It can reasonably be anticipated that when published, the new fee rule will establish a series of increases to occur over a period of years.

Service	Fee	Notes
Base inspection	\$93	
Staffed non-designated port base inspection	\$145	Only available if you have obtained a non-designated port exemption permit
Non-staffed non-designated port base inspection	\$145* <i>plus</i> all travel, transportation, and per diem costs (these costs will be prorated if multiple importers or exporters require inspection at the same time)	Only available if you have obtained a non-designated port exemption permit
Inspections after normal work hours, including Saturday and	(2-hr minimum charge plus fee for additional time): \$105 minimum + \$53/hr.	If you can arrange to have an inspector present; this must be arranged in advance
Inspections on Federal holidays	(2-hr minimum charge plus fee for additional time): \$139 min. + \$70/hr.	If you can arrange to have an inspector present; this must be arranged in advance

F. Interstate transport

No further USFWS permits are needed to carry imported materials to your final destination. However, you should carry copies of the import permits and USDA permits with you. This is particularly important if some of the species you have imported are also found in the United States.

G. Summary of USFWS import procedures

Permit type	3-177 requirement	Inspection (physical inspection and/or paperwork)	Clearance	FedEx, UPS, DHL	Int'l Mail	Which port?
USFWS (WBCA, ESA, MBTA and/or CITES, including COSE)	Must be filed at time of import	At discretion of inspector	Required except for museum specimens (unless also need ESA or CITES permit). See page 22.	Yes	No	Designated wildlife ports -or- non-designated by permit
No USFWS permits required	No later than 180 days after import	At discretion of inspector	Same as above	Yes	Yes, for museum specimens	Any U.S. customs port (See page 49 for exceptions for final destinations of Alaska, Puerto Rico, USVI or Guam)

Appendix A. Staying current on permit and procedure changes

The Ornithological Council monitors the Federal Register, the official government document in which regulatory agencies are required to publish notices of proposed and final rule changes and other official changes in policy. We also communicate with the federal agencies that issue and implement import regulations and procedural requirements on a regular basis. This is one of the services provided to you by the Ornithological Council.

We make this information available to ornithologists by:

- Posting on BIRNET in the Permits section
- Publishing notices in the AVECOL section of OrnithologyExchange.org

How to join OrnithologyExchange.org and the AVECOL discussion group:

- Go to OrnithologyExchange.org
- Click on the box in the upper right-hand corner that says “sign-up”
- Follow the instructions to create an account
- It may take 24-48 hours before your account is approved. We screen every new member to prevent spam.
- Once the account is approved, return to the OrnithologyExchange.org home page. Remember – you must be signed in. If you don’t see your name in the upper right-hand corner of the home page, it means you are not signed in.
- Click on the tab that reads “Groups”
- Scroll down to AVECOL
- Click on AVECOL and ask for permission to join. A moderator will send you an invitation to join.

We recommend that AVECOL group members share copies with their colleagues and try to assure that at least one individual at every institution where someone imports, or intends to import, is a subscriber.

Please note that you can and probably should set up your subscription so that you receive automatic notices of new content. To do so, Click on the home tab for the group. Just below the brown bar, to the right, you will see a box with the word Follow. Click on it and then click the circle that reads “send me an e-mail when new content is posted.”

Below that, it says “change how notifications are sent.” The several options allow you to reduce the number of e-mail notices.

You can even opt out of notifications at any time just by returning to the follow button and changing your options.

Appendix B: Master timeline and checklist

Don't attempt to use this checklist without reading the corresponding text!

