

105TH CONGRESS
1ST SESSION

S. 361

To amend the Endangered Species Act of 1973 to prohibit the sale, import, and export of products labeled as containing endangered species, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 26, 1997

Mr. JEFFORDS introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Endangered Species Act of 1973 to prohibit the sale, import, and export of products labeled as containing endangered species, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rhino and Tiger Prod-
5 uct Labeling Act”.

6 **SEC. 2. PROHIBITION ON SALE, IMPORT, AND EXPORT OF**
7 **PRODUCTS LABELED AS CONTAINING ENDAN-**
8 **GERED SPECIES.**

9 (a) FINDINGS.—Congress finds that—

1 (1) the populations of several magnificent and
2 unique endangered species, such as the Indian rhi-
3 noceros, the Javan rhinoceros, the African black rhi-
4 noceros, and all of the tiger subspecies, are declin-
5 ing;

6 (2) growing demand throughout the world for
7 wildlife and wildlife parts and products has created
8 a market in which commercial exploitation has
9 threatened certain wildlife populations;

10 (3) there are insufficient legal mechanisms ena-
11 bling the United States Fish and Wildlife Service to
12 forcefully interdict products that are labeled as con-
13 taining endangered species and prosecute the mer-
14 chandisers for sale or display of the products; and

15 (4)(A) although approximately 77,000 import
16 and export shipments occur annually in the United
17 States, the United States Fish and Wildlife Service
18 is able to maintain only 92 wildlife inspectors at 30
19 ports of entry, including 13 designated ports, to
20 monitor the shipments; and

21 (B) wildlife inspectors are able to physically in-
22 spect an estimated 5 to 10 percent of all shipments,
23 making the detection rate of contraband wildlife
24 products extremely low.

1 (b) PROHIBITION.—Section 9(a) of the Endangered
2 Species Act of 1973 (16 U.S.C. 1538(a)) is amended—

3 (1) in paragraph (1)—

4 (A) in subparagraph (A)—

5 (i) by striking “(A)” and inserting
6 “(A)(i)”;

7 (ii) by adding “or” at the end; and

8 (iii) by adding at the end the follow-
9 ing:

10 “(ii) import any product labeled as containing
11 any such species or any species of fish or wildlife
12 listed in Appendix I to the Convention into, or ex-
13 port any such product from, the United States;”;
14 and

15 (B) in subparagraph (F), by inserting be-
16 fore the semicolon the following: “or any prod-
17 uct labeled as containing any such species”; and

18 (2) in paragraph (2)—

19 (A) in subparagraph (A)—

20 (i) by striking “(A)” and inserting
21 “(A)(i)”;

22 (ii) by adding “or” at the end; and

23 (iii) by adding at the end the follow-
24 ing:

1 “(ii) import any product labeled as containing
2 any such species or any species of plant listed in Ap-
3 pendix I to the Convention into, or export any such
4 product from, the United States;” and

5 (B) in subparagraph (D), by inserting be-
6 fore the semicolon the following: “or any prod-
7 uct labeled as containing any such species”.

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