



April 14, 2017

Representative Brian L. Clem
Chair, House Agriculture and Natural Resources Committee
900 Court Street NE, H-478
Salem, Oregon 97301

Re: Testimony on HB 3429

Dear Representative Clem and Members of the House Agriculture and Natural Resources Committee,

On behalf of the International Fund for Animal Welfare (IFAW) and our nearly 10,000 Oregon members and supporters, I am writing to you in opposition to HB 3429, which would weaken Measure 100, passed by Oregon voters just last year. Measure 100 was designed to conserve wildlife by restricting the intrastate trade of products made from imperiled species of wildlife in Oregon, effectively cutting off a significant pathway that traffickers use to make money off of poached wildlife, and reducing consumer demand for these products.

HB 3429 would weaken Measure 100 by prohibiting the trade in an animal's parts or products only if that animal is listed on Appendix I and II of CITES, the international convention governing wildlife trade. This means that the vast majority of shark and ray species will be left without protection. Just because a species is not yet listed by CITES (the process for which is highly political and can take years) doesn't mean that a species does not currently face threats to its existence. Furthermore, if the proposed changes are adopted, Oregon's wildlife law enforcement would have to identify whether a shark fin or manta gill plate is from a species on CITES or not. This would add an unnecessary administrative burden to the Oregon government and allow traffickers to easily mislabel their illicit products as non-CITES species. This is a strategy we often see used by elephant ivory traffickers who label their recently poached elephant ivory as "mammoth ivory."

In fact, it is well known that fish are often mislabeled—in a 2016 review of fish labeling studies, investigators at the NGO Oceana¹ found numerous examples of endangered fish being sold as unprotected species. One study, conducted in Italy, tested 200 dishes labeled as grouper, perch, and swordfish and found that 82% of them were mislabeled, with nearly half of the dishes

¹ Warner, K., P. Mustain, B. Lowell, S. Geren, and S. Talmage. (2016). Deceptive Dishes: Seafood swaps found worldwide. Oceana. http://usa.oceana.org/sites/default/files/global_fraud_report_final_low-res.pdf

actually being species considered threatened or endangered by the IUCN. Overall, Oceana found that on average 1 in every 5 fish dishes are mislabeled worldwide. The U.S. is no exception, with an average fraud rate of 28 percent since 2014. With rampant mislabeling in the seafood industry, it will be nearly impossible to restrict only CITES listed shark and rays species from trade.

IFAW has long been at the leading edge of wildlife trade issues, including our groundbreaking investigations into Chinese ivory markets (2008), internet sales of illegal wildlife (2008, 2012, 2015, and 2016), the links between national security and poaching (2008 and 2013), and an analysis of the United States' ivory markets and related regulatory systems (2014). In all of these studies we have found overwhelming evidence that the legal trade in wildlife products helps to obscure and propagate a parallel market in illicit products. Interpol, the international police agency, estimates that customs officers only interdict 10% of smuggled goods. Given the large volume of trade that passes through our state's ports and other points of entry and egress, it is likely that significant quantities of illegal wildlife products pass through border inspections undetected, to be sold openly under cover of assumed legality. Measure 100 addresses these issues in Oregon by restricting the trade of wildlife products made from endangered species. We implore you to reject HB 3429 and preserve the wildlife protections that Oregon voters overwhelmingly passed last year.

Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink that reads "Jeff Flocken". The signature is written in a cursive style with a long horizontal line extending to the right.

Jeff Flocken
Regional Director, North America
International Fund for Animal Welfare

Founded in 1969, IFAW saves animals in crisis around the world. With projects in more than 40 countries, IFAW rescues individual animals, works to prevent cruelty to animals, and advocates for the protection of wildlife and habitats. For more information, visit www.ifaw.org.