WHEN	WHAT	PAGES
12 months prior to planned import	Determine if you need any USFWS permits	8-24
	If a CITES-listed species, ascertain that the exporting country has authority to issue permits	12-16
	If you need a USFWS import permit for CITES Appendix I species, apply for the export permit now	12-16
	If you need a USFWS import permit for an ESA species listed as endangered, apply for the import permit now	17
6 months prior to planned import	If importing untreated avian material from countries where END occurs, apply for APHIS VS16-3 permit now	25-39
3-6 months prior to planned import	Apply for any other USFWS permits	8-24
	Ascertain disease status of country or countries from which you will import	61-62
	If importing treated avian material, apply for APHIS VS16-3 permit now	25-39
	If you already have an APHIS VS16-3 permit, check the expiration date; read it to be sure you won't need any amendments; if it expires before you return, apply for a renewal at least six weeks prior to the expiration date	
	Determine how long it will take to obtain the export permits from the exporting country, apply in a timely manner to assure that you will have the permits in hand when you are ready to return to the U.S.	14-16
1-3 months prior to departure from U.S.	Make flight arrangements; be sure to choose the appropriate port and schedule your arrival for business hours, Monday- Friday (not on a legal holiday!) and allow plenty of time between flights	47
	Contact customs broker to make arrangements for entry declarations (3 months if you have not previously used the broker as you will need to provide the broker with a power of attorney)	45
	If someone outside the U.S. is shipping to you, send them a "shipping kit" consisting of the following completed documents: air waybill, any required USFWS permits, the APHIS VS16-3 permit, the APHIS certificate of treatment or APHIS certificate of origin (as appropriate), the CDC permit or certificate (as appropriate), and the pro forma invoice	52

WHEN	WHAT	PAGES
	If exporting back to U.S. on a CITES permit, be sure to determine who in the exporting country is authorized to validate your export permit and make arrangements to secure validation	14
3 weeks prior to departure to return to the U.S./shipping	Treat materials per APHIS VS16-3 permit, if required to do so	27-28
	Obtain permit amendments from USFWS and APHIS, as needed	8-39
	Be sure you have the scientific collecting permit and export permits	14-16; 19
3 days prior to departure/ shipping	If using e-decs, file the e-dec or arrange for someone to file it for you	21
	Notify, or make arrangements for someone in the U.S. to notify, the USFWS of your date and time of arrival and provide a copy of the 3-177 or the e-dec	48
	If exporting on a CITES permit, be sure to get the export permit validated	15-16
	Contact customs broker to provide copies of all required paperwork	45
Upon arrival	If using customs broker, check your text messages and/or email (as arranged with the broker) for your entry number	45
	If not using a customs broker, declare to the Customs officer that you are importing wildlife, present the permits and other documents, and follow instructions	49
After arrival (no later than 180 days)	If necessary, file 3-177 or amended 3-177.	21-22

Helpful hint

It is advisable to appoint one person to coordinate USFWS and APHIS permits, particularly if the institution has numerous researchers, postdocs, graduate students, and visiting scientists who will be importing scientific specimens. A permits coordinator can help to assure that permit applications and renewal applications are filed in a timely manner, that museum personnel and others who plan to import do not attempt to do so without the proper paperwork, and can serve as a contact with the permitting agencies.

Appendix C: Determining the disease status for a particular country or region

These lists change over time. The disease status of a country can change after your permit was issued but before you import. Please be sure to [check the status](#) before you actually import.

The following countries and/or regions are **free of Virulent Newcastle Disease** as of March 2026:

Free:

Australia	Iceland
Canada	Japan
Chile	New Zealand
Costa Rica	Switzerland (excluding the Cantons of Zurich and Jura)
Fiji	

Free, but subject to restrictions in 9 CFR 94.33 (regarding poultry):

Argentina	Mexico (States of Campeche, Quintana Roo, and Yucatan only)
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Free, but subject to restrictions in 9 CFR 94.28 (regarding live birds and poultry):

Austria	Latvia
Belgium	Lithuania
Cyprus	Luxembourg
Czechia	Malta
Denmark	Netherlands
Estonia	Northern Ireland
Finland	Poland
France	Portugal
Germany	Romania
Great Britain (England, Scotland, and Wales)	Slovakia
Greece	Slovenia
Hungary	Spain
Ireland	Sweden
Italy	

APHIS will remove a region from this list upon determining that Newcastle disease exists there based on reports APHIS receives of outbreaks of the disease in commercial birds or poultry from veterinary officials of the exporting country, from the World Organization for Animal Health (OIE), or from other sources the Administrator determines to be reliable. APHIS will add a region to this list after it conducts an evaluation of the region and finds that Newcastle disease is not likely to be present in its commercial bird or poultry populations. In the case of a region formerly on this list that is removed due to an outbreak, the region may be returned to the list if it is determined that the outbreak has been eradicated.

