

HPB

490

DEPARTMENT OF FISH AND GAME

POSITION PAPER

Bill Number: CSHB 490

Sponsor: Representative Grussendorf

Bill Title: "An act prohibiting the sale or purchase of parts of bears and prohibiting the possession of more than one bear gall bladder."

Department Position: The department supports this legislation.

Legislative Intent: The purpose of this bill is twofold: to increase the penalties for the unlawful sale of bear parts, and to specifically prohibit the purchase or sale of bear parts by statute.

Effects of Legislation on Department Programs: This legislation would have no effect on the activities of the department, as the sale or purchase of bear parts is already prohibited. It would preempt the Board of Game's current statutory discretion to allow the sale or purchase of bear parts. Presently, such activity is prohibited, unless the Board of Game were to specifically authorize such activity by regulation. To date, the Board of Game has not authorized any sale of bear parts.

This bill prohibits possession of more than one gall bladder of a bear. Regulations presently allow harvest of up to seven bears in a calendar year. Some Alaskan hunters salvage gall bladders for personal use--as medicine or for use as a tonic. This bill would force hunters to "waste" legally harvested gall bladders and to leave them in the field when a bear is taken.

The increase in fines would bring the penalties in line with the potential profit to be had from illegal trade in bear parts.

Commissioner's Signature

*Don Somerville for*

Date

*4/8/92*

## MEMORANDUM

## State of Alaska

Department of Law

TO: Representative Tom Moyer  
Chairman, House Special Committee  
on International Trade & Tourism

DATE: March 10, 1992

FILE NO:

TEL NO: 269-5100

SUBJECT: Response to Memorandum  
Dated 2/26/92 Concerning  
HB 490

FROM: Jeffrey T. Killip <sup>JK</sup>  
Assistant Attorney General  
Natural Resources - Anchorage

This memorandum responds to questions raised in your memorandum dated February 26, 1992, regarding HB 490. Your questions, and our responses, are described below.

I. Is There an Updated Legal Opinion on the Illegal Purchase, Sale, and Possession of Game?

In the limited time the Department of Law has had to research your requests, we have not done a complete update on the September 1, 1987 memorandum by Assistant Attorney General Sarah McCracken on purchase and sale of game. The Department of Law will provide you with a more comprehensive update as time allows. However, our brief review of the law has not disclosed any significant changes in the conclusions outlined in that memorandum.

II. What is the Status of State v. Grace Woo Chun? (State District Court at Anchorage, Case No. 3AN-91-3437 CR).

Defendant Chun was charged with one count of illegal purchase of game (approximately 385 pounds of frozen bear feet and 43 bear gall bladders), a Class A misdemeanor, in violation of AS 16.05.920(a) and 5 AAC 92.200(b)(2). AS 16.05.920 prohibits the purchase of game, unless permitted by AS 16.05-AS 16.40, or by regulations adopted under those statutes. 5 AAC 92.200 prohibits the "purchase, sale or barter" of "any part of a bear." 5 AAC 92.200. The complaint alleged that Chun, while in Anchorage, purchased bear parts over the telephone from an individual in Idaho for approximately \$1,500. Chun mailed payment from Anchorage to Idaho and the bear parts were then shipped from Idaho to Anchorage. Chun was met at the Anchorage International Airport by state officials when she arrived to claim shipment of the bear parts and was subsequently charged with the above violation.

Chun filed a motion to dismiss the case which asserted, among other arguments, that no crime was committed in Alaska and, therefore, the District Court had no jurisdiction to hear the matter. The District Court judge granted the motion and dismissed

Representative Tom Moyer  
Chairman, House Special Committee  
on International Trade & Tourism

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Page 2

the case. The State of Alaska appealed the dismissal to the Alaska Court of Appeals (Case No. A4283) and the appeal is now pending. Chun has recently cross-appealed (Case No. A4323) in an attempt to raise as additional errors the fact that the District Court failed to rule on all of the grounds cited by Chun in her motion to dismiss. Chun has since filed a motion to consolidate the appeals. Briefs have yet to be filed in either appeal and each appeal will remain on a separate briefing and oral argument schedule unless or until consolidated by the Court of Appeals.

The District Court's order dismissing the case held that no crime was committed in Alaska. Therefore, the District Court agreed with Chun's argument and determined that it did not have jurisdiction over the matter. The District Court reasoned that since neither the statute nor the regulations provided a definition of the term "purchase," the court must disregard the common meaning of that term and look to Article 2 of the Uniform Commercial Code ("U.C.C.") for guidance. Under a U.C.C. analysis, the court reasoned that the purchase and sale take place in Idaho and not Alaska and, therefore, as a matter of law, no crime was committed in Alaska.

The State of Alaska will argue in the Chun appeal that the District Court erred in dismissing the case for the following reasons: First, the District Court erred by disregarding the common meaning of the terms "purchase" and "sale" and by looking to the U.C.C. (a technical commercial statute) to define their meaning. Second, under the particular facts of this case there was a substantial connection between the alleged crime and Alaska as a situs worthy of invoking jurisdiction in Alaska.

The problem with the Chun case is not that AS 16.05.920(a) is deficient in not including reference to import or export, but rather that on the particular facts of the case the judge was not convinced that a sufficient nexus existed with Alaska. We do not, therefore, view the case as demonstrating an inherent problem with the applicable statutes and regulations as presently written. Based on the facts of any given case, courts may differ in their respective application of these laws. If any statutory or regulatory language might have led to a favorable ruling for the state, that would have been a statutory or regulatory definition of "purchase" or "sale."

### III. HB 490.

In addition to not addressing the problem encountered in the Chun case, we believe HB 490 as drafted raises some serious constitutional concerns. First and foremost, it is likely that HB 490, if enacted, would be challenged as a violation of the commerce clause of the federal constitution. U.S. Const., Art. 1, Sec. 8,

Representative Tom Moyer  
Chairman, House Special Committee  
on International Trade & Tourism

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cl.3. Although the commerce clause empowers Congress to "regulate Commerce with foreign Nations, among the several States, and with Indian Tribes . . . it also limits the power of the States to erect barriers against interstate trade." Maine v. Taylor, 477 U.S. 131, 106 S. Ct. 2440, at 2446-2447 (1986). The U.S. Supreme Court has distinguished between those state statutes which incidentally burden interstate commerce and those which affirmatively discriminate. State statutes that incidentally burden interstate commerce violate the commerce clause if those burdens are clearly excessive in relation to the putative local benefits. A state statute that affirmatively discriminates either in effect or on its face is subject to a higher level of scrutiny. In such instances, the state must demonstrate that the statute serves a legitimate local purpose that cannot be served as well by available nondiscriminatory means. A state statute which discriminates on its face is subject to strict scrutiny. Maine v. Taylor, 106 S. Ct. at 2447.

