

My Understanding of Ontario's Wildlife Laws
and the
Trade in Wildlife Products in Ontario
with a focus on how these laws affect
Chichester Canada, Inc.

by

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Overview

Our goal at Chichester Canada, Inc., is to understand the laws of Ontario and comply with them in the course of our business. We have tried reading the laws ourselves in the past and worked with suppliers and customers in order to understand how the laws affect our business. There has been a lot of confusion and contradictory information both from market participants and from conservation officers. Part of the problem is that the laws affect different participants in different ways. For example, a trapper may say that it is illegal to sell black bear claws while a jewelry dealer may say it is legal to sell black bear claws. The legality varies depending upon the circumstances.

In order to understand the laws regarding the wildlife trade in Ontario, I requested a meeting with regulatory specialists from the Ministry of Natural Resources. The regulatory specialists are the experts who decide how to interpret the laws when deciding whether to prosecute someone for a violation. The wildlife conservation officers in the field are typically working to ensure compliance with the laws and lean heavily on the regulatory specialists for guidance. The courts and judges are the final interpreters / arbitrators of the law.

Given the complexity of the laws and the sheer number of laws that affect participants in the wildlife trade in different activities and sectors, I have summarized my understanding of these laws in this document as they apply principally to Chichester Canada, Inc.

Meeting Participants

On Thursday, April 14, 2016, I had a meeting in the Aurora branch of the Ministry of Natural Resources at 50 Bloomington Road with Conservation Officer Robert Ip and two specialists from the regulatory support section of the Ministry of Natural Resources headquarters in Peterborough, Ontario:

Mr. David Critchlow	P: 705.755.1437
Provincial Enforcement Specialist	E: david.critchlow@ontario.ca
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Another Staff Member from Chichester

Mr. Critchlow specializes in regulations for trappers and Mr. Robbins specializes in regulations for fishing.

We spent two hours in a wide ranging discussion on the laws regarding the sale of wildlife products in Ontario. The focus was on laws governing the buying, selling, bartering, possessing, and trading of wildlife products primarily in a finished, processed, or non-raw state. We did not focus on hunting regulations, trapping regulations, or the finer points of the Species at Risk Act or the international Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Update of Current Contacts as of March 4, 2019

On Monday, March 4, 2019, I called my previous contacts above for information on selling non-Ontario origin cougar skulls and bones in Ontario. I learned on this call that my new contact at the ministry is Ms. Geena Duquette.

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Ms. Duquette is the specialist for hunting and trapping.

Legal Notice to Readers

In this essay, I am going to summarize the key points for staff at Chichester Canada, Inc. This is my understanding of the wildlife laws in Ontario and is an internal document for our reference. Again, the focus is on how the laws affect our operations and is not intended to be a summary of all of the laws in Ontario dealing with hunting, fishing, trapping, tanning, taxidermy, etc. We are only dealing with a subset of these laws of interest to us.

This document is not to be relied upon by others as definitive legal advice. Others are welcome to review this material. They are encouraged to confirm the accuracy of what is written below with the wildlife specialists in Peterborough. Please do not call us to argue a specific point without confirming with the wildlife specialists first: they are the experts on how to interpret the laws and advise enforcement officers on how to proceed in the event of a violation of these laws.

We would be grateful for any feedback on errors in this document. We accept no legal or financial liability whatsoever for the use of the information contained in this document. This document is my understanding of the laws—not the final say on what is and is not legal. Only the Supreme Court of Canada can make a final ruling on what the laws mean.

We do not deal with the sale of plants or migratory birds in this document.

Levels of Regulation of the Wildlife Trade in Ontario

There are a variety of different levels of regulation. There are Ontario laws, federal laws, and international treaties. In the future, there may be city-level laws as well, such as the ban on fur sales in Los Angeles. There are no city-level regulations in Toronto that I am aware of at this time.

There are other laws affecting the wildlife trade from other departments. For example, the Canadian Food Inspection Agency also controls the importation of wildlife products to ensure there is no risk to the Canadian agricultural industry or to the health of Canadians.

