



An Action Plan to Mitigate the Risks of AIS Trade and Transport Through Commerce

Webinar February 20, 2024

The AIS in Commerce Landscape is Complex

- Global commerce and e-Commerce are growing
- Regulatory/agency staffing and capacity insufficient to provide adequate oversight, compliance, and enforcement
- Lack of voluntary incentives, industry BMPs
- Inadequate labeling and reporting
- Undocumented/unlicensed businesses
- Shipping and transport loopholes
- Uninformed consumers



Photo: Wyoming Game and Fish Department.

The solution?

Identify and interrupt the chain of transmission

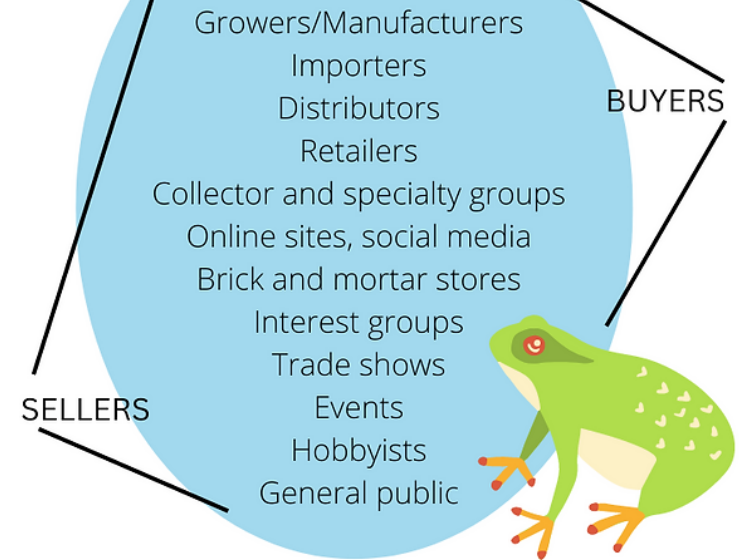
AIS Trade and Transport Via Commerce

Identifying and Interrupting the Chain of Transmission

Aquatic Plant Trade



Supply Chain Actors



Non-food Animals
Amphibians, Invertebrates,
Fish, Reptiles, Molluscs

**Different pathways
require refined and
explicit strategies:**

**Contaminants,
accidental violations,
intentional illegal violations . .
will require different solutions.**



Roles, Responsibilities, and Expectations



Strategies should be aligned with most appropriate entities

Federal government

Import (USDA, Customs, USFWS)
Inspection

States

Control within their own borders
Identify pathways for AIS
Inspect operations
License businesses

Industry

Comply with regulations
Maintain industry standards
Legal responsibility to identify species, declare value, classify

Consumers

Follow the law
Be knowledgeable, responsible, and aware
Know when to question
Report illegal activity when observed
Support compliant businesses
Responsibly purchase and rehome