Although the proposed legislation is intended to further a legitimate local purpose (protection of Alaska's natural resources), it appears to discriminate on its face against interstate commerce and would thus likely trigger the highest standard of judicial review--strict scrutiny. Since it is likely that the state has nondiscriminatory alternatives available to it to achieve the same result intend by HB 490 (for example, by retaining the statutory status quo, or defining terms such as "purchase" and "sale"), the proposed legislation could be held unconstitutional. See Id.

#### IV. Have There Been Other Lawsuits Under Article 7. 16.05.920?

We do not have a record-keeping system that will readily allow us to give you a specific figure regarding the number of cases brought under this statute. There have, however, been quite a number of cases prosecuted, successfully, over the years for the illegal purchase or sale of fish or game, both instate and under the federal Lacey Act. 16 U.S.C. §§ 3371-3378. The Lacey Act establishes that it is a federal crime "to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce . . . any fish or wildlife taken, possessed, transported, or sold in violation of any law or regulation of any State or in violation of any foreign law." Id. at Section 3(a)(2)(A).

JTK:so

cc: Liza Gay, Assistant Attorney General  
Lance Nelson, Assistant Attorney General  
Deborah Behr, Regulations Attorney

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# Sale of black-bear gallbladders leads to murder

By BILL ORDINE  
KNOX/OT RADER NEWSPAPERS

**I**n a place where homicide is exceptionally common, the circumstances in the murder of Haeng Gu Lee in New York City were decidedly uncommon.

Lee was stabbed five times and his throat was slashed in his Brooklyn apartment in October. But it wasn't the manner in which Lee died that made his death unusual, but rather the suspected motive.

Police say the 39-year-old Korean businessman was probably killed for his large cache of black-bear gallbladders.

Some Asians prize bear gallbladders for their medicinal use and as a reputed aphrodisiac. As a result, the demand for bear gallbladders has recently driven the price for the organs to astronomical levels. Though the sale of edible game parts from animals taken in the wild is outlawed in Pennsylvania, the sale of animal organs is legal in New York and Lee had been a supplier in the local Korean community, as well as nationally, for years.

The several dozen bear gallbladders taken from Lee's apartment were worth \$400 to \$600 each on the domestic market, according to law enforcement estimates. Sold in a powdered form in pharmacies in Asia, they could be worth 30 times as much.

"This is obviously a unique and challenging case," said New York Detective Thomas Dades who is investigating the slaying. "We're dealing with a subject that's pretty foreign to us, but we do know that the use of bear gallbladders is surprisingly popular and there's a lot of money involved."

That some of Lee's inventory came from Pennsylvania black bears is a strong possibility. Pennsylvania has the second-largest bear population in the Northeast United States next to Maine, and the Pocosins have become a favorite haunt for suppliers to New York City's Asian market.

In January, an 18-month investigation by the Pennsylvania Game Commission bore fruit as officers cited seven people, all of Asian extraction, for either illegally buying or possessing animal parts.

The commission's investigation of illegal trafficking in wildlife parts began in the fall of 1990 when potential buyers began frequenting the check stations

Some Asians prize bear gallbladders for their medicinal use and as a reputed aphrodisiac. As a result, the demand for bear gallbladders has recently driven the price for the organs to astronomical levels.

where hunters register the bears they have killed during the state's three-day hunting season.

Commission authorities chased the buyers from the check stations, but that did not deter the traffickers, who merely set up shop a mile or so down the road.

According to James Beard, an assistant director with the commission's bureau of law enforcement, the antics of the traffickers bordered on the comic.

"We have videotape of these people all wanting to have their picture taken with a dead bear, holding its head up or holding the paws. They all wanted a turn," Beard said. "They use the pictures as a selling point ... that the gallbladder they're selling comes from this particular bear."

In January, authorities filed charges against the seven people - including a man and woman from Elkins Park, Pa., - after searches of a motel-restaurant in Paradise Township, Pa., a grocery store near Stroudsburg, Pa., and two private homes yielded contraband including bear gallbladders.

The resulting citations were for summary offenses that carry fines and no jail terms. So far, two people have pleaded guilty and have been fined a total of \$20,838; four cases are pending, and a warrant has been issued for a New Jersey man who cannot be located.

Judy Mills, an investigator for the World Wildlife Fund, finds the penalties relatively meager and certainly not much of a deterrent. In her own 18-month inquiry into the illicit bear-parts market throughout Asia, Mills discovered that a bear gallbladder, freeze-dried and powdered, could be sold overseas for more than \$200 a gram. That works out to a yield of \$15,000 to \$25,000 for a single gallbladder.

"The populations of the Asian black and brown bears have been decimated," Mills said. "In Korea, the handful of bears left are a national monument,

and it is illegal to sell anything from an Asian bear. But those countries still permit the importation of North American bears. With prices like that, you can imagine the pressure that will be put on the bear population here."

The chemical produced by bear gallbladders is ursodeoxycholic acid (UDCA), and bear gallbladders have been used as a popular ingredient in Oriental medicine for 3,000 years to relieve human liver and gallbladder disorders. The Japanese have been able to synthesize UDCA, but traditionalists still crave the real thing.

To meet the demand for UDCA, the Chinese have begun to "farm" bears, keeping them penned in tight, restrictive cages and surgically inserting a tube directly into the animal's gallbladder to "milk" the valuable chemical.

So far, though, the most expedient way for Asian users to obtain bear gallbladders is to import them from North America, where three-quarters of the world's approximately one million bears still prowl.

Last week, bear experts from around the world met at a conference of the International Bear Association in Missoula, Mont. At the conference, Mills and her husband, Chris Servheen, a biologist, presented a paper detailing the findings of their investigations.

"Imagine this," Mills said. "There are about one million bears in the world, and there are one billion potential users of bear galls."

The IBA governing body went on to recommend to the Convention on International Trade and Endangered Species of Flora and Fauna (CITES), a conservation group that spawns treaties between governments, that it place the North American black bear on a list that would require origination documentation for imported bear parts. CITES meets this month in Kyoto, Japan.

Proponents of placing the North American black

bear in such a category say that it would help slow the killing of Asian bears - whose gallbladders are almost indistinguishable from those of their North American cousins - because merchants can easily pass off Asian bear gallbladders as those of North American bears. The listing, proponents say, would at least discourage poaching in this country.

Still, the recommendation is not universally embraced, even among conservationists. For instance, Pennsylvania Game Commission bear expert Gary Alt is skeptical that the special listing would help much.