Where We Draw the Line at Chichester

At Chichester our guiding principle has been that if a species is listed on the U.S. Endangered Species List we do not engage in trade in this species. This keeps us from dabbling in grey areas and reduces the chance of a serious violation. This means that we do not offer elephant tusks or sperm whale teeth or rhino horn or anything coming from nearly 200 mammals, reptiles, or other animals on this list. Of course, the Canadian Species at Risk Act and the Ontario Species at Risk Act may include other items as well that are off limits in Ontario.

By drawing the line at any species on these lists, we do not deal in antiques or items that were legally acquired before these acts came into force.

Species at Risk Act (SARA)

This is a federal act that determines which species are considered endangered or at risk of extinction in Canada. Any species listed under SARA may not be dealt in.

Species that are legally acquired prior to the enactment of the CITES treaty, may be possessed, bought, and sold. For example, elephant tusks or sawfish blades legally acquired before CITES came into force on July 1, 1975 may be possessed, bought, and sold within Canada.

Nonetheless, we do not deal in these products, so this is not of concern to us.

Please note that often species listed are for specific populations. For example, SARA prohibits the trade in caribou products from southeastern British Columbia while the Ontario Species at Risk Act prohibits trade in caribou products from the Hudson's Bay watershed as well.

CITES

CITES is the Convention on International Trade in Endangered Species of Wild Fauna and Flora. See www.cites.org. This is an international convention regulating the trade in all life forms on the planet. It deals with international trade, e.g., moving items between countries and has little to do with items once legally inside a country.

There are three levels of control:

- Appendix 1 articles are not allowed in commercial trade. These are items like elephant tusks, pandas, rhino horn, etc.
- Appendix 2 articles are allowed for commercial trade with strict controls. These are items where there is a desire to monitor and control the commercial trade in species such as black bear, otter, and lynx, etc.
- Appendix 3 articles are of special concern to one or more countries and require permits to trade. An example was South Africa's temporary controls on the trade in abalone products during a poaching crisis.

Please note that CITES controls the movement of DNA by species. You cannot send "samples" across the border without permits. If it has the DNA of a species listed on CITES, consider it regulated and in need of permits, regardless of the sizes of the object.

WAPPRIITA

WAPPRIITA stands for the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA). This act is the Canadian federal government's implementation of the international CITES treaty in Canada.

Ontario Species at Risk Act

This law governs species within Ontario. For example, Ontario polar bears may not be sold in Ontario. Badger, wolverine, and a few other species that originate in Ontario may not be sold if they originate in Ontario.

The Ontario species at risk website shows the following mammals in Ontario as being listed as of 190304:

Algonquin Wolf	Threatened
American Badger (1)	Endangered
Beluga	Special concern
Caribou (2)	Threatened
Eastern Mole	Special concern
Eastern Small-footed Myotis	Endangered
Gray Fox	Threatened
Little Brown Myotis	Endangered
Mountain Lion (cougar)	Endangered
Northern Myotis	Endangered
Polar Bear	Threatened
Tri-colored Bat	Endangered
Wolverine	Threatened
Woodland Vole	Special Concern

(1) Northwestern Ontario population and Southwestern Ontario population.

(2) Boreal population is threatened and eastern migratory population is of special concern

These same species that have been acquired legally from other provinces or territories or countries, may be sold in Ontario. For example, the North American Fur Auctions (www.nafa.ca) can legally sell wolverine from the Northwest Territories, but not ones originating from Ontario.

There is no prohibition in general on the sale of these species in Ontario. The prohibition only applies to animals and animal pieces and parts that originate from animals resident in Ontario.

Snapping turtle parts and monarch butterfly parts cannot be sold in Ontario, regardless of the source as they are protected species in Ontario under a separate act.

Sale of Different Types of Species Categories for Ontario Species

As an ultra-urban high-rise dweller, I was personally confused by the distinction between furbearing species and game species. Furbearing Species are basically allowed in commercial trade and Game Species are generally not allowed in commercial trade. As with all laws, there are some exceptions.

