

Two of the above species, Goffin's and red-vented cockatoos, were listed on CITES Appendix I at the 1992 Meeting of the Conference of the Parties to CITES (see *TRAFFIC USA* vol. 11, no. 3, August 1992), so were already prohibited from commercial international trade.

The law provides general authority for the Secretary of the Interior to establish import quotas for all CITES-listed species until the general moratorium goes into effect after one year. Under the law, the Secretary will review problems associated with non-CITES birds in trade and potentially restrict their imports on a case-by-case basis. The law also establishes the Exotic Bird Conservation Fund, which will provide financial support for field studies and development of management programs for traded birds.

In a *Federal Register* notice of 4 December 1992, the U.S. Fish and Wildlife Service announced import quotas for all CITES-listed bird species, based on numbers that were officially imported in 1991. The notice also makes a general request for information from foreign countries on their wild bird trade and management programs.

(U.S. Department of the Interior news release, 27 October 1992; *Federal Register*, 4 December 1992)

## ELEPHANT ESA STATUS UNCHANGED

The U.S. Fish and Wildlife Service announced on 10 August 1992 that the African elephant (*Loxodonta africana*) will remain listed as threatened rather than reclassified to endangered under the U.S. Endangered Species Act. According to FWS, over-exploitation of elephants, which so severely affected their populations in the 1970s and 1980s, has been effectively controlled in many areas through anti-poaching

campaigns and the ivory trade ban imposed in 1989. FWS believes that many elephant populations have stabilized and some are increasing. The current African elephant population numbers approximately 600,000 animals over a 2-million-square-mile area of habitat.

Most African elephant products remain prohibited from import to the United States under another law, the African Elephant Conservation Act, because of problems distinguishing legal and illegal products in trade.

(U.S. Department of the Interior news release 10 August 1992)

## ILLEGAL IVORY IMPORT UPDATES

Kenneth A. Loff, a U.S. Department of State senior Foreign Service Officer, pled guilty on 23 October 1992 in Baltimore, Maryland to illegally importing ivory into the United States, a violation of the African Elephant Conservation Act. Acting on a tip, U.S. Customs inspectors at the port in Baltimore discovered ivory pieces valued at over \$60,000 among Loff's household goods. Loff purchased the ivory while stationed at the U.S. embassies in South Africa and Zaire between 1985 and 1988. On 10 December 1992, Loff, a resident of Stafford, Virginia, was fined \$1,000 in federal court in Baltimore, forfeited the ivory collection, and has had his security clearance lifted at the State Department.

(*Washington Post*, 23 October 1992, 11 December 1992)

A similar case, involving an investigation by U.S. Customs and Fish and Wildlife Service agents, culminated in the conviction of Ricardo Linares on 24 September 1992 in the Southern District of Florida. Linares was found guilty of smuggling \$15,000 worth of worked African elephant ivory from Nigeria into Miami in 1990 for purposes of

illegal commerce, in violation of the African Elephant Conservation Act, the U.S. Endangered Species Act, and smuggling statutes. He faces a maximum penalty of five years in jail and up to \$250,000 in fines.

(U.S. Department of Justice news release, 24 September 1992)

## SANCTIONS URGED ON RHINO-TRADING COUNTRIES

On 12 November 1992, World Wildlife Fund-US (WWF) and the National Wildlife Federation (NWF) petitioned the U.S. government to certify four consumer countries that have done little to stop illegal trade in rhino horn—South Korea, China, Taiwan, and the Republic of Yemen—as violators of the Pelly Amendment, and urged the government to impose wildlife trade sanctions on them. International trade in rhino horn has been prohibited by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) since 1977.

The African population of the black rhino (*Diceros bicornis*) has plummeted from 65,000 in 1970 to less than 1,500 today. This decline is attributed mostly to the demand for rhino horn for use in Asian medicinals and as dagger handles in the Middle East.

Under the Pelly Amendment to the Fisherman's Protective Act of 1967, the United States can ban direct imports of wildlife products from countries that undermine the effectiveness of CITES. The law requires the Secretary of Commerce or the Interior to certify to the President that a particular country is in violation of the law. The President must then decide within 60 days whether the United States should impose wildlife trade sanctions.