Alt said he believed the listing "just adds a layer of bureaucracy and much more paperwork to the task of managing wildlife, and it may invite a lot of litigation because there is no evidence that the North American bear population has been reduced. I don't think this helps the animals or the people - unless you happen to be an attorney."

"I've asked the question, 'How many game protectors are finding bears in the forest with the gallbladders removed and their paws cut off?' (Bear paws are an Asian soup delicacy.) It's just not happening very much, and although it's an individual atrocity when it happens, statistically, it's not even measurable."

Commission law enforcement officials agree that there has been little, if any, evidence of outright poaching in the state for the purpose of supplying the Asian market with bear parts. But they are concerned that the arrests in January may have been just the opening shot of an assault on Pennsylvania's bear population.

"Poaching - taking bears out of season, killing them in their dens, setting out bait - has been our concern," said David Overcash, a wildlife conservation officer in Monroe County.

"Locals hear about how much money is involved, and you don't know how that will make a difference. If the prices I've seen are right, you could kill 10 bears, hop a plane (to Asia) and make a quick quarter-of-a-million dollars."

Said Beard, "Considering the demand out there for the gallbladders, people are going to (use) every means possible to get bear."

Including, apparently, the murder of Haeng Gu Lee.

FISCAL NOTE

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

BILL NO. HB 490

Revision Date: 3/27/92

Department Affected: Fish and Game

Title: Prohibiting sale of bear parts and

BRU: Wildlife Conservation

possession of more than one bear gall bladder

Component: Wildlife Conservation

Sponsor: Representative Grussendorf

Requestor: House Resources Committee  
Expenditures/Revenues: (Thousands of Dollars)

COMPONENT SERIAL NO. 

4	7	3
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OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL</b>	0	0	0	0	0	0
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<b>REVENUE FUND SOURCE:</b>	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars) \*

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Geron Bruce *Geron Bruce*

Phone: 465-4100

Division: Commissioner's Office

Date: 4/2/92

Approved by Commissioner: *John Hammond*

Agency: Department of Fish and Game

Date: 4/2/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, CMB/DBR, Gov. Legis. OSC., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

BILL NO. CSHB 490 (TT)

Revision Date: \_\_\_\_\_

Department Affected: Department of Law

Title: "An Act prohibiting the sale or purchase of parts of bears."

BRU: Prosecution, Legal Services

Sponsor: Representative Grussendorf

Component: Prosecution - All

Requestor: International Trade and Tourism

Legal Services - Operations

COMPONENT SERIAL 

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Expenditures/Revenues: (Thousands of Dollars)

85 through 91, and 93

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER FUND SOURCE:						
<b>TOTAL</b>						

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

Please see the attached analysis.

Prepared by: Richard I. Peques, Director Phone: 465-3672  
 Division: Administrative Services Date: March 16, 1992  
 Approved by Commissioner: Charles E. Cole, Attorney General  
 Agency: Department of Law Date: March 16, 1992

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

## CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSHB 490 (ITT)

The Special Committee on International Trade and Tourism substitute for HB 490 amends AS 16.05.920 by adding a new section that would prohibit the sale or purchase of parts of bears. A person who violates this prohibition would be guilty of a class C felony. Although the current version of the bill abandons the concept of prohibiting the import or export of animal parts contained in the original bill, which we felt might have constitutional problems, we recommend that the committee substitute be further revised to clarify and strengthen some of the bill's provisions in accordance with state criminal law standards. Department of Law attorneys are already working with committee staff to draft the needed revisions. We do not believe that this bill will have a fiscal impact for our department, because it seeks to clarify the state's existing authority to exercise authority over the sale of game parts.

**FISCAL NOTE**

**STATE OF ALASKA  
1992 LEGISLATIVE SESSION**

**BILL NO. CSHB 490(ITT)**

Revision Date: \_\_\_\_\_ Department Affected: Public Safety  
 Title: "An Act prohibiting the sale or purchase of bear parts" BRU: Fish & Wildlife Protection  
 Sponsor: Representative Grussendorf Component: Enforcement and ISU  
 Requestor: House Judiciary COMPONENT SERIAL NO. 

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**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

<b>CAPITAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
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<b>REVENUE FUND SOURCE:</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
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**FUNDING: (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE:						
<b>TOTAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

**POSITIONS:**

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: \_\_\_\_\_

**ANALYSIS: (Attach a separate page if necessary.)**

No fiscal impact upon the Division of Fish & Wildlife Protection is anticipated.

Prepared By: Gayle A. Horetski Phone: 465-4322  
 Division: Commissioner's Office Date: 3/11/92  
 Approved by Commissioner: *Gayle A. Horetski* for Richard L. Burton  
 Agency: Department of Public Safety Date: 3/11/92

FISCAL NOTE

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

BILL NO. HB 490

Revision Date: \_\_\_\_\_  
Title: "An Act relating to possession of fish, game, or aquatic plants."  
Sponsor: Representative Grussendorf  
Requestor: Representative Grussendorf

Department Affected: Department of Law  
BRU: Prosecution, Legal Services  
Component: Prosecution - All Legal Services - Operations  
COMPONENT SERIAL 

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Expenditures/Revenues: (Thousands of Dollars)

85 through 91, and 93

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER FUND SOURCE:	-					
TOTAL						

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

Please see the attached analysis.

Prepared by: Richard I. Pegues, Director  
Division: Administrative Services  
Approved by Commissioner: Charles E. Cole, Attorney General  
Agency: Department of Law

Phone: 465-3672  
Date: March 2, 1992  
Date: March 2, 1992

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

## CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HB 490

This bill amends AS 16.05.920(a) to provide that a person may not export or import fish, game, or marine aquatic plants unless permitted by AS 16.05 - AS 16.40 or by a regulation adopted under AS 16.05 - AS 16.40. The existing statute already prohibits the taking, possession, transportation and sale or purchase of fish, game, and marine aquatic plant resources, except as permitted by law or regulation. The bill seeks to clarify existing law by reaffirming the state's regulatory control over these resources. However, we believe that the terms export and import, as broadly used here, will invite constitutional challenges as violative of the Commerce Clause of the United States Constitution. A recent criminal case, which is on appeal before the court of appeals, questions the extent of the state's authority to exercise jurisdiction over the sale of game parts from other states. At this point, it might be more helpful to hear the court's answer, before the law is changed.

REPRESENTATIVE  
BEN GRUSSENDORF  
1221 HALIBUT POINT ROAD  
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(907) 747-8158

RULES COMMITTEE  
LEGISLATIVE COUNCIL

DISTRICT 3  
CLIFF DAVIDSON  
REPUBLICAN  
PORT AND HANGER  
SITKA  
99835

# Alaska State Legislature

WHILE IN JUNEAU  
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(907) 465-3720



House of Representatives  
SPEAKER OF THE HOUSE

## MEMORANDUM

To: Rep. Cliff Davidson  
Chairman  
House Resources Committee

From: Rep. Ben Grussendorf

Date: April 2, 1992

Re: House Bill 490 (Judiciary)  
"An Act prohibiting the sale or purchase of parts of bears and prohibiting the possession of more than one bear gallbladder."

