



Ivory Trade: Distinctions between African elephant and walrus, mastodon, mammoth

1. What has changed with regard to the regulation of ivory in the United States?

On July 6, 2016, Executive Order 13648 was signed implementing a near-total ban on commercial trade in African elephant ivory in the United States. Recent changes to regulations only impact African elephants and African elephant ivory. Asian elephants and parts or products from Asian elephants, including ivory, are regulated separately under the Endangered Species Act.

Ivory from marine species, such as walrus, is also regulated separately under the Marine Mammal Protection Act (16 U.S.C. 1361 et seq.) and is not affected by the new regulations. Ivory from extinct species, such as mammoths, is not regulated under statutes implemented by the Service. It is important for sellers to know the species involved so that they can determine what regulatory requirements apply.

It is also important to note that the new regulations do not restrict personal possession of African elephant ivory. If you already own African elephant ivory—an heirloom carving that's been passed down in your family, or a vintage musical instrument with ivory components, those pieces are yours to keep.

2. Elephants aren't found here, so why does the U.S. have a role in restricting the trade of African elephant ivory?

African elephants are being poached at unprecedented levels to supply the illegal ivory trade, and the United States is among the largest markets. We have implemented this near-total ban to ensure that U.S. domestic markets do not contribute to the decline of elephants in the wild.

Each year, more than 30,000 African elephants are killed for their ivory. The dramatic increase in elephant poaching and illegal ivory trade threatens elephant

populations. According to a 2014 report from the International Union for Conservation of Nature (IUCN), about 1,000 park rangers tasked with protecting elephants were killed between 2004 to 2014. These rangers stand on the front lines of a war being lost. With elephants and humans as casualties, a new solution must be found. The cause and effect are clear: If we can reduce demand, we will reduce poaching.

3. How do these new efforts designed to combat wildlife trafficking impact trade in walrus, mammoth, and mastodon ivory in the U.S?

No new federal laws or regulations have been created or changed to limit the take of walrus or sale of walrus ivory in the United States. Because mammoth and mastodon species are extinct, there are no federal laws or regulations that protect their remains. However, to prevent damage to resources, there are existing regulations enforced by federal land management agencies that prohibit collection, excavation, and transportation of these items on specific federal areas.

Some states have passed laws, or are considering new legislation that may limit sales of ivory, which may include walrus, mammoth and mastodon, within their borders. However, many state laws specifically exempt activity provided for by federal law, such as the Alaska Native exemption to the Marine Mammal Protection Act.

4. What is the U.S. Government doing to inform the public about legal sources and sales of ivory products?

Although ivory from the different species is similar in appearance, it can be properly identified in most situations. Mammoth, mastodon and elephant ivories are most similar to each other; however, it is easier to distinguish walrus ivory from other species.

The U.S. Fish and Wildlife Service has developed educational materials that will help inform the public of the harm buying

and selling illegal African elephant ivory can have on this iconic species. We are also working with our partners, including the Indian Arts and Crafts Board, the State of Alaska, the Eskimo Walrus Commission and Kawerak, Inc. to ensure that legal and legitimate wildlife commerce is recognized, and to increase awareness of the provisions of the Marine Mammal Protection Act, which allow Alaska Native peoples to take marine mammals, fashion their parts into handicrafts, and for those handicrafts to be sold in legal commerce.

Learn more about:

Executive Order 13648: www.gpo.gov/fdsys/pkg/FR-2013-07-05/pdf/2013-16387.pdf

African elephant ivory ban: www.fws.gov/international/pdf/questions-and-answers-african-ivory-ban-final-rule.pdf

Endangered Species Act: www.fws.gov/international/laws-treaties-agreements/us-conservation-laws/endangered-species-act.html

Marine Mammal Protection Act: www.fws.gov/International/laws-treaties-agreements/us-conservation-laws/marine-mammal-protection-act.html

Alaska Native exemption to the Marine Mammal Protection Act: www.fws.gov/international/travel-and-trade/traveling-to-alaska.html

How to distinguish walrus ivory: www.fws.gov/lab/ivory_natural.php#elephant

More information for the public: www.fws.gov/international/travel-and-trade/ivory-ban-questions-and-answers.html