Furbearing Species – List of Species in Ontario

There are 21 species in Ontario of animals that may be hunted and trapped and may be commercially traded. They are as follows:

<u>Common Name</u>	<u>Genus and Species</u>
Badger, American (1)	<i>Taxidea taxus</i>
Beaver	<i>Castor canadensis</i>
Bobcat *	<i>Lynx rufus</i>
Coyote	<i>Canis latrans</i>
Fisher	<i>Martes pennanti</i>
Fox, Arctic	<i>Vulpes lagopus</i> (3)
Fox, American Grey	<i>Urocyon cinereoargenteus</i>
Fox, Red (2)	<i>Vulpes vulpes</i>
Lynx *	<i>Lynx canadensis</i>
Marten	<i>Martes americana</i>
Mink	<i>Neovison vison</i> (4)
Muskrat	<i>Ondatra zibethicus</i>
Opossum	<i>Didelphis virginiana</i>
Otter *	<i>Lontra canadensis</i>
Raccoon	<i>Procyon lotor</i>
Skunk, striped	<i>Mephitis mephitis</i>
Squirrel, red (Canadian pine)	<i>Tamiasciurus hudsonicus</i>
Weasel, Least	<i>Mustela nivalis</i>
Weasel, Long-tailed	<i>Mustela frenata</i>
Weasel, Short-tailed (ermine)	<i>Mustela erminea</i>
Wolf *	<i>Canis lupus</i>

* Subject to CITES export controls. See CITES.org

(1) No sale of Ontario-origin badger from specific populations is permitted.

(2) All color phases, e.g., silver, indigo, crystal, mutation, frost, etc.

(3) The genus and species for Arctic fox has changed from *Alopex lagopus* to *Vulpes lagopus*. This does not appear to be updated in the Ontario e-laws on-line.

(4) The genus and species name for American mink has changed from *Mustela vison* to *Neovison vison*. This does not appear to be updated in the Ontario e-laws on-line.

Furbearing Species – Fur Dealer’s License Required to Buy and Sell Raw Pelts

The sale of raw furbearing pelts that were hunted or trapped requires a hunting or trapping license.

The buying of these pelts requires a raw fur dealer's license. The fur dealer may then re-sell the pelts to another fur dealer, to the auction houses, ship them to a tannery, or export them from Ontario with a proper raw fur export license. The dealer also has the right to hold the pelts in storage with monthly reporting of inventory to the Ministry of Natural Resources.

The fur dealer's license only applies to the purchase and sale of raw pelts of furbearing species.

Pelts purchased and held for storage at one of the two main auction houses in Ontario (Fur Harvester's and NAFA) do not need to be reported by a dealer if they are stored at the auction houses. They only need to be reported when removed from the auction house.

Furbearing Species – No Raw Fur Dealer's License Required for Skulls, Bones, Claws

A fur dealer's license is **not** required to purchase raw skulls, bones, claws, teeth, and other non-pelt parts of a furbearer. The raw fur dealer's license is only required to buy and sell raw fur pelts.

Anyone may purchase raw skulls, bones, claws, teeth, pieces, and parts of furbearing species (i.e., items other than the pelts) from a person with a trapper's license who has legally acquired these articles.

If a person is buying these articles for his or her own **personal use** from a licensed trapper, no license is required by the purchaser and no invoice or receipt must be issued by the trapper. I assume that the buyer would then **not** be able to re-sell the item legally as they would be for personal use.

If a person or company is buying these articles **for re-sale** from a licensed trapper, the trapper must issue a detailed invoice or receipt to the purchaser. There must be a record of the transaction for both parties.

Once raw skulls, bones, teeth, claws, and other non-pelt pieces and parts have been acquired by either an individual or a company, the buyer must then treat the skull (or other pieces and parts) in some way (such as cleaning and treating with bleach, hydrogen peroxide, or varnish) **or** make it into artwork where the value of the item is in the art work and not just the item. For example, a raw, unprocessed beaver skull could be weaved into the mesh of a large dreamcatcher. In this case, the finished artwork would be worth more than the value of the skull by itself. The test is that the value of the artwork is more than 51% of the total value of the finished item.

What is not permitted is the re-sale of raw (untreated or unprocessed) bones, skulls, teeth, claws, etc. These items must be treated in some fashion prior to re-sale or turned into art as described above.

Furbearing Species – Sale or Re-sale of Processed Pelts and Other Processed Articles

It is legal for general merchants in Ontario (non-trappers and non-raw-fur dealers) to sell the processed pelts, skulls, bones, teeth, claws, pieces, parts, and art from these animals as long as

they were legally acquired. For example, there is no problem selling processed/treated coyote skulls and bones or tanned ermine tails or buying them legally and then re-selling them.