Thank you for scheduling a hearing on House Bill 490, of which I am the prime sponsor. I introduced the bill in response to a growing problem: the illegal traffic in bear parts -- particularly bear paws and gallbladders. The traffic in these parts is big business; in some parts of Asia and the Far East, a good quality bear gallbladder can sell for as much as \$4600 per ounce, bear paw soup for \$100 or more per bowl. I have attached to this memo some recent articles that illustrate the lucrative nature of this activity and the problems it is causing.

Although it has been illegal to sell bear parts in Alaska since the early 1980's, the prohibition has been by Board of Game regulation, the violation of which is only a misdemeanor. Because the profit potential for this type of activity is so high, I believe that offenders are willing to take the risk of a misdemeanor charge as a "cost of doing business." House Bill 490 (Judiciary) makes it a class C felony to traffic in bear parts; the penalty is up to five years in jail and a fine of up to \$100,000. The bill also makes it a class A misdemeanor to knowingly possess more than one bear gallbladder.

The Judiciary version of the bill was drafted after discussions with the Departments of Law, Public Safety, Fish & Game. I support it, and I hope the House Resources Committee will join me.

HB490

Ketchikan Daily News  
March 19, 1992

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## In brief

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### Poached bears reported

Fish and Wildlife Trooper Jim Pagel has been investigating the killing of five black bears that were shot and wasted at the head of Carroll Inlet. The bears were killed sometime in late September 1991. The poacher took very little from the animals, according to a press release from the Alaska State Troopers. The bears' bodies were found and reported by a hunter, Pagel said.

Pagel estimated that the bears were dead for four days when they were discovered. The bears' coats were in prime shape, Pagel said. One of them was a large, trophy size bear, he said.

The five bears were shot by a poacher using a high powered rifle, the release said. Pagel said the poacher used a small skiff or canoe to get up the river at the head of the inlet.

The Alaska Fish and Wildlife Saverd Program is offering a reward of up to \$1 000 for information that leads to the arrest of whoever is responsible for killing the bears.

Pagel declined to specify for the record what was taken from the bears so as not to compromise the investigation.

# Big bucks bait bear poachers

## Gallbladder demand greases black market

By JOE HUNT

TIMES WRITER

Poachers in the Lower 48 and black market entrepreneurs in Alaska are prospecting a potential gold mine in illegal animal parts, wildlife law enforcers said.

The unwanted gallbladder from brown and black bears, left to decay in the Alaska bush, is valuable in Asian countries for its medicinal properties.

"It's almost getting to the point where it's valued as much as cocaine," said Dave Perrington, U.S. Fish and Wildlife Service enforcement officer.

The highest quality gallbladders have been known to sell for as much as \$4,600 an ounce in Korea, roughly 13 times the going price for gold.

Gallbladders more commonly sell for \$200-\$1,000 each on the Asian market, according to wildlife protection officers specializing in the animal parts trade.

In addition, bear paw soup, served at the best restaurants in Seoul, is considered a rare cultural delicacy sold for \$100 or more a bowl.

It has been illegal to sell bear parts in Alaska since the mid-1980s. But the state's abundance of animals and wide-open, year-round hunting season creates an opportunity waiting to be exploited, they said.

"There are indications people are approaching hunters to keep the gallbladders (for sale or trade)," said Chuck Parker, special agent with the U.S. Fish and Wildlife Service.

"There's too much money to be made for people not to be dealing in this stuff. It's a big problem, but how big a problem we don't know," he said.

National Park Service rangers said they are aware of the potential in Alaska. "To our knowledge the problem in the parks is to a large degree theoretical," said ranger Steve Shackleton. "It's one of the nightmares we don't want to see occur up here."

Last month, a shipment of 173 black bear gallbladders from Canada, worth up to \$1,000 each on the Asian market, were seized at Anchorage International Airport. The package, from a dealer in

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# Bears

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Quarles, was addressed to two Anchorage men. The case is under investigation and no charges have been filed.

Another Anchorage man caught smuggling 31 grizzly and black bear gall bladders through the Yukon Territory, pleaded guilty in March 1991 to illegally exporting bear parts from Canada. Jay Ahn admitted to a Whitehorse court he planned to sell the gallbladders to friends and Oriental grocery stores in Alaska. The prosecutor told the court Ahn was fined \$6,000 and sentenced to one day in jail.

In both cases the gallbladders were legally obtained in Canadian provinces which allow the sale of animal parts. Violations occur when the gallbladders are transported without the proper permits, imported without non-fur customs or possessed with intent to resell them in Alaska, enforcement officials say.

Demand far outweighs supply, creating a market so lucrative that an underground network has developed connecting bear hunting regions of the U.S. with the population centers of Korea.

Poachers supplying the black market were responsible for devastating the bear population of Great Smokey Mountains National Park in North Carolina before federal agents infiltrated the network and ended the raids on the park. Two-thirds of the park's 500 black bears were killed over three years, their paws and gallbladders removed.

Poaching for parts placed California black bears in such trouble that hunting was banned for several years. A crackdown resulted in tougher laws making it a felony to sell bear parts in California and one seizure of more than 70 gallbladders from a hunting guide. The black bear population there is slowly recovering.

Bill Cook helped lead the multi-agency force that cracked the black market ring responsible for killing two-thirds of the black bears in the Great Smokey Mountains National Park. The National Park Service investigator now teaches at the Federal Law Enforcement Training Center in Glynnco, Ga., and has taught about the bear trade in Alaska.

"Yes. Absolutely. There's a potential for a large problem here," he said.

"I do know there are people out there — like in Glennallen — selling gallbladders and who have gallbladders drying on the side of their cabins," he said. "Oh yeah. It's happening up there."

Alaska has year-round legal hunting for black bear in many parts of the state and a high demand for the sale of gallbladders, he said. The bear parts do not have to be smuggled out.

The off-white gallbladder, used by the bear to create enzymes for digestion, resembles a baseball-sized balloon filled with water when fresh. Once it dries, it turns dark brown and shrinks to a "walnut" shape the size of a fig. The dry shade hardens into mouselike-colored crystals.

The bitter tasting gall is either cut into thin wafers to be eaten or ground into powder like gran-



Times photo by DOUGLAS VAN BERTH

Chuck Parker, special agent with the U.S. Fish and Wildlife Service, displays a bear's dried gallbladder, which sells for \$4,600 an ounce in Korea — 13 times the going price for gold.

