



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



In Reply Refer To:
FWS/DMA TRE PLA 7-12

JUL 20 2004

Mr. Ari Hershowitz
Director, BioGems Project Latin America
Natural Resources Defense Council
1200 New York Avenue, N.W.
Suite 400
Washington, D.C. 20005

Mr. William Carroll Muffett
Director of International Programs
Defenders of Wildlife
1101 14th Street, N.W.
Suite 1400
Washington, D.C. 20005

Dear Messrs. Hershowitz and Muffett:

Thank you for your letter of June 28, 2004, regarding concerns about shipments of bigleaf mahogany (*Swietenia macrophylla*) exported from Peru to the United States since the November 15, 2003, CITES Appendix-II listing date of that species. In your letter, among other concerns, you cite three shipments of bigleaf mahogany that you indicate will soon enter the United States from Peru.

Some of your concerns arise out of a June 21, 2004, briefing on the International Timber Trade Organization (ITTO) regional workshop on implementing the Appendix-II listing for bigleaf mahogany, which was held in Pucallpa, Peru, in May 2004. At that briefing, we reported that the Peruvian Management and Scientific Authorities informed us at the workshop that bigleaf mahogany exported after November 15, 2003, but on or prior to June 30, 2004, was all harvested prior to November 15, 2003. The Peruvians reported that, for this mahogany, they made their non-detriment findings based on the fact that the wood was harvested prior to November 15, 2003. You are correct in pointing out that harvest prior to November 15, 2003, does not make mahogany wood pre-Convention. In order for Peruvian mahogany wood to be pre-Convention it would have to have been exported prior to November 16, 1995, the effective Appendix-III listing date of the species. However, to date we have noted the import into the United States of 77 shipments of bigleaf mahogany wood from Peru that were exported on or after November 15, 2003. Each of these shipments was accompanied by an Appendix-II export permit issued by the Peruvian CITES Management Authority. There has not been any instance so far where such a shipment was accompanied by a pre-Convention certificate. Therefore, it is clear that the Peruvians are not considering mahogany wood harvested prior to November 15, 2003, to be pre-Convention.

With regard to the three shipments cited in your letter, you urge the U.S. Government to review the permits accompanying these shipments and to determine if these shipments consist only of pre-Convention wood harvested prior to November 15, 2003. You also state that there is evidence that substantial volumes of Peruvian mahogany are currently being laundered as cedar or virola, and recommend that U.S. inspection officials review the wood in the three shipments to determine whether any mahogany has been mislabeled. As with all shipments of Appendix-II bigleaf mahogany entering the United States, the U.S. Department of Homeland Security (DHS), the CITES inspection authority for such shipments, will inspect the shipments in question and the CITES documents accompanying the shipments, to ensure they are in compliance with CITES requirements. Mr. Bud Petit de Mange, with the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) has informed us that he will contact DHS and recommend that they closely inspect the wood in these shipments to ensure that no mahogany has been mislabeled.

The U.S. Government continues to work within CITES and bilaterally with range countries in an effort to ensure that the Appendix-II listing of bigleaf mahogany continues to become more and more effective. The ITTO workshop in Pucallpa, which was largely financed by U.S. funds, provided a very constructive opportunity for CITES Authorities, NGOs, and exporting and importing industry representatives to hear reports on the progress of implementation to date, to discuss and identify priorities for strengthening implementation, and to build the cooperation among the various participants to achieve it. Peru, as the host of the workshop, was very clear on its commitment to enforce the CITES Appendix-II listing of mahogany and ensure that the issuance of CITES export permits for bigleaf mahogany is based on the required findings.

In your letter you refer to Peru's inability to conduct "the mahogany population inventory required to make the required non-detriment findings." Both general discussion at the second CITES Mahogany Working Group in Belem, Brazil, last October, and specific discussion at the Pucallpa workshop downplayed the importance of country-wide population inventories relative to the need to focus on the existence and quality of management areas and forest management plans. While Peru has repeatedly expressed the need for specific national inventory of mahogany populations, they have also, in the National Strategy presented to the workshop, and in their emphasis on the implementation of the new forest law and forest concessions, indicated their intention to limit mahogany extraction to areas with forest management plans and annual operation plans based on reliable inventories.

Since November 15, 2003, U.S. Embassies have been in contact with the Management and Scientific Authorities in mahogany range countries to consult on how they are implementing the listing, consider means to support their efforts, and make clear U.S. commitment to implementation at U.S. ports. Since the Pucallpa workshop, the U.S. Embassy and USAID Mission in Lima continue to be in close contact with the Peruvian Management and Scientific Authorities to follow up on Peru's efforts to strengthen implementation of the listing and to avail themselves of the offers of cooperation and potential assistance coming out of the workshop. Having provided support for the second CITES Mahogany Working Group Meeting in Belem, and support for the Pucallpa workshop, U.S. agencies continue to explore additional ways to assist range countries as they strive to meet their commitments.

The listing of bigleaf mahogany in CITES Appendix II is an important step in the conservation of this valuable species. The principal South American range countries have made clear their commitment to face the significant institutional and legal challenges the listing presents for them. As the major importer of bigleaf mahogany, the United States is closely engaged with the range countries and committed to carrying through on the listing. We appreciate the questions you have raised and will continue our ongoing scrutiny of the implementation of the listing. We also appreciate your expression of commitment and support of the listing and your shared belief that the implementation is both achievable and desirable.

We intend to forward a copy of your letter to the CITES Secretariat, so that they are aware of your concerns regarding Peruvian mahogany. We will also forward a copy of your letter to the Peruvian authorities.

Thank you for your concern and interest in this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter O. Thomas". The signature is fluid and cursive, with a long horizontal stroke at the end.

Peter O. Thomas, Chief
Division of Management Authority

cc: CITES Secretariat
cc: Peruvian CITES Management Authority