In general, processed pelts, pieces, and parts legally acquired from other jurisdictions may be sold in Ontario without any problem as well as long as they are not protected or have other prohibitions against their sale.

Furbearing Species – Chichester’s Raw Fur Dealer’s License and Activities

Although we have an Ontario fur dealer’s license, our purchases are generally confined to pelts offered for sale at the Fur Harvesters’ Auction in North Bay and the North American Fur Auctions (NAFA) in Toronto. We rarely, if ever, buy raw fur pelts from trappers or hunters. We rarely, if ever, sell raw fur pelts in Ontario. We typically only take possession of raw fur purchased at auction houses when preparing export shipments to tanneries. This is primarily to consolidate shipments out of the country. All raw pelts received and sold/disposed at our Toronto warehouse are recorded in our monthly fur dealer’s report to the Ministry of Natural Resources.

My understanding is that we could buy raw fur pelts from the auction houses without being the holder of a raw fur dealer’s license as long as we did not take physical possession of the pelts and they were exported directly from the auction house or shipped directly from the auction house to a tannery. We only got our raw fur dealer’s license to be able to take possession of the raw pelts in our warehouse in Ontario for consolidation prior to exporting.

Furbearing Species – Export of Raw Pelts from Ontario

The export of these raw pelts from furbearing species in Ontario to another province, territory, or country requires obtaining a “raw fur export permit” prior to making the shipment. This permit is free and is issued by the Ontario Ministry of Natural Resources (MNR).

No raw fur export permit is required for species that are not considered furbearing species. For example, raw nutria purchased at NAFA and shipped to the U.S. are not furbearing species and do not require a raw fur export permit.

Furbearing Species – International Export of Raw Pelts from Ontario

This permit is supposed to be stamped by Canada Customs at export and get mailed back to the Ministry of Natural Resources by the receiver of the goods. This rarely happens, however, and failure to return the permit by the receiver is not pursued by the Ministry of Natural Resources. In nearly all cases, the raw fur export permit simply makes the export of the pelts legal and allows removal from the inventory of the Ontario raw fur dealer.

Furbearing Species – Royalty Payments

Royalty payments must be made to the Ontario government for any furbearing pelts taken from the wild. This is covered under the fur dealer's license and monthly filing. For furs, hides, or pelts purchased at the auction houses, the auction houses pay this royalty directly to MNR.

We do not cover anything relating to trapping in this document.

Furbearing Species – Sale of Meat

We do not address the sale of meat from these animals and do not sell any meat from these animals.

Game Species

There are ten (10) game species in Ontario. These are animals that can be hunted or trapped, but in most cases the hunter or trapper cannot sell the hides/pelts/skins, skulls, claws, pieces, parts, etc., from game species.

There are exceptions that permit the sale of **hides only** of four game species: American elk, black bear, moose, and white tail deer.

<u>Common Name</u>	<u>Genus and Species</u>
Bear, black **) sale of hides allowed with claws present when raw) no sale of other parts	<i>Ursus americanus</i>
Caribou, woodland *) no sale of anything except antler drops	<i>Rangifer tarandus caribou</i> (Boreal populations)
Cottontail rabbit (wild)) no sale of any pelts or parts	<i>Sylvilagus floridanus</i>
Deer, white-tail) sale of hides allowed) sale of antler drops allowed) no sale of other parts	<i>Odocoileus virginianus</i>
Elk, American (Wapiti)) sale of hides allowed) sale of antler drops allowed) no sale of other parts	<i>Cervus elaphus</i>
Hare, European (wild rabbit)) no sale of any pelts or parts	<i>Lepus europaeus</i>
Hare, Varying (Snowshoe)	<i>Lepus americanus</i>

) no sale of any pelts or parts

Moose *Alces alces*

) sale of hides allowed

) sale of antler drops allowed

) no sale of other parts

Squirrel, Gray or black phase *Sciurus carolinensis*

) no sale of any pelt or parts

Squirrel, Fox *Sciurus niger*

) no sale of any pelts or parts

* The woodland caribou is a subspecies of caribou found generally around the Hudson Bay region. Smoked caribou leather from Quebec would not be allowed for sale in Ontario because it is from the Hudson's Bay region. Reindeer hides from Scandinavia (*Rangifer tarandus*) are a different subspecies of caribou and are allowed for sale in Ontario. For example, we can sell tanned reindeer hides from Scandinavia that were legally harvested, tanned, and exported. Reindeer from Finland are not woodland caribou and may be sold.

