



# Dog and Cat Fur Protection

Fiscal Year 2012 Report to Congress

*DATE*



Homeland  
Security

*U.S. Customs and Border Protection*

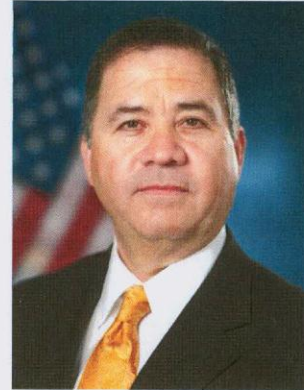
# Foreword from the Deputy Commissioner of CBP

March 21, 2013

U.S. Customs and Border Protection (CBP) respectfully submits the Dog and Cat Fur Protection Report pursuant to the language set forth in the *Tariff Suspension and Trade Act of 2000* (Trade Act), P.L. 106-476.

The report describes CBP's efforts in enforcing the provisions of the Trade Act, which prohibit the import and export of products containing dog or cat fur into and out of the United States.

Pursuant to congressional requirements, this report is being provided to the following Members of Congress:



The Honorable Max Baucus  
Chairman, Senate Finance Committee

The Honorable Orrin G. Hatch  
Ranking Member, Senate Finance Committee

The Honorable Dave Camp  
Acting Chairman, House Ways and Means Committee

The Honorable Sander M. Levin  
Ranking Member, House Ways and Means Committee

The Honorable Darrell Issa  
Chairman, House Committee on Oversight and Government Reform

The Honorable Elijah E. Cummings  
Ranking Member, House Committee on Oversight and Government Reform

The Honorable Michael McCaul  
Chairman, House Homeland Security Committee

The Honorable Bennie G. Thompson  
Ranking Member, House Homeland Security Committee

The Honorable Thomas R. Carper  
Chairman, Senate Committee on Homeland Security and Governmental Affairs

The Honorable Tom Coburn, M.D.  
Ranking Member, Senate Committee on Homeland Security and Governmental Affairs

The Honorable Fred Upton  
Chairman, House Committee on Energy and Commerce

The Honorable Henry A. Waxman  
Ranking Member, House Committee on Energy and Commerce

The Honorable John D. Rockefeller  
Chairman, Senate Committee on Commerce, Science, and Transportation

The Honorable John Thune  
Ranking Member, Senate Committee on Commerce, Science and Transportation

I would be pleased to respond to any questions you may have. Please do not hesitate to contact my office at (202) 344-2001 or the Department's Chief Financial Officer, Peggy Sherry, at (202) 447-5170.

Sincerely,

A handwritten signature in black ink that reads "David V. Aguilar". The signature is written in a cursive style with a large, sweeping flourish at the end.

David V. Aguilar  
Deputy Commissioner  
U.S. Customs and Border Protection

# Executive Summary

This annual Dog and Cat Fur Protection Report to Congress by CBP is required by legislative language set forth in the *Dog and Cat Protection Act of 2000* (the Act), included in Title I, Subtitle B, Chapter 3 of the Trade Act, P.L. 106-476, 114 Stat. 2101, 2163-2167 (2000). The Act amends title III of the Tariff Act of 1930 by adding a new section prohibiting the importation into, or exportation from, the United States of any dog and cat fur products. CBP is required to submit an annual report to Congress on its efforts in enforcing the provisions of the Act and the adequacy of resources to do so.

During Fiscal Year (FY) 2012, there were no violations of the *Dog and Cat Protection Act of 2000* (the Act) discovered during stratified cargo examinations, indicating a high level of compliance with the Act. In FY 2012, CBP did not seize any commercial shipments containing dog and cat fur products; however, CBP did seize one non-commercial international mail shipment containing one article of cat skin. The violative product was turned over to the U.S. Fish and Wildlife Service and no further action was taken by CBP.

CBP continues to carry out its mission while utilizing its resources in the most effective and efficient manner. CBP risk management consists of identifying shipments that represent the greatest risk of noncompliance in order to focus its resources in those areas. If, through its risk management process, CBP detects a high level of noncompliance with the Act, it has the capability to implement a set of robust measures to ensure enforcement of the Act.

Based on the low number of violations in recent years, CBP feels that the measures taken in support of the Act have been effective. CBP will continue to deploy its resources, as necessary, to effectively fulfill its responsibilities as mandated by the Act.