Professional Organizations/Associations

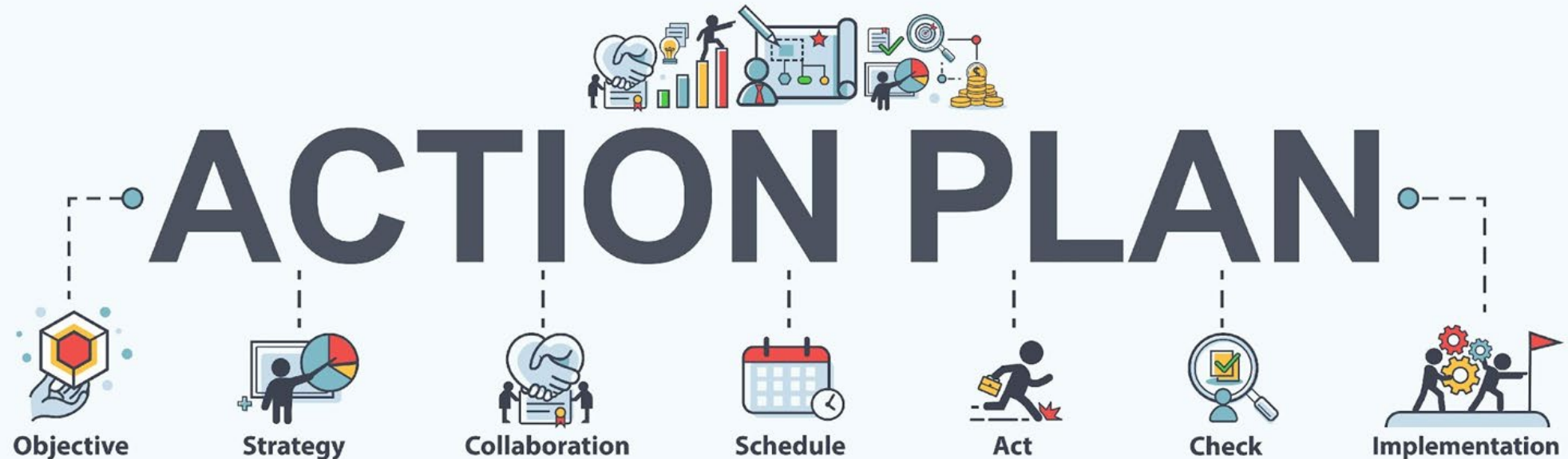
Educate industry members on standards and regulations

Engagement to Date



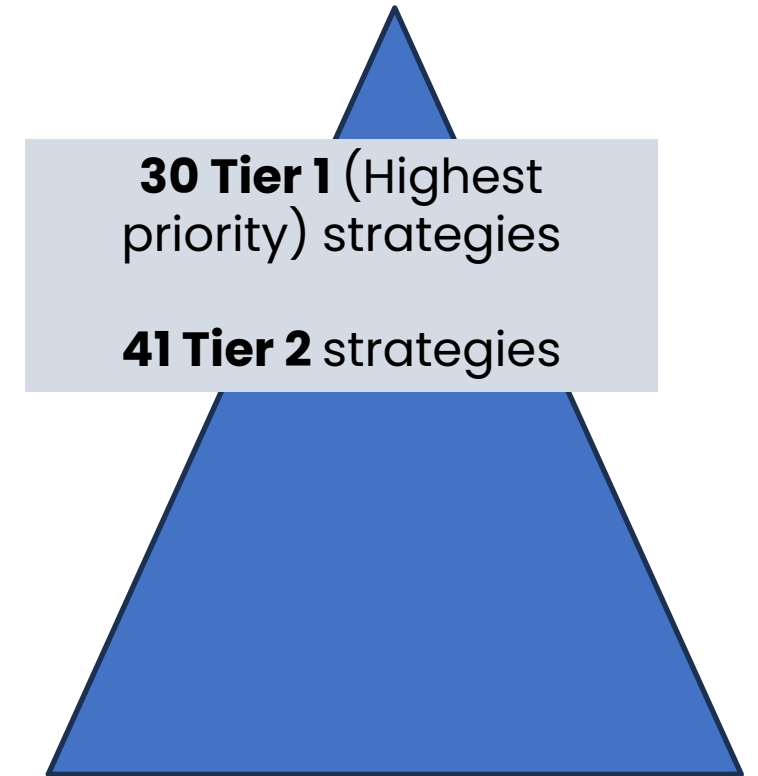
A. Convene Partners to Develop Action Plan

- Draw from review of supply chain landscape
- Conduct surveys
- Facilitate work groups to identify issues and brainstorm solutions
- Generate an action plan



Criteria to Prioritize Actions

- **Criteria used to prioritize actions in this plan include:**
 - The action addresses a key challenge
 - The action is timely
 - The action is implementable
 - The action would likely be effective
 - There are resources available to implement
 - Political will within the agencies and the states exist to implement