Its healing properties are widely believed in Korea and other Asian countries, said Choonga "Chuck" Kim, a leader in the Anchorage Korean community. The bear gallbladder has been an important medicine in Asia for thousands of years, he said.

The "Illustrated Natural Drugs Encyclopedia," published in Korea, says a bear gallbladder has many medicinal uses. It helps reduce fever from infectious diseases, aids digestion, soothes stomach aches, cures hepatitis, dysentery and jaundice, and should be used for people in a coma, though the book does not explain why.

Kim tasted bear gallbladder years ago when buying and selling animal parts was still legal in Alaska. He tried it out of curiosity mostly, he said. Dipping the wafers in sugar could not mask its taste. "It was awfully, awfully bitter. I could not tell what it did for me," he said.

Bear gallbladder is very rare in Korea, he said. Combine its rarity with its reputation as a powerful natural medicine and it is easy to see how it fetches top dollar. "It is valuable because they believe in it," he said.

Adult children often seek gall-

bladders for their aging parents afflicted with a terminal illness, Kim said.

Bear gallbladders are still being used as medicine in Anchorage, Kim said. He said he does not know where they are coming from, but there are legitimate ways to get them in

Alaska. Gallbladder users can either go hunting for their own bear or they can ask hunter friends to save the organ for their use. There is no law against giving the gallbladder away.

A state law which encourages the waste of gallbladders when

there is a legitimate use for them does not make good sense to Kim. He said he would like to see the gallbladders made available as long as the bears were taken by legitimate means.

Oriental stores are no longer allowed to sell bear parts in any form. Pills and natural medicines produced in Asia containing minute amounts of animal parts are as illegal as selling the galls outright.

Jun Ro, a grocer at Seoul Oriental Food Store in Anchorage, said people occasionally ask for the medicines. It is usually requested by children wanting to buy it for their parents, he said.

Investigator Cook said his research of the Asian traditions has shown the gallbladder is prized for its powers to increase stamina. It is not an aphrodisiac as is often rumored, he said.

Western medicine has shown bear gallbladders to have some potential for dissolving gall stones in humans, he said. But Cook cautioned that it would be a mistake to mix western medicine with traditional Oriental beliefs.

"If I wanted to increase my stamina, in western medicinal thought I would take multiple vitamins," he said. "In eastern culture, I would ingest certain anatomical parts of animals that exhibited great stamina — like the black bear."

The high price of the black market trade gives the black bear the same potential for exploitation as the black rhino of

Africa, Cook said. Poachers seeking the rhino's prized horn for Oriental medicines have made it an endangered species.

Craig McClure inspects packages at Anchorage International Airport for the U.S. Fish and Wildlife Service to guard against illegal import and export of animals and their parts. He has confiscated bear gallbladders and medicines made with black rhino and sees the correlation.

"It's the same concern we have over black bears," he said. "What happens when the market gets so viable people start to shoot black bears just because they can get X number of dollars for the gallbladders."

Hunting guides in Alaska used to be solicited by Asian dealers before the sale of animal parts was banned. Joe Klutch, president of the Alaska Professional Hunters Association, said his assistant guides used to keep gallbladders as a way to make extra money during the guiding season. They could get between \$75 and \$300 for gallbladders, he said.

The remoteness of Alaska helps reduce the profitability of poaching. The most efficient way to acquire gallbladders would be through the guides, officials said.

All that has ended, Klutch said. "I haven't even heard anyone discuss it in the last two or three years. It's just nothing anybody in the industry would want to risk."

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# Demand for body parts may be wiping out black bears

VANCOUVER, British Columbia — Conservationists believe poachers capitalizing on a growing trade in bear parts are wiping out British Columbia's black bears and that provincial law helps them do it.

Driven by enormous profits for bear parts, which are in demand as remedies in Asian medicine, at least 100 poachers are slaughtering more than 3,500 bears a year, a British Columbia game warden said.

Another 4,000 are killed by sportsmen with permits and licensed trappers and hunters. And an unknown number of bears are taken by Indians, who are allowed to kill as many as they want.

"Black bears in B.C. are

## Analysis

under attack (and) at this rate they will all be gone in a few years," said game warden Garry Grigg of Surrey, a federal wildlife trafficking expert.

Grigg said the provincial population estimate of 120,000 black bears is "outdated and a travesty." He said he believes the population is much smaller, but there is no way of knowing because the government's only figures are compiled by desk-bound biologists.

British Columbia is providing ammunition for the slaughter with its lax laws and inadequate enforcement, Grigg says.

"Poachers know the chances

of being detected are next to nil and if they're caught the fines are so damned small there's no deterrent," he said in a recent interview.

Unlike Alberta and California, where the sale of bears parts is banned, British Columbia allows their trade and export.

"You've got from fur trappers to sportsmen doing it (poaching) on a Sunday afternoon," Grigg said.

The parts often are sold at herbal stores in Vancouver's Chinatown that buy gall bladders, gonads and claws, but Grigg said the trade has expanded beyond that.

A bear gall bladder that weighs less than a quarter ounce sells in British Columbia for about \$350, but in South Korea

will fetch about \$18,000.

The bear parts are ground up and used in traditional cure-all medicines to combat a range of ailments, from bone fractures to hemorrhoids.

British Columbia conservation officer Andy Ackerman agreed there has been an alarming increase in the illegal slaughter in the last four years.

"I've even seen three cubs up a tree and the mother lying at the base with her paws cut off and her belly slit open for her bladder," Ackerman said.

Poachers are drawn from across North America because British Columbia is one of the few places in North America where it still is legal to sell and export bear parts.

Lax enforcement of game

laws by the province's overworked 128 conservation officers is a major problem, Grigg said.

"The only way to detect poaching is to go in (the woods) in a covert situation," he said. "The province doesn't have money for that."

Poachers can be fined up to \$10,000, but catching them red-handed is a daunting task in the wilderness, Ackerman said.

"It's like trying to find a needle in a haystack," he said. "If the poaching was to go unchecked there's a great danger of the bears being wiped out."

The poachers, armed with rifles and video cameras, use dogs equipped with radio collars to run down the bear. Then the

poachers shoot the bear.

As one poacher cuts out the prized parts -- the gall bladder, paws and genitals -- another films the procedure and dates it. Within days and with the help of provincial middlemen, the film and the parts are either in South Korea, Japan, China or Hong Kong.

Grigg says the video is used to verify that the parts were from a fresh British Columbia kill.

Ackerman says there has been an obvious decline in the black bear and grizzly population in recent years.