Highly Pathogenic Avian Influenza:

The following countries and/or regions are **affected by** HPAI as of March 2026:

Afghanistan	Kuwait
Albania	Laos
Algeria	Lebanon
Argentina	Lesotho
Azerbaijan	Liberia
Bangladesh	Libya
Belarus	Macau
Benin	Malaysia
Bhutan	Mali
Bolivia	Moldova
Bosnia and Herzegovina	Mozambique
Botswana	Myanmar
Bulgaria	Nepal
Burkina Faso	Niger
Cambodia	Nigeria
Cameroon	North Korea
China	Pakistan
Côte d'Ivoire	Palestinian Territories
Croatia	Peru
Djibouti	Philippines
Egypt	Russia
Ecuador	Saudi Arabia
Gabon	Senegal
Ghana	South Africa
Guinea	South Sudan
Hong Kong	Sudan
India	Taiwan
Indonesia	Thailand
Iran	Togo
Iraq	Turkey
Israel	Uganda
Jordan	Ukraine
Kazakhstan	Vietnam
Kosovo	Zimbabwe

Please note that this list might not include all regions for which APHIS currently imposes temporary trade restrictions due to sporadic outbreaks of animal diseases. Always check [this link](#) for the most recent list.

Appendix D: Sample pro forma invoice

NAME OF MUSEUM OR UNIVERSITY

Date: 27 January 2017

PRO FORMA INVOICE NMMSB_CL001 (develop your own system of invoice numbers consisting of the institution's acronym and the department's acronym plus sequential numbers)

<p><u>Ship to (use business address, not personal address):</u></p> <p><u>Contact person:</u></p> <p><u>Phone:</u></p>				<p><u>Delivered under:</u> If an agreement of free of charge delivery is signed by parties (shipper/receiver) put number and date of this agreement, leave blank if no such agreement is in place</p> <p><u>N/A</u></p>			
No. item	Full Detailed Description of Goods	Country of origin	Net weight/kg	Harmonized Tariff System Code	Quantity (pieces)	Retail value per unit (USD) (for customs purposes only)	Total retail value (USD) (for customs purposes only)
1.	<p>Material: Avian blood</p> <p>Intended Use: Scientific research</p> <p>Trademarks: none</p> <p>Model/part no./ serial number/ technical parameters/ chemical composition n/a</p>	<p>India</p> <p>Name of manufacturer (if available) Not applicable</p>	<p>13 tubes, each 17 grams total including tube and contents (blood samples and preservatives)</p>	<p>9705100090</p>	<p>20 tubes</p>	<p>Insert retail value. Attach proof of value if available: e.g. 1) pricelist or 2) printout from internet or 3) receipt, catalogue etc</p> <p>No retail value. Nominal value \$1.00</p>	<p>This material has no retail value</p> <p>Nominal value \$1.00</p>
A. 2	<p>Material: Avian feathers</p> <p>Intended Use: Scientific research</p> <p>Trademarks: none</p> <p>Model/part no./ serial number/ technical parameters/ chemical composition n/a</p>	<p>India</p> <p>Name of manufacturer (if available) Not applicable</p>	<p>32 feathers</p>	<p>9705100090</p>	<p>32 feathers</p>	<p>No retail value. Nominal value \$1.00</p>	<p>This material has no retail value</p> <p>Nominal value \$1.00</p>

Total price, USD		\$1.00
FREE OF CHARGE DELIVERY REASON FOR EXPORT:	Samples for scientific research	
Insurance cost, USD:	Put Insurance amount as per Insurance certificate if goods insured; n/a	
Total invoice value, USD \$1.00	Put total amount: total price, insurance amount (if goods insured) \$1.00	
Gross Weight, kg (total):	total gross weight of the shipment (should match weight on airwaybill) fill out by hand at time of weigh-in	
Signed by:	Authorized representative of consignor/shipper must put his signature here and a stamp of consignor/shippers company (if available)	

Appendix E. USFWS advance notice form

Note: Under the USFWS regulations, the advance notice is mandatory for live or perishable shipments. This form is intended for those imports. However, by permit condition, the USFWS also requires advance notice for all wildlife imports that require permits. This same form can be used to comply with the permit requirements. It is a good idea to send a copy of the 3-177 or e-dec along with this form. Mark appointment time as "n/a" unless you have been informed that an inspection is required.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
4341 International Parkway –STE 104
Atlanta, Georgia 30354
404-763-7959



48 HOUR NOTIFICATION & OVERTIME REQUEST

Complete and email this form to ATL_INSPECTORS@FWS.GOV or fax 404-366-7031

Date of Arrival/Departure: Import Export

Appointment time: AM/PM.