Goals

- There is readily available **access** to updated and accurate information on aquatic organisms in trade in North America.
- **Voluntary Industry Practices and Protocols** lessen the spread of AIS and are widely accepted, used, and promoted by industry.
- An **effective regulatory and compliance framework** exists to enhance governance in AIS in Commerce.
- **Accurate information on aquatic organisms in trade** species in commerce is routinely collected, shared, and tracked in easily accessible formats.
- **Consumer behavior** reflects sound knowledge and awareness of aquatic invasive species in commerce.
- **Agencies work collaboratively and effectively** in partnership to invest in and address the highest priority contributions to AIS in Commerce.
- **Sufficient resources and capacity exist** at the federal, provincial, and state levels to participate and engage effectively in AIS in Commerce interdiction actions.



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How satisfied are you with the process and development of the Action Plan and proposed strategies?



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If you are less satisfied or unsatisfied, what suggestions do you have to improve the process or proposed strategies?

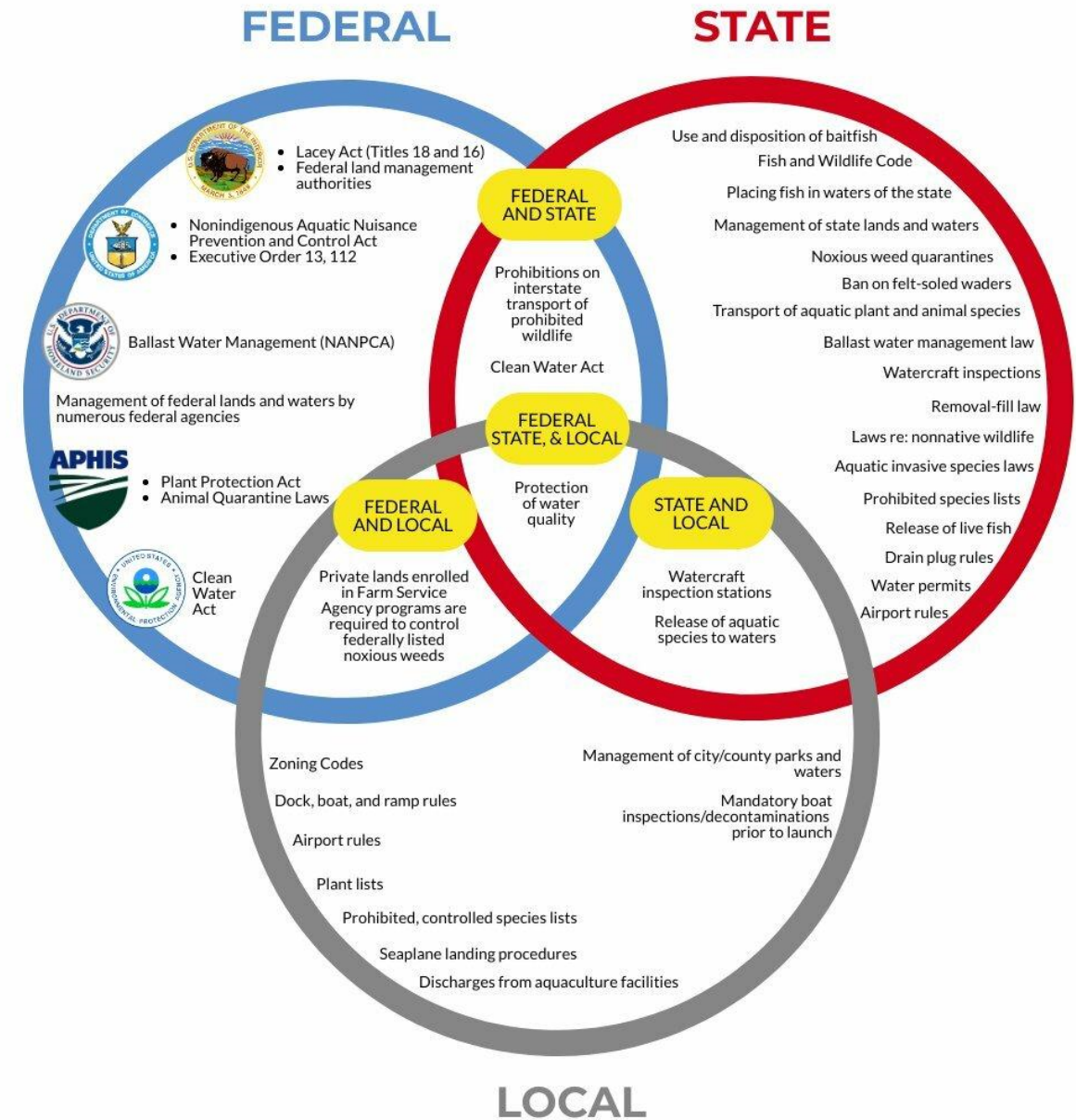
Waiting for responses ...