"The market is fueled by a tremendous demand. Even hunters and trappers are concerned."

*Arch. Times 8/29/91*

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# Officers seize 173 bear bladders worth \$175,000

The Associated Press

Bear gall bladders valued up to \$175,000 have been seized at Anchorage International Airport by Fish and Wildlife Protection officers.

The 173 gall bladders were being shipped to Anchorage by a Canadian animal parts dealer, the state Department of Public Safety said in a release. They were seized at the airport Sunday.

The shipment was addressed to Charles Choi, 37, and Bong Kim, 45,

both of Anchorage. The department wouldn't say if the men had been arrested, but said that potential charges against the men include smuggling and violations of the Endangered Species Act.

An investigation is continuing by Fish and Wildlife Protection, the U.S. Customs Service and the U.S. Fish and Wildlife Service.

It is believed the bladders were from Canadian black bears and were to be shipped on to Asia. The public safety

department estimated that the street value of the parts in Asia could be as high as \$175,000.

Joe Campbell, a Fish and Wildlife Protection trooper, said Tuesday that the bladders and other animal parts are used in traditional Asian folk medicines to treat a variety of ailments, including heart disease, arthritis and blood disorders.

Campbell wouldn't say how Fish and Wildlife Protection learned of the shipment.

are restricted to bringing in no more than \$400 of such prepared medicine per person (J. Lee, pers. comm., December 1990; S. Song, pers. comm., December 1990).

South Korea's last wild bears were declared Natural Monument 329 in 1982, which gave them official protection from hunting taking, possession, and trade (Law for the Protection of Cultural Properties, No. 3644, 31 December 1982). Operating a bear farm in South Korea requires a license. Selling whole live bears for their galls is allowed under certain circumstances (see "Hunting" and "The Bear Market" in this chapter).

The new Animal Protection Act passed in May 1991 apparently does not cover bears (*The Korea Times*, 18 July 1991).

#### Law Enforcement

The law protecting South Korea's last wild bears is enforced and, whether for reasons of scarcity, legality, or practicality, certain aspects of the bear trade have disappeared. "Into the late 1960s it was quite possible, during a stroll along the back alleyways of Seoul, to see a man standing behind the carcass of a bear — fur and all — convincing a rapt audience of men that they would live longer lives if they consumed bear flesh," expatriate Gertrude Ferrar wrote in an early edition of *Insight Guides Korea* (date unknown).

#### Hunting

Though designation as a "natural monument" protects South Korea's bears from sport hunting, poaching still occurs on occasion. In May 1983, the year after the species became protected under national law, a 10-year-old female bear was found on Mt. Sorak near death from a gunshot wound (*Korea Herald*, 5 June 1983). A Korean man was later arrested for illegal hunting under cultural property protection and firearms control laws (*Korea Herald*, 7 June 1983) and sentenced to two years in prison

(*Korea Herald*, 21 August 1983). After the bear died, the Cultural Properties Maintenance Bureau sold its gallbladder at public auction for nearly \$64,000 (at the 1991 exchange rate) to the operator of an herbal medicine clinic (*Korea Herald*, 11 June 1983). In another round of public bidding, 51 kilos of the bear's meat were sold for more than \$2,000 (*Korea Herald*, 11 June 1983). Two people offered to buy the bear's hide for more than \$1 million (*Korea Herald*, 25 May 1983), but the Ministry of Culture opted to mount the hide and display it at a zoo. These prices illustrate some Koreans' pronounced preference for their native bears and how price escalates with scarcity.

#### Bears as Medicine

In Korean, bear gallbladder is called *ungdam*. From what we have seen, Koreans are perhaps the most dedicated of all Asians to the use of bear gallbladder as medicine — more so than the Chinese, who originated the practice. Some Koreans are willing to pay more for bear gall and go to greater lengths to get it than people of any other nationality. When possible, many prefer to see the gallbladder taken from the bear's body to ensure authenticity, and they are known to have had bears killed before them or on videotape for this purpose (Mills 1991; U.S. Fish & Wildlife Service agents, pers. comm., 1990–1991).

This dedication to the use of bear gall probably is due to a number of factors. Chinese medicine began to influence Korean medicine as early as 57 b.c. (Pang 1984). *Hanyak*, the Korean term for traditional medicines such as bear gallbladder, literally means medicine (*yak*) from China's Han Dynasty, which dated from 204 b.c. to 260 a.d. (Pang 1984). Korea's isolationist policies, which won it the name "The Hermit Kingdom," kept Western medicine out of the country until 1884 (Pang 1984). By the 1950s, the majority of Koreans probably still received their health care from practitioners of *hanbang*, the traditional Korean medicine that took root

from Chinese medicine (Pang 1984). In the throes of industrialization and modernization in the 1990s, Koreans remain devoted to ancient traditions such as ancestor worship, filial piety, tonic foods, and herbal medicine (N. Han, pers. comm., May 1991). The latter is illustrated by the thousands of *hanbang* clinics and the countless herb dealers dispensing *hanyak* medicines in South Korea. Superimposed on this national loyalty to tradition is an increased interest in health tonics fueled by newfound affluence (*Chung-Ang Il Bo* [newspaper], 16 July 1991) and a widely held belief in bear gall as a powerful cure for almost anything (*Korea Herald*, 17 July 1991). The head of a traditional medicine clinic was quoted as saying bear gall purges all toxins from the human body, helps serious liver ailment, and is a highly effective treatment for diabetes, high blood pressure, palsy, fever, and hemorrhoids (*Taeju Daily Mail*, 12 April 1991).

When asked about bear gall, a Korean-American friend's mother, who lives in Seoul, said matter-of-factly that "bear galls are imported from China and the U.S." (K. Kwak, pers. comm., July 1990). In fact, Koreans are rather infamous in China, Thailand, and the U.S. for their penchant for bears and bear gall. Koreans have been arrested in all three countries in connection with the illicit sale of bears and/or their parts. Koreans continue to be caught leaving China with bear galls hidden under their clothing (see China chapter). In July 1991, Thai law enforcement officials raided a farm outside Bangkok that catered to Korean tourists. Along with the establishment's Korean manager and a number of Korean tourists dining on bear meat, they found several living bears, several freshly killed bears, and records of sales of bear gallbladders and bear banquets (see Thailand chapter). In the U.S., one of the latest in a series of law enforcement cases involving Koreans buying bear galls occurred in April 1991, when 173 bear gallbladders addressed to two Koreans living in Alaska were seized at Anchorage International Airport (*Anchorage Daily News*, 24 April 1991). The galls were believed to be bound for

Asia. Chinese medicine merchants in Hong Kong and Malaysia describe Koreans as among their best customers. Between December 1990 and February 1991, more than 100 bears were killed at a Japanese bear farm. All of their gallbladders reportedly were shipped to Korea (Anon., pers. comm., June 1991).