Overtime Requested: Yes No

Venomous Wildlife: Yes No

Any CITES and/or protected species: Yes No

eDec filed: Yes No eDec #

Importer/Exporter:

Company Name:

Broker/Forwarder:

POC: Name & Phone #:

Fax Number:

Email Address:

Wildlife/Commodity:

Number of boxes (pcs):

Airway bill or BOL #:

Flight # & ETA/ETD:

Country of Origin:

Comments:

Part 50 CFR 14.54 (a) Designated ports. All wildlife arriving at a designated port must be cleared by a Service officer prior to Customs clearance and release. When importers or their agents expect live or perishable shipments of wildlife or request inspection at the time of arrival, they must notify the Service at least 48 hours prior to the estimated time of arrival. (f) Exports. Exporters or their agents must notify the Service and make the shipment available for inspection at least 48 hours prior to the estimated time of exportation of any wildlife.

***If a request for overtime is not indicated on the notification, the shipment will be inspected and processed during normal working hours. If a Federal holiday falls on a Monday, the overtime request should be submitted by 3:30 pm on the Friday prior to the holiday.**

Appendix F. Sample attachment for VS16-3 permit application, non-BSL2

Name

Title

Name of museum or university

Phone

e-mail:

I, [name], request a non-BSL2 permit to conduct the following activities:

Import treated avian materials from various countries.

To be used for research, including:

- 1) physical manipulation of mounts and skins, including handling and measuring
- 2) biochemical and microbiological research
- 3) preparation of study skins
- 4) preparation of display mounts

To the following locations:

[Give full lab address]

The materials to be transported include some or all of the following:

Bird specimens (whole carcasses or parts of carcasses): fully prepared or partially prepared; may be dried, frozen, salted, or fluid-preserved with 10% formalin or 70% ethanol), including any skin with attached feathers (flat or round and stuffed, spread wings).

Bird skeletons (fully or partially prepared)

Bird tissues: any piece, part or subsample of a bird (unprepared or prepared; frozen, dried, or fluid-preserved): including but not limited to skin, wings, legs, partial skeletons or skulls, muscle, organs (heart, liver, kidney, lung, brain, eyes, gonads, etc), connective tissue, or bodily excretions (eye, cloacal, etc), scrapings of skin and feathers.

Blood and blood products (frozen, dried on filter paper or other media, fixed on slides, or stored in buffer or preservation solution).

Individual feathers (may include trace quantities of blood or tissue attached).

DNA, RNA, or other cellular byproducts (previously extracted from tissue/blood) or a synthetic product derived from those byproducts; frozen or stored in water, ethanol, buffer or preservation solution or alcohol).

Whole or partial egg shells including blown, partially blown, frozen, dried, salted.

Nests (may contain egg shell fragments, feathers, or other bird byproducts)

Stomach and crop contents (fluid-preserved in 10% formalin, or \geq 70% ethanol): and may include stomach or stomach lining or entire digestive track collected in addition to contents.

Treatment methods:

All materials will have been treated prior to import or transport to our lab or will have come from countries where neither END nor HPAI occurs with one of the following USDA-approved methods:

- Heat to at least 100° C for at least 20 minutes
- Heat to at least 60° C for at least 30 minutes
- Heat to at least 56° C for at least 3 hours
- Immerse in a minimum final concentration of 10% formalin/phenol (to remain immersed until import arrives at the institution)
- Immerse in 3% solution beta-Propiolactone for at least 30 minutes
- Immerse in 3% solution sodium dodecyl sulfate for at least 30 minutes
- Immerse in phenol/chloroform (no solution strength specified; material should remain immersed throughout import and until it arrives at the institution)
- Treated with proteinase K, followed by heating at a minimum of 95C for at least 15 minutes (for nucleic acids only)
- Immerse in a minimum of 70% alcohol (material should remain immersed throughout import and until it arrives at the institution)
- Place on FTA cards (liquids only)
- Fixed on slides with methanol
- Previously extracted DNA, RNA and other cellular by products will be prepared in the country of origin using phenol/chloroform methods that will completely destroy the cells and infectious agents likely to be present. The results will be completely sterilized and unrestricted.