On 19 November, the Government of Taiwan announced a new proclamation banning immediately the

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import, export, and sale of all rhino horn and rhino horn products. This significant move was welcomed by U.S. authorities.

(WWF-US press release, 12 November 1992: U.S. Department of State)

## CROCODILE SCAM UNCOVERED

In an investigation that began in August 1991, a U.S. Fish and Wildlife inspector found 47 baby dwarf (*Osteolaemus tetraspis*) and Nile crocodiles (*Crocodylus niloticus*) concealed in two boxes labeled "land crabs" in a wildlife shipment at JFK airport in New York. Agents let the shipment continue on to its destination, S&S Imports in Worthington, Ohio, where they arrested Richard Stubbs of Lagos, Nigeria, and Ricky Duffield of Miami, Florida.

The dwarf crocodile is listed as endangered under the U.S. Endangered Species Act and on CITES Appendix I, while some populations of Nile crocodiles—notably those of West Africa—have the same protection.

On 30 November 1992, U.S. District Judge Sandra Beckwith sentenced Richard Stubbs to 12 months in federal prison, while his partner, Ricky Duffield, received a 14-month prison sentence and a concurrent 14 months for aiding and abetting. Duffield will serve 7 months of his sentence at home wearing an electronic bracelet to monitor his activities. Both men were fined \$5,000 for violating federal smuggling statutes. This case was prosecuted by Assistant U.S. Attorney Robyn Jones of the Southern District of Ohio.

The baby crocodiles were taken to the Columbus Zoo, and those that survived were eventually returned to Nigeria.

(*The Columbus Dispatch*, 1 December 1992)



The timber wolf (*Canis lupus*) is one of several species involved in an undercover investigation exposing illegal take in Alaska. (Andrea Gaski/TRAFFIC USA)

## BIG-GAME BUST IN ALASKA

On 5 December 1992, following a two-year undercover operation, U.S. Fish and Wildlife Service (FWS) law enforcement agents in Alaska arrested six licensed big-game guide outfitters and assistants, charging them with numerous offenses, including the use of airplanes and snow machines to illegally take wolves (*Canis lupus*), grizzly bears (*Ursus arctos horribilis*), moose (*Alces alces*), and caribou (*Rangifer tarandus*). Other charges include conspiracy, export and sale of wildlife taken and possessed in violation of state and federal laws, and violations of the Lacey Act, the Airborne Hunting Act, and the National Wildlife Refuge Act. Agents seized eight airplanes, worth approximately \$340,000, as well as vehicles and wildlife trophies.

The investigation, code-named "Operation Brooks Range," involved more than 70 agents, including officials from FWS, the New York State Department of Environmental Conservation, and the Wisconsin Department of Natural Resources. Arrest and search and seizure warrants were served in Kotzebue, North Pole, Fairbanks, Palmer, and Anchorage Alaska, and in the states of Washington, Idaho, Texas, and Arizona.

The following persons have been charged in the indictments: Donald G. Troutman of North Pole, Alaska, and Arizona (16 counts, including 7 felonies), Lloyd E. Harvey of British Columbia (6 counts, including 2 felonies), Thomas W. Sullivan of Idaho, (5 counts, including 3 felonies), John A. Walker and Nelson Walker of Kotzebue, Alaska (7 counts, including 4 felonies), and Simon J. Mawson (3 counts, including 2 felonies).

The investigation is continuing and further charges are anticipated.

(U.S. Fish and Wildlife Service, Anchorage, Alaska news release 5 December 1992).

## MUSSEL POACHERS SENTENCED

In a conspiracy to illegally acquire and sell over 77,000 pounds of freshwater mussels (*Unionidae* spp.) valued at more than \$179,000, five individuals were sentenced on 23 November 1992 by Judge Charles H. Hadan II, Chief Judge of the Southern District of West Virginia. Mussel gathering is outlawed in areas where mussels are being depleted by collection for export, and interstate commerce of freshwater mussels is a violation of the Lacey Act.