Between 1985 and 1989, South Korea officially imported 25 kilograms of bear gall (TRAFFIC Japan memo to K. Johnson, dated 5 August 1991). In 1990, official statistics show another 7.8 kilos were imported (Science and Technology Office, U.S. Embassy, Seoul). Between 1980 and 1983 alone, South Korea imported 330 live bears (Milliken 1985). The next year, 1984, CITES signatories reported exporting another 52 live bears to South Korea (CITES Annual Report data). Because South Korea is not a CITES party and therefore under no obligation to report its trade in bears and bear parts, these data represent an incomplete and conservative picture of total South Korean bear imports.

#### Bears as Food

While bear paw dishes are considered Chinese food, they are nonetheless served in South Korea at Chinese restaurants (see "The Bear Market" in this chapter). Like the Chinese, Koreans regard bear meat as a "tonic" food for strengthening the human body. This belief is best illustrated by the 30 bears smuggled out of Thailand to South Korea to fortify Korean athletes for the 1988 Olympic Games (see Thailand chapter).

#### Bears as Pets

To our knowledge, bears are not popular pets in South Korea.

## Bears as Food

Some Taiwan diners reportedly favor restaurants serving bear's paw (*Asiaweek*, 16 February 1990). The front paws are preferred (Wang 1989). A game-shop survey now in progress further documents a demand for bear paws (H. Chen, pers. comm., June 1991) that has survived enactment of Taiwan's Wildlife Conservation Law.

## Bears as Pets

It has become "chic" in Taiwan to keep wild animals as pets, according to a report in the *Free China Journal* (28 July 1991). There currently are 140 bears registered with the Taiwan government as pets, of which about 120 are sun bears imported from Southeast Asia (H. Chen, pers. comm., June 1991). No one has yet censused unregistered bears (Y. Chang, pers. comm., June 1991). Despite the Wildlife Conservation Law, pet shops continue to sell bears. Sun bears usually sell for just under \$2,000, while Asiatic black bears can sell for more than \$5,500 (H. Chen, pers. comm., June 1991).

We went on a walk with two sun bears bought recently by the owner of a small leather-goods shop in downtown Taipei. It is not uncommon for business owners to place bears outside their establishments to attract customers (Wang 1989). Both of the leather-shop bears were purchased illegally as cubs from Taipei pet stores for between \$1,800 and \$2,600. Both bears had been declawed. The male bear is two years old and spends his days on a three-foot chain atop a ledge outside of the shop. The female is one year old and lives in a three- by four-foot cage inside the shop. Now that the bears are nearly full grown, the owner finds them difficult to care for. He would like to sell them to recoup their purchase price. He is angry that the Wildlife Conservation Law makes it illegal for him to do so.

Some owners of unwanted pet bears sell them to game shops and tell the government

that they died of some illness, according to Chen. He also has heard reliable reports of weary pet owners releasing their sun bears into Taiwan forests. He has even had hunters tell him tales of taking sun bears in the wild on Taiwan.

To date, there are no reports of Taiwanese farming bears for their bile. However, Chen had interviewed a man in Kaohsiung who keeps more than 20 bears in captivity and refuses to talk about his purpose for keeping so many bears.

## THE BEAR MARKET

We checked for bear galls along and around Taipei's Di Hua Street, which is famous for its scores of Chinese apothecaries. Medicine shops from other parts of the island send representatives here to buy bear galls for their stock. Approximately 10 shop owners refused to talk because, they said, other foreigners had come around in the past investigating the trade in rhino horn for international conservation groups. In all, 34 medicine shops with personnel willing to talk were checked (Table 9). Some shopkeepers were more forthcoming than others. Thirty of 34 said they sold bear gallbladder. Among the four shopkeepers who said they did not have bear gall, one claimed the practice ran counter to the owners' Buddhist beliefs, one said he did not wish to break the new conservation law, and another said his shop had just opened so he hadn't yet had time to stock bear gall. The fourth simply told us he did not sell it and refused to say more.

In one shop, we saw a tray full of 25 to 30 whole galls, allegedly all taken from Asiatic black bears in Southeast Asia. In another shop, whole galls came sealed by the dozen in plastic bags. Some shops displayed partial galls, their sacks broken open where shopkeepers had been scooping out crystalline bile salts to sell by the gram. Most displayed glass jars filled with opaque brownish-gold, brownish-red, or brownish-green bile salts. Dealers claimed that loose

bile crystals are preferred by Taiwan users and are more expensive. Gallbladders and jars of bile salts were not hidden in a safe place as were those in South Korea, nor were they displayed prominently as in Hong Kong. Most often, they were in a discreet location, usually behind the counter or behind jars of other more common ingredients such as pearls or gazelle horns.

Prices ranged from \$8 to \$30 per gram, making a whole gallbladder of average weight worth \$800 to \$3,000. The broad range in pricing probably was due to several reasons, including the fact that some of the shops were wholesale outlets. The perceived quality of the bile was another variable. Country of origin, color, and bear species were all mentioned as pricing factors, though some sellers said only the color was important.

Many shop owners expressed a preference for Chinese bears. Taiwan bears were also favored. However, other dealers claimed bears from India produced the best medicinal bile. One man read from a medical text that specifically recommended the gallbladders of bears from China's Jilin, Heilongjiang, and Yunnan provinces. Many shopkeepers said the gallbladder of Southeast Asian bears was of lesser quality. One wholesaler said he preferred bear galls from Southeast Asia because he believed all those from China were now from captive-bred bears. A buyer for another shop stated that the best bear galls come from colder climates. He mentioned both northern China and Alaska specifically. He said galls from the lower 48 states were too small — an opinion expressed by others as well. But those from Alaska are large and, therefore, very desirable. This buyer said he bought most of his galls from a Hong Kong broker, but said people from Wisconsin once came to his shop selling gallbladders from American bears. He repeatedly asked if we had galls to sell. Another shopkeeper said that, while gallbladders from the lower 48 states were not as good as those from Alaska, he felt assured they were authentic because bear hunting is legal in the United States. Yet another said that bear gall

is so scarce that one cannot be particular about what country it comes from.

Color variations, in order of preference, are golden-brown, reddish-brown, greenish-brown, and black. There was unanimous agreement that golden bile was the best. What was referred to as *soo* gallbladder, gold-colored bile salts from Chinese bears, was most highly valued, while the nearly black bile salts of the Malayan sun bear were said to be least coveted. One merchant told us that color is what gives farmed bile away as inferior. This man also said that color is determined by the season when a bear is killed and the method by which it dies.