Individuals authorized to use the permit

I request that the permit include the condition, "This permit entitles anyone affiliated with the institution to use this permit" upon showing of identification and with the written authority of the permit holder.

Request to be permitted to import in personal baggage

We request a permit condition that allows us to carry materials imported under this permit in personal baggage.

Appendix G. Sample attachment for VS16-3 permit application, BSL2

Name

Title

Name of museum or university

Phone

e-mail:

I [name] request issuance of a BSL2 VS16-3 import permit to conduct the following activities:

- Import untreated avian materials from countries where END occurs.
- Import untreated avian materials from countries where neither END nor HPAI occurs.
- Import treated avian materials from countries/regions where HPAI occurs.

Please schedule an inspection for [your lab(s)].

Located at:

Name of institution or museum

Full address

To be used for research, including:

- 1) physical manipulation of mounts and skins, including handling and measuring
- 2) biochemical and microbiological research
- 3) preparation of study skins
- 4) preparation of display mounts

The materials to be imported and transported include some or all of the following:

Bird specimens (whole carcasses or parts of carcasses): fully prepared or partially prepared; may be dried, frozen, salted, or fluid-preserved with 10% formalin or 70% ethanol), including any skin with attached feathers (flat or round and stuffed, spread wings).

Bird skeletons (fully or partially prepared)

Bird tissues: any piece, part or subsample of a bird (unprepared or prepared; frozen, dried, or fluid-preserved): including but not limited to skin, wings, legs, partial skeletons or skulls, muscle, organs (heart, liver, kidney, lung, brain, eyes, gonads, etc), connective tissue, or bodily excretions (eye, cloacal, etc), scrapings of skin and feathers.

Blood and blood products (frozen, dried on filter paper or other media, fixed on slides, or stored in buffer or preservation solution).

Individual feathers (may include trace quantities of blood or tissue attached).

DNA, RNA, or other cellular byproducts (previously extracted from tissue/blood) or a synthetic

product derived from those byproducts; frozen or stored in water, ethanol, buffer or preservation solution or alcohol).

Whole or partial egg shells including blown, partially blown, frozen, dried, salted.

Nests (may contain egg shell fragments, feathers, or other bird byproducts)

Stomach and crop contents (fluid-preserved in 10% formalin, or $\geq 70\%$ ethanol): and may include stomach or stomach lining or entire digestive track collected in addition to contents.

For materials that are required to be treated (i.e., from countries or regions where HPAI is present), we will treat avian material from countries and regions where END and/or HPAI is present with one of the following USDA-approved methods:

- Heat to at least 100° C for at least 20 minutes
- Heat to at least 60° C for at least 30 minutes
- Heat to at least 56° C for at least 3 hours
- Immerse in a minimum final concentration of 10% formalin/phenol (to remain immersed until import arrives at the institution)
- Immerse in 3% solution beta-Propiolactone for at least 30 minutes
- Immerse in 3% solution sodium dodecyl sulfate for at least 30 minutes
- Immerse in phenol/chloroform (no solution strength specified; material should remain immersed throughout import and until it arrives at the institution)
- Treated with proteinase K, followed by heating at a minimum of 95C for at least 15 minutes (for nucleic acids only)
- Immerse in a minimum of 70% alcohol (material should remain immersed throughout import and until it arrives at the institution)
- Place on FTA cards (liquids only)
- Fixed on slides with methanol
- Previously extracted DNA, RNA and other cellular by products will be prepared in the country of origin using phenol/chloroform methods that will completely destroy the cells and infectious agents likely to be present. The results will be completely sterilized and unrestricted.