B. Address Regulatory Gaps

- Identify loopholes and barriers that contribute to introduction and spread of AIS in commerce
- Explore models to define the most efficient and effective regulatory practices
- Develop case studies
- Follow hypothetical shipment along pathways to explore solutions

Aquatic invasive species prevention, management, and control authorities exist at the federal, state, and local levels. In some cases, federal/state, federal/local, state/local, and federal/state/local laws have overlapping and complementary authorities.



E-COMMERCE PLAYERS & LEGAL RESPONSIBILITIES



SELLER

May not possess, sell, or ship prohibited species

Legal Issue: May not be located in state where buyer located/ sale takes place

THIRD PARTY PLATFORM

No legal responsibilities

Legal Issue: Immune from illegal acts by users of their sites



TRANSPORTER

May not transport prohibited species

Legal Issue: May not know what they are transporting



BUYER

May not import, buy, or possess prohibited species.

Legal Issue: May not know what they are buying

Case Studies

Marbled Crayfish

- No indigenous population recognized
- Regional efforts in Great Lakes support consistent listings
- Successful Lacey Act prosecution for illegal sales



Red Eared Slider

- Native to Southeastern U.S.
- Very popular in pet trade
- Sale of turtles smaller than 4 inches banned by FDA for public health reasons



Water Hyacinth

- Recognized problem since 1899
- Widely established in US and commonly sold

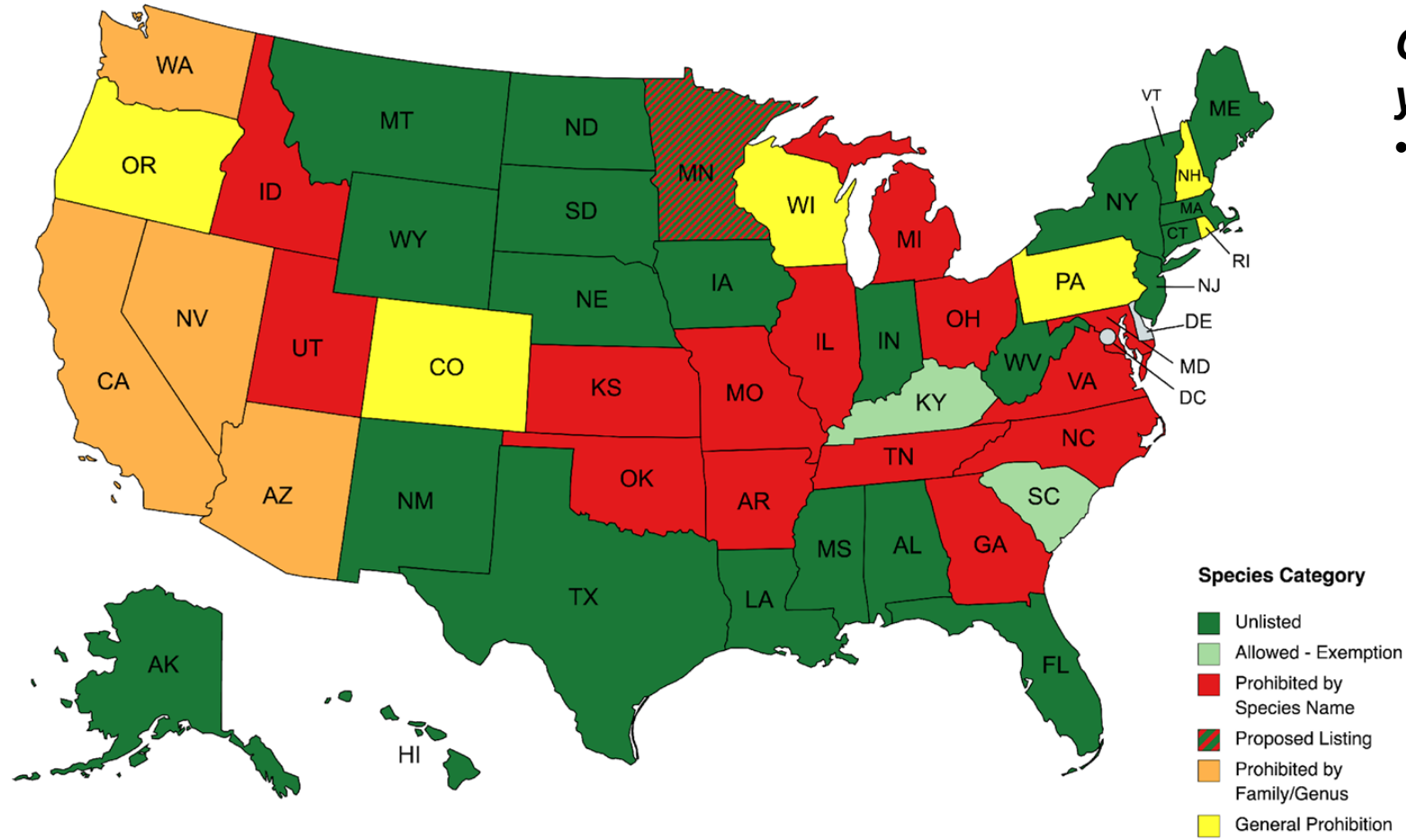


Case Study: Marbled Crayfish

Case study originally published in October 2023.