** Subject to CITES.

Think of game species as animals that may be killed for sport, but not sold. It is legal to kill a common wild rabbit, but the hide, or any pieces and parts may not be sold. The hunter or sportsman may kill a rabbit and possess the hide, parts, and pieces, but cannot sell these. We could not import the snowshoe hare (*Lepus americanus*) from America into Canada, but the ones from Siberia (*Lepus timidus*) are legal as they are a different genus and species. Another example would be killing a deer and mounting the head. This head cannot be sold. The mounted heads, however, frequently show up at antique fairs or stores, but it is not legal to buy and sell these.

We cannot sell skulls, bones, claws, teeth, pieces and parts of these game animals either. Hides in general may not be sold. Hides from the deer family, however, are legal. White tail deer, elk, and moose hides and leather may be sold. Hides from black bear can be sold raw or tanned with the head / face and claws attached. For legal purposes, the claws are considered to be part of the hide and can be sold with the hide. In fact, they must be sold with all claws when raw. The bone skull is not part of the hide.

We cannot sell pieces and parts or skulls or claws, etc. of these game species in Ontario even if they originate from other provinces, territories, or countries.

Once tanned or processed, only the hides of deer, elk, moose, and black bear may be sold. When made into rawhide (also called parchment or drum skin) the sale of deer, elk, moose, and black bear hides is permitted. The sale of tanned hair-on hides of these animals is allowed as is the sale of finished leather made from these species.

A Special Note on Rabbit Skins and Feet from Domesticated / Farm-Raised Rabbits

We import tanned rabbit skins from Spain, Hungary, Morocco, Slovakia, the Czech Republic, China, etc. These are skins from farmed (i.e., ranch-raised) rabbits of the genus and species *Oryctolagus cuniculus*. The skins and rabbit foot keychains from these animals are perfectly legal to sell in Ontario and Canada. Tanned rex rabbits from China and Europe also fall under this genus and species and are legal to sell.

The faces and rabbit foot key chains of wild rabbits would not be permitted in Ontario. For example, we cannot import these articles from Argentina as they are from European wild rabbits.

Antlers and Skull Mounts of Cervid Game Species

We cannot sell antler mounts or full racks of deer, caribou, elk, or moose. Full racks are illegal to sell. We could not buy a mounted deer skull with antlers from an antique shop or trading post or individual or taxidermist and sell this in Ontario. Technically, people offering mounts and racks of deer, caribou, elk, and moose cannot sell these articles to begin with. We cannot import legally acquired ones from the U.S. or Quebec and sell in Ontario.

Cast antlers (also called drops or dropped antler) with the button on the bottom are legal to sell. This is true for moose. I must confirm whether it is true for other members of the deer family. If the antler has the knobby bottom on the button it was dropped naturally from the moose and can be sold. If the antler was cut off the head with a saw and has an even cut at the base, it cannot be sold in Ontario.

I have been told by someone that cast antlers or dropped antlers cannot be removed from the woods in Ontario because these antlers serve as a source of protein or salt or something for wild animals. Is there a law anywhere for this? Can we confirm? What about drops from ranch raised elk or others?

We cannot sell skulls of white tail deer, caribou, American elk, or moose. We cannot sell antlers cut off the head of white tail deer, caribou, American elk, or moose.

There is no longer a cast-antler license required in Ontario: this license is no longer issued.

What are regulations for the dog chew market? I assume many of these antlers come from deer. Maybe they all come from mule deer or other deer. How does Ontario deal with antler dog chews? Are dog chews even legal if made from moose, elk, or white tail deer? The “dropped” antler would then be cut into smaller pieces. What is the legal status of this item?

Elk Ivories or Moose Ivories or Moose Teeth, Deer Teeth, Caribou Teeth, Etc.

We cannot sell elk or moose ivories unless they have been turned into jewelry by the hunter or in another jurisdiction where it is legal. No raw ivories can be imported into Ontario if they have the skin attached to them. The concern is the spread of chronic wasting disease.