Individuals authorized to use the permit

I request that the permit include the condition, "This permit entitles anyone affiliated with the institution to use this permit" upon showing of identification and with the written authority of the permit holder.

Request to be permitted to import in personal baggage

We request a permit condition that allows us to carry materials imported under this permit in personal accompanying baggage.

Appendix H: Shipping in ethanol and other "dangerous goods"

Perhaps the most important thing to know about this topic or any shipping topic is that nearly every university and museum has a shipping department whose staff are conversant with the various regulations and who have the requisite training to ship dangerous goods. You need not become an expert in international shipping restrictions or obtain special training; consult with the institution's shipping department and/or let them handle the shipping.

Ethanol in shipments by air

Over the years, there has been great confusion about the legality of shipping in ethanol. Under the aegis of the Society for the Preservation of Natural History Collections (SPNHC), Andrew Bentley, Ichthyology Collections Manager at the University of Kansas Biodiversity Institute in Lawrence, Kansas sorted it all out and this summary is taken from his longer document, posted on the SPNHC website [here](#).

In 2011, new regulations were put in place in the IATA Dangerous Goods manual that specifically addresses natural history specimen shipments. Although IATA still considers ethanol to be "dangerous goods, under this 2001 regulation, ethanol is now exempt in "excepted quantities" and if packaged as detailed in the regulation.

This is an amendment termed IATA SP A 180 which states:

A180 – Non-infectious specimens, such as specimens of mammals, birds, amphibians, reptiles, fish, insects, and other invertebrates containing small quantities of UN 1170, UN 1198, UN 1987, or UN 1219 are not subject to these Regulations provided the following packing and marking requirements are met:

- (a) specimens are:
 - 1. wrapped in a paper towel and/or cheesecloth moistened with alcohol or an alcohol solution and then placed in a plastic bag that is heat-sealed. Any free liquid in the bag must not exceed 30ml; or
 - 2. Placed in vials or other rigid containers with no more than 30ml of alcohol or an alcohol solution;
- (b) the prepared specimens are then placed in a plastic bag that is then heat-sealed;
- (c) the bagged specimens are then placed inside another plastic bag with absorbent material then heat-sealed;
- (d) the finished bag is then placed in a strong outer packaging with suitable cushioning material;
- (e) the total quantity of flammable liquid per outer packaging must not exceed 1L; and
- (f) the completed package is marked "scientific research specimens not restricted Special Provision A 180 applies."

U.S. Postal Service: The USPS letter of interpretation, packages can now be sent internationally as long as they conform to the requirements of the International Mailing Manual (IMM). The IMM lists requirements by country including lists of prohibited materials. As long as flammable liquids or preserved animals or plants do not appear on the list then the USPS can be used to ship materials.

1. Class 3 dangerous goods (all packing groups) are acceptable.
2. As above, each inner receptacle may not contain more than 30 mL while the same construction, liquid full and closure security regulations apply.
3. Each inner receptacle must be placed within a securely sealed secondary package.
4. Sufficient cushioning and absorbent material (that will not react chemically with the dangerous goods) must surround each inner receptacle and be capable of absorbing the entire contents of the receptacle.
5. The same package drop and compressive load test regulations as above apply.
6. IATA regulations state that each inner receptacle must be placed within a securely sealed secondary packaging the total contents of which may not exceed 500 mL for Packing Group II liquids and 1 liter for Packing Group III liquids.

All three major courier services (FedEx, UPS, and DHL) accept dangerous goods in excepted quantities for international delivery and waive their normal dangerous goods surcharges for packages containing excepted quantities. All three couriers do, however, only accept dangerous goods on a contract or pre-approval basis and will only accept dangerous goods in boxes (no envelopes). FedEx has the added stipulation that the box must measure at least 7" x 4" x 4". All three companies will only ship dangerous goods to approved countries as there are various countries within which they are prohibited from shipping (due in part to these countries not adopting IATA dangerous goods regulations for domestic transport). This means that the courier could deliver a package to the designated international airport but no further. There are also various countries where the shipment is allowed but only to certain regions or postal codes. The list of countries to which this applies changes constantly therefore the courier should be contacted for an up-to-date list.

The words "not restricted" and the special provision number A180 must be included in the description of the substance on the Air Waybill as required by 8.2.6 when an Air Waybill is issued.