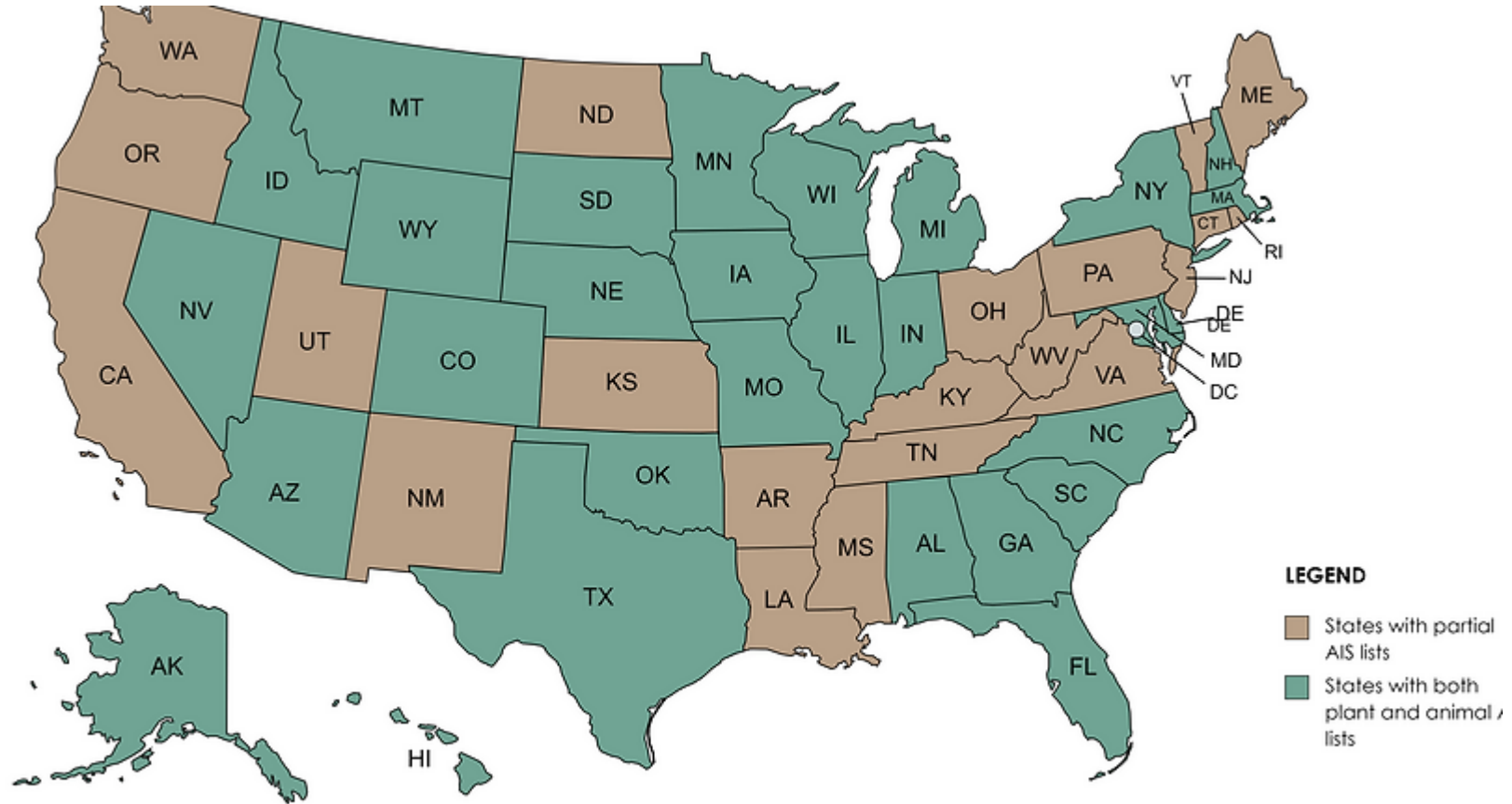
Out of date by end of the year!

- Illinois listed marbled crayfish as injurious species in December 2023.



Model Language to Address Challenges

- Accessibility of State/Provincial Aquatic Animal and Plant Lists



Model Language to Address Challenges

- **Accessibility of State/Provincial Aquatic Animal and Plant Lists**
 - Require agencies to post copies of their current lists on their websites
- **Labeling**
 - Contact information for buyer and seller, accurate list of contents by common and scientific name, and number of each species
 - Signage at retail stores
 - Online advertising requirements
- **Recordkeeping**
 - Requirements to keep certain written and electronic records for 5 years
- **Licensing/Registration**
 - Require businesses engaged in sale of live animals and plants to register or obtain license from state/province

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How satisfied are you with the Model Regulatory Language to address priority gaps?



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If you are less satisfied or unsatisfied, what suggested improvements do you have?

Waiting for responses ...



C. Conduct Effective Outreach: tools for management agencies

Goals:

Provide guidance to improve visibility of requirements to sellers

Provide guidance to improve compliance and oversight

Improve knowledge for enforcement

C. Conduct Effective Outreach: tools for management agencies



Guiding buyers and sellers to relevant information



Model regulatory framework



Legislative/Leadership Briefing



Supply chains and AIS



Contact list for experts

C. Conduct Effective Outreach: tools for industry sectors

Goals:

Provide guidance on philosophy of AIS awareness in live organism trade operations [*Responsible & Knowledgeable*]

