

## U.S. Fish and Wildlife Service

Last modified: 04/25/22

The [United States Fish and Wildlife Service](#) (FWS) regulates the importation and exportation of animal products in and out of the United States. There are also various fish and wildlife agencies regulating and monitoring trade at a state level within the U.S. These local agencies have special requirements that are more restrictive than those with the United States Fish and Wildlife Service. Therefore, it is very important that all shipments containing any aviary, reptilian, mammalian, or marine life product be disclosed to The Neiman Marcus Groups buying agent at the time of purchase order placement. Clear and accurate identification of the species information on the [Product Detail Sheets](#) is critical in meeting these strict regulatory guidelines.

We have developed a matrix and the following information to aid our vendors in determining if the component used in their product could be subject to review by the U.S. or State Fish and Wildlife agencies. This is not a comprehensive listing and only denotes exotic skins most commonly imported by our company. Please note this information is intended to be used as a guide. Other regulations may apply. We urge our vendors to utilize the CITES website and other links provided to review all U.S. and State regulations.

**(Click image to enlarge)**

### **Domesticated Animals Not Subject To Review**

There are certain animals and birds that are listed as domesticated and do not require review by a fish and wildlife agency such as:

- Goat
- Camel
- European Rabbit
- Cattle
- Pig
- Sheep
- Ferret
- Alpaca
- Chicken
- Turkey
- Water Buffalo
- Peafowl

## **CITES**

### [Convention on International Trade in Endangered Species of wild fauna and flora](#)

The purpose for CITES is to protect endangered species by regulating and monitoring the international trade of certain protected species. Protected species are organized into three categories according to their level of threat.

**APPENDIX I** : International trade is prohibited

**APPENDIX II :** Commercial trade is allowed but strictly regulated

**APPENDIX III :** Includes controlled species, where the species is protected within its home state

Any manufacturer utilizing a fish or wildlife component in their product must ensure that proper documentation is obtained from the wildlife authorities in the exporting country. To research your fish or wildlife component, visit the CITES website at [www.Cites.org](http://www.Cites.org).

Product examples are as follows:

- Handbags
- Wallets
- Belts
- Shoes
- Wearing apparel

## **The Migratory Bird Treaty Act**

[The Migratory Bird Treaty Act](#) (MBTA) makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to Federal regulations.

### **Common Usage:**

Most commonly, the part noted for consideration would be related to feathers utilized in commodities imported by NMG. The usage however, can vary.

### **For example:**

- Stuffing for pillows, comforters, bedding
- Fillers in wearing apparel such as jackets
- Utilized in decorative baskets, fans, and seasonal ornaments for trees such as with Christmas

### **Protected Species Listing:**

If you are vendor that utilizes any part of a bird in a commodity sold to NMG, it will be important to ensure that the species does not fall subject to the Migratory Bird Act.

To determine if the species in your commodities is subject to the Migratory Bird Act, refer to the following link: [MBTA protected birds](#).

## **State of California Fish and Wildlife Agency**

In addition to the most commonly imported fish and wildlife noted on the matrix in this document, [The California Penal Code](#) prohibits any sales transactions for products that contain parts of the following animals:

Products that contain or are made from products of these animals should not be sold in California stores, sold through NM Direct for shipment to California customers, or shipped from other states to California customers.

Any catalogs (or websites) produced by NM Direct, a Neiman Marcus or Bergdorf Goodman store which advertise merchandise made from or containing products from the prohibited species must indicate for that item **“Not Available in California.”**

## **Fines and Penalties Policy**

As an importer, we are held to very strict standards by these agencies. Failure by an NMG supplier or an agent of NMG to comply with FWS will result in:

- The delay of clearance of goods into the United States
- The delay in payment to the vendor

Fines and penalties issued by the U.S. Fish and Wildlife Service and state level agencies against NMG can be traced to the supplier or NMG agent. If negligence is determined, the associated fines and or penalties will be passed to the associated supplier or agent.

## **Vicuna Policy**

### **Direct Imports**

While it is legal to import Vicuna products into the United States, NMG will not act as the importer of record due to the complex labeling requirements placed on importers.

Our merchants must not place orders with direct import vendors for goods made from Vicuna fibers. Foreign buying agents have been notified of this policy and will not confirm import orders for Vicuna product.

### **Landed Purchases**

Our merchants can buy Vicuna from any vendor who lands their own goods into the United States. We are currently approved to accept and offer for sale Vicuna product in the state of New York and have obtained a special license for retailers of this commodity.

The states of California, Michigan and Delaware have laws that prohibit the sale of Vicuna. NMG Legal has investigated these state laws and has found both civil and criminal penalties for non-compliance. If a purchase order has been written to your company for Vicuna, there must be no distribution to stores in California and Michigan.

## **Vendor Requirements**

Merchandise sold to The Neiman Marcus Group, Inc, utilizing fur, skin, shell, horn, or any other form of fish and wildlife as a component of the item, must clear through the U.S. Fish and Wildlife agency before the shipment can clear with [U.S. Customs and Border Patrol](#) (CBP).

Therefore, prior to shipping any purchase orders or samples to NMG containing fish or wildlife (regardless if it is endangered or domesticated) you are required to follow these procedures:

1. **Disclose on the commercial invoice by manufacturer style number**
  - **The common name**

- The country from which the fish or wildlife was sourced
  - The scientific name (this is made up of the genus and species)
  - The source of the fish or wildlife (how it was obtained i.e. from the wild or farm raised)
  - The quantity (for buttons, list the total number of buttons used)
2. Forward to the [Foreign Buying Office](#) (FBO) your company is in contact with for NMG purchase orders
- The Invoice
  - A copy of the CITES your company will submit to your local fish and wildlife agency (if required)
  - A copy of the [Product Detail Sheets](#) for each of the manufacturer styles requiring approval

The FBO will then coordinate with the Government Compliance Office to ensure that all fish and wildlife information is correct. Once verified, approval will be given to proceed with the shipment.