

**Talking Points – Why Mammoth Ivory Should Be Included in S.7890/A.10143**

**Mammoth and mammoth ivory:** Mammoth is a species that has been extinct for 10,000 years. Mammoth and elephants are from the same order (Proboscidea). Because of the geographic range in Alaska and Siberia, mammoth tusks have been well preserved and provide high quality, carvable ivory<sup>1</sup>.

**Regulations/laws:** Because mammoth are an extinct animal, there are no federal laws or regulations concerning, or permits given for, importation and domestic trade of mammoth ivory. Relevant laws, such as the Endangered Species Act, the African Elephant Conservation Act or the Asian Elephant Conservation Act, do not include mammoth ivory.

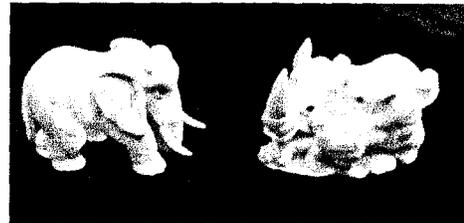
**Enforcement challenges and loopholes:** It is very difficult for non-experts, including consumers or enforcement officers, to distinguish mammoth ivory from elephant ivory. Since there are no federal permits required for sales of mammoth ivory, sellers can claim that their items are made of mammoth without documentation, while in fact the items can be made of illegal elephant ivory. Many of the stores that carry elephant ivory items for sale often also sell mammoth ivory.

Federal and state agencies have stated their frustration about distinguishing legally acquired ivory from illegal ivory and that legal ivory trade can serve as a cover for illegal trade<sup>2</sup>. For instance, Hawaii's Department of Land and Natural Resources, in its written testimony to the Hawaii Senate Ways and Means Committee in March 2014, stated that "Without laboratory analysis, it is impossible to identify ivory as to its age or even the animal type, especially if the ivory has already been carved. Fraudulent documents are frequently used to claim the ivory is pre-1990 origin, or of another species."<sup>3</sup>

Exempting mammoth ivory from S.7890/A.10143 would create further challenges and burdens for enforcement agencies and provide significant loopholes for criminals and unscrupulous sellers to sell illegal ivory, masking under "mammoth ivory" to unsuspecting customers.

Below are photos of items made of elephant and mammoth ivory. They should highlight the lookalike-ness of both types of ivory and underscore the need to include both elephant and mammoth ivory in

S.7890/A.10143.



<sup>1</sup> "Identification guide for ivory and ivory substitutes", Edgard O. Espinoza and Mary-Jacque Mann, by WWF, TRAFFIC in cooperation with the Secretariat of the Convention on International Trade in Endangered Species.

<sup>2</sup> <http://www.fws.gov/international/pdf/factsheet-ivory-crush-qa.pdf> (page 1)

<sup>3</sup> Author's emphasis