Although it is widely believed that reducing the concentration of alcohol below 24% renders specimens outside of the scope of dangerous goods regulations, from Tables 1 and 2 this is clearly not the case. Even at concentrations of 10%, both ethanol and isopropanol fall within the bounds of Packing Group III (flashpoints greater than 23°C and less than 60°C). The confusion stems from passages in the IATA regulations (Section 2.3) pertaining to beverage alcohol which states that "alcoholic beverages containing 24% or less alcohol by volume are not subject to any restrictions." This regulation only pertains to beverage alcohol in retail packaging and cannot be used for natural history specimens.

Ethanol in transport in personal baggage as carry-on or checked luggage

With so many variables and so many different people and organizations to deal with, there are inevitably differences in interpretation of regulations and for these reasons, he recommends against attempting transporting specimens onboard an airplane. In the majority of cases, it is easier and safer to send the specimens by courier. Shipping by air via FedEx (or another carrier, or even a freight forwarder) and consigning to John S. Connor in Baltimore, as detailed above, is probably the most fail-safe method for imports as of 2020.

Nonetheless, DOT defines small quantities as non-hazardous, so these quantities are allowed in hand and checked baggage on domestic flights. However, they must be declared to the airline staff before boarding. The final decision as to whether or not to accept these packages is made by the pilot of the aircraft being boarded, thus you may be denied permission to carry the package onboard at the last minute. Whether or not the package will be allowed onboard varies from flight to flight and from airline to airline. Some individuals have suggested simply pouring off the excess liquid preservative before flying but there is no guarantee that this will be acceptable and it has yet to be determined whether removing liquid alcohol from specimens and carrying them “dry” would negate the need to declare these as dangerous.

In 2013 specific regulations were put in place for carrying scientific research specimens as hand and checked baggage in the IATA manual. In Section 2.3 – Dangerous Goods Carried by Passengers and Crew, a Section 2.3.5.14 has been added that states:

2.3.0 General

2.3.0.1 Dangerous goods, including excepted packages of radioactive material, must not be carried by passengers or crew:

- as or in checked baggage;
- as or in carry-on baggage; or
- on their person;

except as noted in 2.3.2 to 2.3.5

2.3.5 Goods Acceptable **without** the Operator's Approval

2.3.5.14 Non-infectious specimens packed with small quantities of flammable liquids

In checked or carry-on baggage non-infectious specimens, such as specimens of mammals, birds, amphibians, reptiles, fish, insects, and other invertebrates containing small quantities of flammable liquids provided that the requirements of Special Provision A180 are complied with.

However, it is important to note that TSA regulations in the United States override any other regulations so if you are boarding a plane in the United States, if you intend to keep your import in carry-on, you will be limited to the 3.4oz (100ml) containers which must fit in a quart-sized zip lock bag.

Quantities exceeding the “excepted quantities” rules

Ethanol is considered a "dangerous good" under international shipping regulations. Shipping dangerous goods by air presents particular problems. International shipments must comply with both the International Civil Aviation Organization (ICAO) technical instructions as well as national regulations. In order to meet commercial standards, shippers are also required to meet the International Air Transport Association (IATA) Dangerous Goods Regulations.

The ICAO governs the implementation and adoption of standard aircraft shipping and packaging regulations by both the Department of Transportation (DOT) in the United States and IATA internationally. DOT regulations are unique to the United States. Other countries have similar domestically enforced regulations while a large number rely on IATA regulations for both domestic and international regulations. Domestic shipments sent through the mail within the United States must also conform to United States Postal Service (USPS) regulations while courier shipments (FedEx, UPS, and DHL) must conform to the individual company’s specific regulations (which for the most part follow DOT or IATA regulations). USPS and private courier regulations must meet or exceed the DOT or IATA regulations respectively; in many instances they are more restrictive. It is important to consult the original texts of both the DOT and IATA regulations before shipping although this is probably best left to the staff of the institution's shipping departments. USPS and DOT regulations are available online but are labyrinth and difficult to follow and interpret. The IATA regulations must be purchased although individual sections can often be found online. Again, though, it takes a degree of expertise to find and interpret the information.