## Dog and Cat Fur Protection

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# I. Legislative Language

This document responds to the legislative language set forth in section 1443 of the *Dog and Cat Fur Protection Act of 2000* (P.L. 106-476), amending the Tariff Act of 1930 to add new section 308, which states:

“(e) REPORTS.—In order to enable Congress to engage in active, continuing oversight of this section, the designated authorities shall provide the following:

“(1) PLAN FOR ENFORCEMENT.—Within 3 months after the date of the enactment of this section, the designated authorities shall submit to Congress a plan for the enforcement of the provisions of this section, including training and procedures to ensure that United States Government personnel are equipped with state-of-the-art technologies to identify potential dog or cat fur products and to determine the true content of such products.

“(2) REPORT ON ENFORCEMENT EFFORTS.—Not later than 1 year after the date of the enactment of this section, and on an annual basis thereafter, the designated authorities shall submit a report to Congress on the efforts of the United States Government to enforce the provisions of this section and the adequacy of the resources to do so. The report shall include an analysis of the training of United States Government personnel to identify dog and cat fur products effectively and to take appropriate action to enforce this section. The report shall include the findings of the designated authorities as to whether any government has engaged in a pattern or practice of support for trade in products the importation of which are prohibited under this section.”

## II. Background

In early 2001, CBP launched a series of special operations focusing on importations potentially containing products in violation of the Act. In addition to these special operations, an informed compliance campaign was initiated in order to educate the importing community on the Act. As part of this campaign, CBP issued letters to 195 importers importing merchandise potentially containing dog or cat fur.

CBP also invested in new laboratory equipment, developed test standards, and trained analysts to conduct the necessary tests to detect dog and cat fur in suspect products. CBP continues to perform enforcement examinations of potentially violative shipments and has found a very high level of compliance with the Act. CBP uses a Trade Compliance Measurement program to measure risk in the areas of trade compliance and as a key performance indicator to measure to what degree CBP's internal controls are ensuring compliance with laws and regulations effectively. During FY 2012, there were no violations of the Act discovered during stratified cargo examinations, indicating a high level of compliance with the Act.

CBP continues to carry out its mission while utilizing its resources in the most effective and efficient manner. CBP risk management consists of identifying shipments that represent the greatest risk of noncompliance in order to focus its resources in those areas. If, through its risk management process, CBP detects a high level of noncompliance with the Act, it has the capability to implement a set of robust measures to ensure enforcement of the Act.

### III. Data Report

Any allegations received by CBP concerning products potentially containing dog and cat fur are thoroughly researched to determine the risk of violations. Allegations of commercial violations received by CBP are assigned to a CBP International Trade Specialist for analysis. Research is performed to determine the validity of the allegation, the identity of potential violators, and their importing history. If appropriate, CBP will conduct commercial trade targeting with the intent to interdict the prohibited merchandise and affect a seizure. Further enforcement action may be taken as a result of intelligence gained from the seizure.

In FY 2012, CBP did not receive any allegations regarding products potentially made with dog and cat fur. CBP received one allegation in late September 2011, which was referenced in the report on FY 2011 enforcement actions that was submitted on March 7, 2012. That allegation was simultaneously presented to U.S. Immigration and Customs Enforcement, Homeland Security Investigations for possible investigation. CBP did not have sufficient information to pursue this allegation, but did refer the allegation to the Federal Trade Commission, an agency that also has fur enforcement responsibilities.

In FY 2012, CBP did not seize any commercial shipments containing dog and cat fur products. However, CBP did seize one non-commercial international mail shipment containing one article of cat skin. The violative product was turned over to the U.S. Fish and Wildlife Service and no further action was taken by CBP.

CBP Import Specialists conducted a review of 69 entries in 2012 where the merchandise was described as fur, skin, or pelt and found no violations related to the Act. Additionally, the Service Port of Houston, Texas conducted an operation in FY 2012 with a focus on cat and dog fur enforcement as well as other potential violations. During this operation, the port conducted 40 examinations and found no shipments in violation of the Act.

To effectively identify dog and cat fur products, Laboratories and Scientific Services (LSS), the forensic and scientific arm of CBP, provides a broad range of scientific and forensic services, including the testing of products made of dog or cat fur. The laboratories provide on-site forensic and scientific support to all CBP officers, as well as guidance on how to identify violations. Additionally, CBP officers, as part of their basic training, are provided instruction on the processing of prohibited merchandise. During FY 2012, CBP field personnel forwarded five samples of potentially violative merchandise to LSS for analysis. LSS reported that all five samples were negative for the presence of cat and dog fur, but were instead made from cosmetic brushes.

CBP has not received any specific information regarding foreign governments supporting the trade in cat and dog fur as it relates to specific commercial importations of merchandise.



## IV. Conclusion

Based on the low number of violations in recent years, CBP believes that the measures taken in support of the Act have been effective. CBP will continue to deploy its resources, as necessary, to effectively fulfill its responsibilities as mandated by the Act.