Accessibility to compliancy information

C. Conduct Effective Outreach: tools for industry sectors



Guide buyers and sellers to relevant AIS information



Regulated species list



Prohibited/Invasive/Problem-Prone Guidance



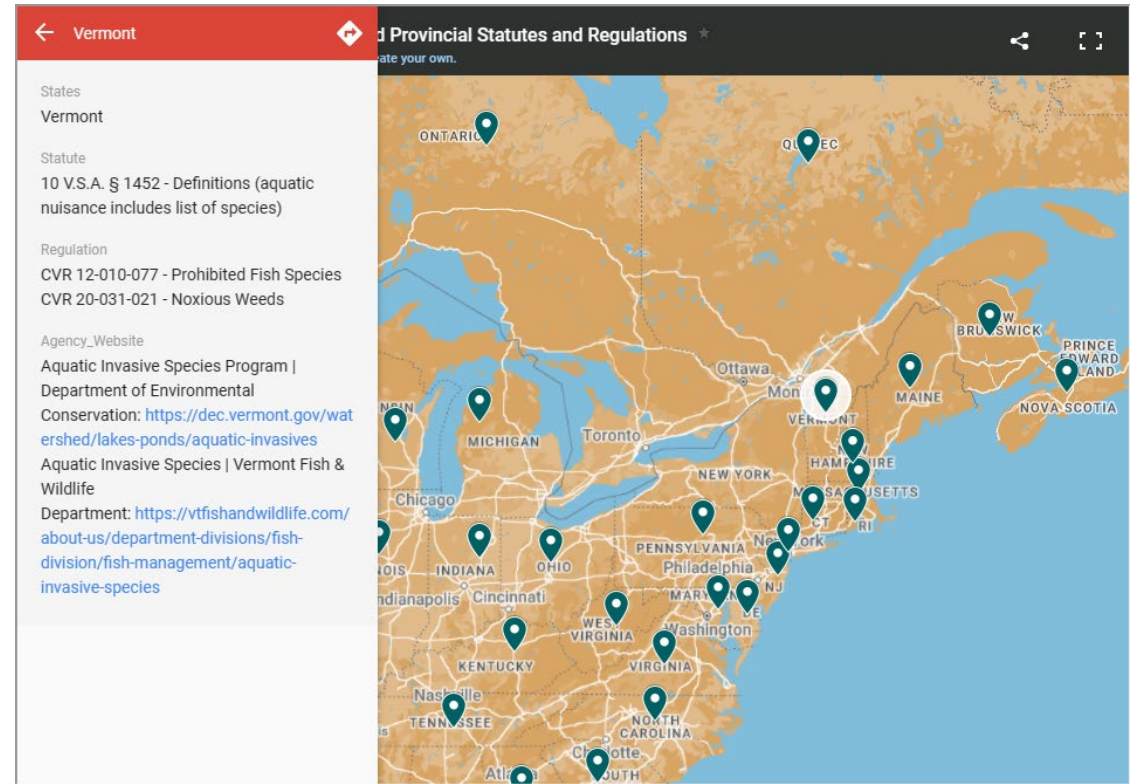
Lacey Act and your business factsheet



Contact list for experts/regulatory agency

C. Conduct Effective Outreach

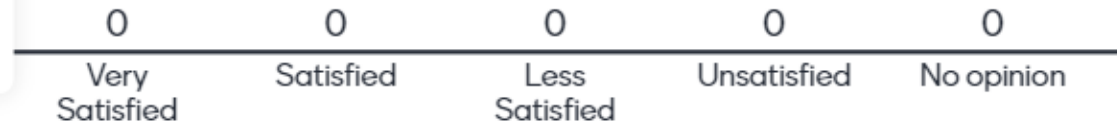
Focus on Toolkit pieces that guide industry sectors on compliance and best practices



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How satisfied are you with the ToolKit elements?



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If you are less satisfied or unsatisfied, what specific suggestions do you have to improve the toolkits?

Waiting for responses ...





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