Black Bear Laws

The laws concerning black bear are a regulatory quagmire. There are many exceptions and special rules.

To reduce the killing of black bears for gall bladders and claws in Ontario, it is illegal to kill a black bear, cut off the claws and gall bladders and leave the carcass and then sell the claws and gall bladder. People interpret this as it being illegal to sell black bear claws under all conditions. This is not completely true. It is illegal to sell claws that were taken from unprocessed (e.g., untanned) hides that have not been turned into jewelry or art. If a hunter kills a bear, however, and he or she uses the claws from that hide to make jewelry or art, it can then be legally sold. Black bear claws just cannot be sold as raw claws or even as processed claws unless the hide was processed.

The claws are considered part of the hide given that the claws are attached to the hide. The auction houses only offer black bears with all 20 claws attached.

Once a hide has been tanned, the claws could be cut off and sold as just claws in Ontario. The fur can be turned into anything. The hides no longer need to have the claws attached once it has been tanned or processed. The fur can be used any way one wants. It is possible and legal to sell bear claws in Ontario as just bear claws as long as they come from hides that were processed and not just taken off bears killed for their claws and gall bladders. As long as we can document the source of the claws we offer for sale we should be fine.

We can remove the claws from legally acquired raw black bear hides from hides that are sent to a tannery to be turned into rawhide / parchment for drumskins or other crafts. These claws are then legal to sell as they were removed from the hide as part of the process of turning the hide into rawhide as it is impossible to produce rawhide with the claws attached.

Black Bear Laws – A Special Note for Raw Skins Purchased at NAFA or Fur Harvesters

Black bear skins do not get filed with the raw fur dealer's monthly return. These are game animals and are not on the furbearer report.

Legally acquired raw black bear skins no longer require provincial export permits when shipping from Ontario to another province or territory. Again, the raw fur dealer's license only applies to the pelts of furbearing species.

A CITES export permit is required to export black bear products from Canada to another country—as is a health certificate for raw skins to countries other than the U.S.

A Special Note on Black Bear Skulls

The treatment of the purchase, trade, and sale of black bear skulls under Ontario's laws comes up frequently in discussions with customers and suppliers. From my reading of the laws, it is illegal to buy, sell, trade, and possess black bear skulls. The skulls are not part of the hide. There

appears to be an exemption if the skull is made into art. How “art” is defined is subject to interpretation that we really don’t want a judge to have to decide. Also, my interpretation is that the only person who could turn a black bear skull into art without buying, trading, or selling the skull is the hunter. For our purposes, we will not buy or sell black bear skulls—even if they are considered art by a Native American hunter, etc. The old travel adage is “If in doubt, do without.”

A Special Note on Black Bear Teeth or Canines or Bones

My interpretation is that if the sale of all black bear items other than skins and claws is prohibited, then the sale of plain teeth or canines or molars from Ontario or elsewhere would be illegal. If we buy teeth or canines that were made into jewelry in Quebec or directly by the hunter who legally acquired the bear, then my interpretation is that this would be legal to buy, trade, and sell in Ontario as long as the value of the item is 51% or more attributed to the art than to the basic part used. For example, if the value of a black bear canine is only two or three dollars and a black bear canine necklace retails for C\$65.00, then more than 51% of the value is the finished product and not the canine used in this product and the product is legal to sell. If the canine just had a hole drilled in it and sold for C\$5.00 and the value of the canine was C\$3.00, the article would fail the 51% test and not be legal to sell.

A Special Note on Black Bear Gall Bladders

It is illegal to possess a black bear gall bladder. Do not offer to buy, sell, or trade this item.

Dog and Cat Fur

It is illegal to import or offer for sale any article made from domesticated dog or domesticated cat fur. We believe it is legal to sell other dog and cat bones, skulls, and skeletons as the prohibition always states just the fur. My understanding is that this law was put on the books primarily to stop the importation of toys made in China using cat and dog fur.

Non-Listed Species from Ontario

Species that are not considered to be furbearing species or game species may be sold either raw or tanned without restriction in Ontario. For example, groundhogs can be sold raw or tanned and pelts, pieces, and parts are not regulated. One caveat is that the species must not be protected under the Species at Risk Act or the Ontario Species at Risk Act.

