the port requested and the lowest cost of importing or exporting such wildlife at a port authorized by these regulations without a permit;

(2) The severity of the economic hardship that likely would result should the permit not be issued;

(3) The kind of wildlife involved, including its form and place of origin; and

(4) Availability of a Service officer.

(e) Duration of permits. Any permit issued under this section expires on the date designated on the face of the permit. In no case will the permit be valid for more than 2 years from the date of issuance.


Subpart D [Reserved]

Subpart E—Inspection and Clearance of Wildlife

§ 14.51 Inspection of wildlife.

Subject to applicable limitations of law, Service officers and Customs officers may detain for inspection and inspect any package, crate, or other container, including its contents, and all accompanying documents, upon importation or exportation. The Director may charge reasonable fees, including salary, overtime, transportation and per diem of Service officers, for wildlife import or export inspections specially requested by the importer or exporter at times other than regular work hours or locations other than usual for such inspections at the port.


§ 14.52 Clearance of imported wildlife.

(a) Except as otherwise provided by this subpart, a Service officer must clear all wildlife imported into the United States prior to release from detention by Customs officers. A Service officer must clear all wildlife to be exported from the United States prior to the physical loading of the merchandise on a vehicle or aircraft, or the containerization or palletizing of such merchandise for export, unless a Service officer expressly authorizes otherwise. Such clearance does not constitute a certification of the legality of an importation or exportation under the laws or regulations of the United States.

(b) An importer/exporter or his/her agent may obtain clearance by a Service officer only at designated ports (§ 14.12), at border ports (§ 14.16), at special ports (§ 14.19), or at a port where importation or exportation is authorized by a permit issued under subpart C of this part. An importer/exporter must return forthwith any wildlife released without a Service officer’s clearance or clearance by Customs for the Service under authority of § 14.54 to a port where clearance may be obtained pursuant to this subpart.

(c) To obtain clearance, the importer, exporter, or the importer’s or exporter’s agent will make available to a Service officer or a Customs officer acting under § 14.54:

(1) All shipping documents (including bills of lading, waybills and packing lists or invoices);

(2) All permits, licenses or other documents required by the laws or regulations of the United States;

(3) All permits or other documents required by the laws or regulations of any foreign country;

(4) The wildlife being imported or exported; and

(5) Any documents and permits required by the country of export or re-export for the wildlife.

§ 14.54 Unavailability of Service officers.

(a) Designated ports. All wildlife arriving at a designated port must be cleared by a Service officer prior to Customs clearance and release. When importers or their agents expect live or perishable shipments of wildlife or wildlife products or request inspection at the time of arrival, they must notify the Service at least 48 hours prior to the estimated time of arrival. However, where a Service officer is not available within a reasonable time, Customs Officers may clear live or perishable wildlife subject to post-clearance inspection and investigation by the Service.

(b) Border and special ports. Wildlife lawfully imported at Canadian or Mexican border ports under §14.16, or into Alaska, Puerto Rico, or the Virgin Islands, under §14.19, may, if a Service officer is not available within a reasonable time, be cleared by Customs officers, subject to post-clearance inspection and investigation by the Service.

(c) Permit imports. Wildlife imported at a nondesignated port in accordance with the terms of a valid permit issued under subpart C of this part, may, if a Service officer is not available within a reasonable time, be cleared by Customs officers, subject to post-clearance inspection and investigation by the Service.

(d) Personal baggage and household effects. Wildlife lawfully imported at any port of entry under §14.15, may, if a Service officer is not available within a reasonable time, be cleared by Customs officers, subject to post-clearance inspection and investigation by the Service.

(e) Personally owned pet birds. Personally owned pet birds lawfully imported at a port of entry under §14.17, may, if a Service officer is not available within a reasonable time, be cleared by Customs officers, subject to post-clearance inspection and investigation by the Service.

(f) Exports. Exporters or their agents must notify the Service and make the shipment available for inspection at least 48 hours prior to the estimated time of exportation of any wildlife.


§ 14.55 Exceptions to clearance requirements.

Except for wildlife requiring a permit pursuant to part 17 or 23 of this subchapter B, clearance is not required for the importation of the following wildlife: