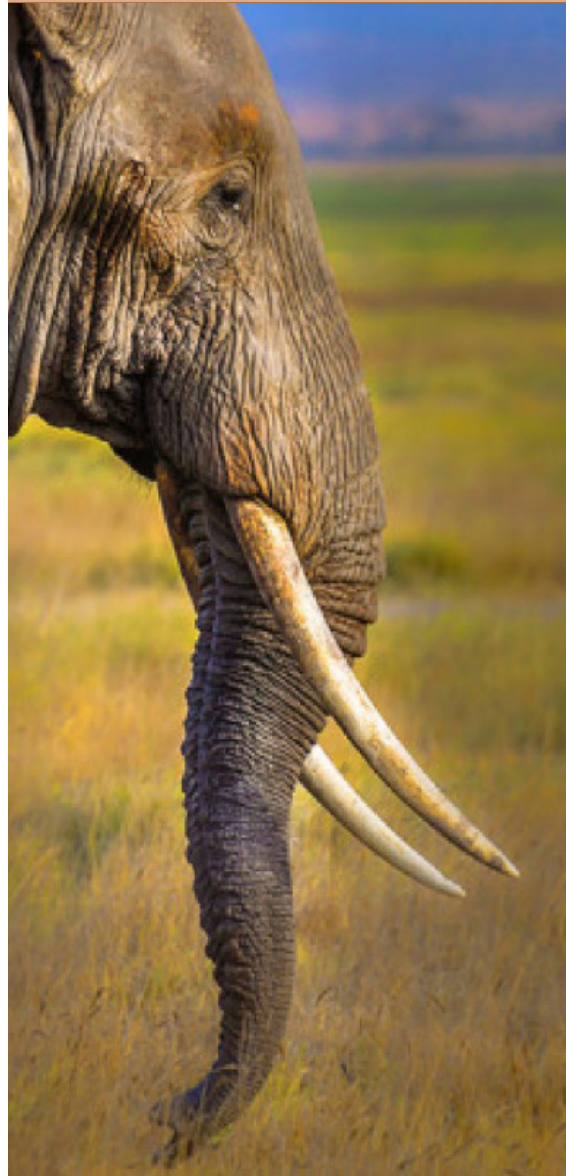




# Washington Animal Trafficking Act And what it means for you



**Wildlife trafficking – the illegal trade of animal products –** is a problem that threatens the existence of animal species around the world. From business owners to tourists browsing shops while on vacation, many people unwittingly support wildlife traffickers by purchasing products that contain parts from threatened or endangered wildlife, driving these species closer to extinction.

### Why Washington?

With over 7 million culturally diverse people, two of the busiest ports in the U.S. and a major international airport, Washington is an enticing destination for the importation and transport of illegal products, a multibillion-dollar business that supports criminal organizations around the world.

To combat this trafficking, Washington voters in November 2015 passed Initiative 1401 – also known as the Washington Animal Trafficking Act (WATA) – which prohibits the trafficking of parts and products from 10 endangered animal groups. The Washington Department of Fish and Wildlife (WDFW) has been tasked with enforcing WATA and helping the public better understand this new law (RCW 77.15.135).

### What does WATA do?

WATA makes it illegal in Washington state to sell, offer to sell, purchase, trade, barter for, or distribute (including giving as a gift) any animal species part or product covered under the law. WATA provides WDFW Police with the authority to protect certain species of 10 of the world’s most illegally traded endangered groups of animals:

- |           |            |                |
|-----------|------------|----------------|
| Elephants | Sharks     | Marine turtles |
| Tigers    | Rhinoceros | Rays           |
| Leopards  | Lions      |                |
| Pangolins | Cheetahs   |                |

The law only covers particular species of these animals listed as threatened, endangered, or critically endangered in the International Union for Conservation of Nature (IUCN) Red List, or included in Appendices I and II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

CITES is an international agreement between governments, with the goal to ensure that international trade in wild animals and plants does not threaten their survival, while the IUCN Red List catalogs plants and animals facing a high risk of global extinction. Even though most of these animals are non-native to Washington and much of America, people in Washington can have a direct impact on the demise of these imperiled species.



### Role of WDFW Police

WDFW Police are the primary enforcers of WATA. The department specializes in investigating illegal trade in natural resources, and have a presence at border crossings, marine terminals, and airports. Officers may routinely visit businesses that could potentially be involved in the illegal trafficking of natural resources. Under RCW 77.15.096, Fish and Wildlife officers have unique inspection authority to make sure businesses are not in violation.

WDFW Police work with other agencies, such as the U.S. Fish and Wildlife Service, NOAA OLE National Marine Fisheries Service and U.S. Customs and Border Protection, to identify violations and share resources.

### How can you help?

It’s simple: don’t purchase these wildlife products. Even the small trinkets that seem harmless still create a demand. Be informed about what you are buying and what species of seafood you are eating. The goal is to help protect natural resources, including animals such as rhinos, elephants and pangolins, even if they are thousands of miles away.