It is perfectly legal to sell lion skulls, claws, teeth, etc. We can sell Burchell’s zebra skins or pronghorn antelope, etc., etc. The Ontario Ministry of Natural Resources is only concerned about game species and furbearing species in Ontario as well as species that are prohibited by other regulations such as Species at Risk or CITES.

Scope of Coverage is Worldwide and Includes Imports from Other Jurisdictions

Any species listed under furbearing or game species applies to wildlife from anywhere in the world—not just Ontario. If it is illegal to sell a wild rabbit (hare) from Ontario, it is also illegal to sell one from any other jurisdiction, such as Quebec or Idaho. It is, however, legal to sell a jack rabbit of another genus and species in Ontario. The prohibition on items is strictly at the genus and species or even subspecies level.

Raw Vs. Tanned

The laws for raw skins are different from the laws for tanned or finished products. Our focus is on items that have been tanned, processed, treated, prepared by a taxidermist, etc., etc. These are basically finished products that have been legally acquired from hunters or trappers or auction houses or others.

Buying Directly from Hunters in Ontario

We typically do not buy anything directly from hunters in Ontario or elsewhere. My experience has been that too many hunters do not respect the laws and generally are not very knowledgeable about what the laws are or how they apply to them. I have been shocked at the number of times someone will offer me an item that they are not allowed to possess. When I tell them this, they tend to argue with me. In general, we only buy from known sources who are informed and respect and obey the laws or from auction houses where complying with the laws is necessary for their ability to function as a business.

Our policy is not to engage in any conversation with someone trying to buy, sell, or trade illegal items, such as hawk feathers or eagle feathers, etc.

Crossing Provincial Borders

A raw fur export permit is required for raw pelts of furbearing species leaving Ontario for another province or country.

The raw fur export permit only applies to pelts. No raw fur export permit is required for legal pieces and parts such as skulls, bones, teeth, claws, etc.

Often suppliers in other jurisdictions must obtain a permit to export a raw item as well from their province or territory to Ontario.

Once an item is tanned or finished, there is no problem sending an item outside of Ontario to another province or territory or bringing it into Ontario from another province or territory in Canada.

International trade in general is a different kettle of fish and we must deal with CITES, CFIA, USFWS, USDA, European Union Environment Act, etc., when importing or exporting wildlife items.

Beware of recent tightening of regulations in the European Union under the Environment Act there. Many items that may be bought and sold in North America are coming under stricter regulation in Europe. Two examples are turtle shells and African abalone. African abalone shells cannot transit Europe without special permits.

Shipping from Canada to the U.S. or European Union

Mail is often a prohibited form of shipment of wildlife products because it is very hard for authorities to monitor trade. They are inundated with parcels and many get through illegally due to sheer volume and misrepresentation. This imposes a high cost on us to ship by truck or air freight where the shipments can be monitored and inspected by the authorities.

The U.S. Fish & Wildlife Service does not allow shipments of wildlife products by mail into the U.S.

Most courier companies (e.g., UPS, FedEx, DHL) will not take wildlife products across borders because they have incurred heavy fines from USFWS for illegally clearing wildlife products, typically by accident on their part or by misrepresentation by the shipper.

Many countries in Europe do not allow the shipment of wildlife products by mail and may seize these shipments.

Our wildlife exports tend to go by air freight overseas using a specialized forwarder with experience in the fur trade or by truck freight to Buffalo with Chichester Canada preparing the documents.

To the best of my knowledge, Canada does not proscribe mail shipments of species that are not subject to CITES or other regulations.

Where to Find the Source Laws in Ontario

Here are a few links that may be of assistance to the reader:

See E-Laws in Ontario

<https://www.ontario.ca/laws/statute/97f41?search=hare#BK56>

See the Canada Species at Risk Act

<https://www.registrelep-sararegistry.gc.ca/default.asp?lang=En&n=24F7211B-1>

See the list of species at risk in Canada

https://www.registrelep-sararegistry.gc.ca/species/schedules_e.cfm?id=1

See the Ontario Species at Risk Act

<https://www.ontario.ca/environment-and-energy/species-risk-ontario-list>

See the U.S. Fish & Wildlife Service's home page

<https://www.fws.gov/>

See the U.S. Fish & Wildlife Service's Endangered Species List

<https://www.fws.gov/endangered/>

See the CITES website

www.cites.org