If you come across a covered animal species being sold or distributed, whether in a store or online, please report it to WDFW Police at 877-933-9847 or online at [wdfw.wa.gov/enforcement/reporting\\_violations](http://wdfw.wa.gov/enforcement/reporting_violations).

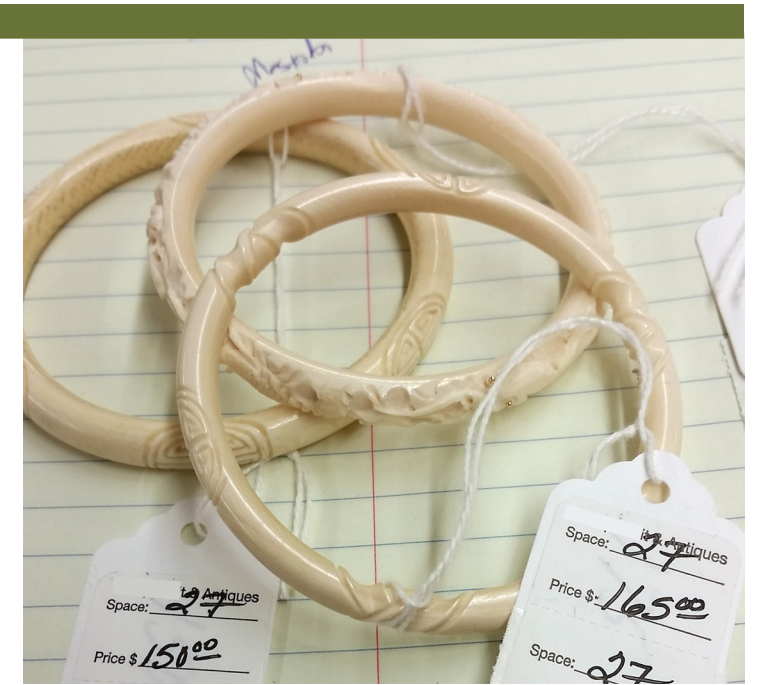
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## What are the penalties for violating WATA?

A first-degree violation of WATA may result in a Class C felony, punishable by up to five years in prison and a \$10,000 fine. A second-degree violation may result in a gross misdemeanor, punishable by up to 364 days in prison and a \$5,000 fine. Additionally, any property or equipment used in relation to a wildlife trafficking crime may be seized.



## Exceptions to WATA

Some very specific animal parts or products remain legal under WATA, including:

- A musical instrument containing a covered animal species part that is less than 15 percent by volume of the instrument;
- An antique that is at least 100 years old (the owner must provide proof with historical documentation) and the covered animal species part is less than 15 percent of the antique by volume;
- If a covered animal species product is transferred to a legal beneficiary through inheritance upon death;
- If a covered animal species product is transferred for a bona fide educational or scientific purpose, or to or from a museum.

*Example:* A souvenir store sells a mounted elephant, with a plaque affixed that reads “Shot on safari by Theodore Roosevelt, 1909.” The store can produce photos demonstrating that the trophy has been displayed in the store for 100 years. Because the elephant is more than 15% of the volume of the antique, the sale of the item is a violation of WATA despite the age of the item.

## Who is affected?

- **Businesses** – A variety of businesses may be affected by WATA. For example, a wholesale seafood company that imports sharks or rays for consumption can no longer sell specific species protected by WATA. In addition, an antique or auction business that has elephant ivory or other hunting trophies made from an animal species covered under WATA can no longer sell, offer to sell, trade, barter for or distribute those items, unless they meet a legal exception.
- **Private citizens** – WATA does not prohibit the possession of covered animal species parts or products, as long as the part or product was not obtained after the law went into effect. However, people can no longer sell, offer to sell, trade, barter for, or distribute any covered animal species part or product in Washington state.

**If you come across a covered animal species being sold or distributed, whether in a store or online, please report it to WDFW Police at 877-933-9847 or online at [wdfw.wa.gov/enforcement/reporting\\_violations](http://wdfw.wa.gov/enforcement/reporting_violations).**



## Covered Animals Species Parts and Products

Examples of commonly trafficked animal parts include elephant tusk/ivory, rhinoceros horn, lion skin, and mounted hunting trophies of tigers, lions, leopards, or cheetahs.

Whether elephant ivory predates federal law banning its trade (known as “pre-ban” ivory) or not has no effect on WATA. Under WATA, the sale, offer to sell, purchase, trade, barter for, or distribution of elephant ivory is illegal no matter when or where the ivory was obtained. Other types of ivory – such as walrus, narwhal, hippopotamus, mammoth or mastodon – may be difficult to differentiate from elephant ivory and it is the responsibility of the seller and purchaser to make sure the ivory they have is legal to sell.

In addition to Washington state requirements, federal law regulates the transfer or importation of parts or products made from endangered animal species. All federal requirements must be followed in addition to state regulations.