Some shopkeepers said Asiatic black bears yielded the most effective gall followed by brown bears. At least one shopkeeper said it was the other way around. One explained that polar bears eat too much fish, therefore their bile salts take on an unpleasant taste. Another said Himalayan black bears yield the best bile. Most agreed that Malayan sun bears were less desirable. One man declared that the gallbladders of all bear species have the same efficacy, as long as they are hung to dry rather than drying flat.

Two merchants mentioned that some unscrupulous sellers will inject gallbladders fresh from a bear with either pig bile or soil so that they become heavier and, therefore, more valuable after drying. Shopkeepers mentioned the problem of fake galls, but claimed they could tell the real thing from a fake based either on experience or by various tests. When placed in water, a sample of real bear bile will spiral to the bottom of the glass, one apothecary said. Another swore by dropping a bit in dusty water. If it is the real thing, he said, the dust will disappear. Yet another shop spokesman recommended dropping the bile in water. If it rises straight as it dissolves, then it is from a bear. The bile of any other animal will dissolve at the bottom of the glass, according to this source. Several shop owners claimed that taste was another factor in positively identifying real bear bile. Some insisted we try a taste test ourselves and placed a tiny bit on our tongues. The bile dissolved slowly in

Table 9.

Sampling of Bear Gall Prices in Taiwan Shops (June 1991).

Shop #/Location	Bear Gall		Stated Origin	Comments
	Sold	Price		
1 / Taipei	No	N/A	N/A	Bear gall too expensive and Buddhist owners believe it's wrong to kill bears for medicine.
2 / Taipei	Yes	\$20/gram	Not specified	1 partial jar of golden crystals and 1 full jar of reddish-brown crystals seen.
3 / Taipei	Yes	\$25/gram	Not specified	Shopkeeper reluctant to talk. Said only that his bear gall was smuggled into Taiwan.
4 / Taipei	No	N/A	N/A	Shop owners said they did not wish to break the law.
5 / Taipei	Yes	\$25/gram	Not specified	1 whole gallbladder seen.
6 / Taipei	Yes	Not given	Not specified	Shopkeeper reluctant to talk.
7 / Taipei	No	N/A	N/A	None.
8 / Taipei	Yes	Not given	Not specified	Shopkeeper reluctant to talk.
9 / Taipei	Yes	\$28/gram	Not specified	2 whole gallbladders seen. Shopkeeper said Chinese galls are best. Usually sells as part of mixture.
10 / Taipei	Yes	\$20/gram	Not specified	Shop owner said brown galls are best, followed by black bears. Malayan sun bear galls are "not so good."
11 / Taipei	Yes	\$30/gram	Not specified	Owner said Himalayan black bear gallbladders are the best.
12 / Taipei	Yes	\$13/gram	China	Most of his stock smuggled by individuals in lots of 10-20. Sells mainly for baby birth rite and in mixture.
13 / Taipei	Yes	\$20/gram	Not specified	Owner sells about 10 bear galls annually. Some customers buy 2-3 at a time, but most in mixture.

Table 9 (continued).

Shop #/Location	Bear Gall		Stated Origin	Comments
	Sold	Price		
14 / Taipei	Yes	\$10-20/gram	Not specified	Price depends on color. Golden more expensive. Darker color is cheaper.
15 / Taipei	No	N/A	N/A	Owner had no bear gall in stock as store had just opened.
16 / Taipei	Yes	\$20/gram	Hong Kong	Owner sells more than 100 per year. 3 whole galls seen, plus crystals. Asiatic black bear galls from Yunan Province on Main land best. He sells mainly for child's birth rite.
17 / Taipei	Yes	\$21/gram	Not specified	Owner said his stock smuggled into Taiwan.
18 / Taipei	Yes		Not specified	Employee said shop sells only whole galls, but owner refused to elaborate.
19 / Taipei	Yes	\$8/gram	Hong Kong, USA	Shop sells 1-2 kilogram of bear bile crystals annually. The best galls are from Alaska or northern China. Store's buyer asked if we were selling. Once bought from a Wisconsin seller.
20 / Taipei	Yes	\$12-13/gram	India, Southeast Asia	Three galls were shown. Priced according to country of origin. Indian are of higher quality. This was a wholesale shop only. Owner said some customers buy 10 galls at a time.
21 / Taipei	Yes	\$15-30/gram	China	Shop sometimes sells 150 grams per year. Jar of crystals shown. Supply smuggled by overseas Chinese or boss buys in Mainland China.
22 / Taipei	Yes	\$3-22/gram	Borneo, Southeast Asia, China	Jar of crystals shown. Taiwanese prefer bile salts without the gall bladder sack. Galls from Borneo of lesser quality.

Table 9 (continued).

Shop #/Location	Bear Gall		Stated Origin	Comments
	Sold	Price		
23 / Taipei	Yes	\$18/gram	India	Jar of crystals shown plus 2 whole galls. Shop sells as many as 5 galls per day and up to 100 per year.
24 / Taipei	Yes	\$16-19/gram	Cambodia, Thailand, Malaysia	3 whole galls and numerous empty gallbladder sacks shown plus 2 jars of crystals. Smuggled by overseas Chinese who come to university in Taiwan. Shop sells many galls to Japanese and some to South Koreans. Demand is increasing.
25 / Taipei	Yes	\$9-13/gram	India, Burma	Shop buys 3-4 kilograms of bear gallbladder several times per year. Japanese sometimes buy 20 kilo grams at a time. Package of 12 galls shown.
26 / Taipei	Yes	\$18/gram	Burma, Thailand, China	Owner complained of irregular supply. Many galls available in spring.
27 / Taipei	Yes	\$15-16/gram	"Tropics"	Supplies are scarce. Bear gall usually sold in mixture.

our mouths with a fizzing sensation. The taste was overwhelmingly bitter, and the acrid after-taste remained until we ate.

Many shops said they usually sold bear gall mixed with pearl, cow gallstones, musk, and amber. Reportedly, this is a powerful — and expensive — tonic for the liver, heart, lungs, stomach, and kidneys and is good for the skin as well. Sometimes rhino horn, gazelle horn, oxidized mercury (which is highly toxic when ingested), coral, dried palm, ginseng, dried insects, stalactites, and even gold are added for an even more powerful and expensive tonic.

All shops mentioned the use of pure bear bile in a birth rite for newborns. In fact,

some shops said most of their gall sales were intended for this purpose. At birth, a fraction of a gram of bear bile is placed on an infant's tongue to "cleanse the blood" of poison passed by the mother to the child in the womb. Shopkeepers in Taipei medicine shops repeatedly stated that bear bile "kills germs" and "cleanses the blood."

People at three different shops mentioned that Japanese buy a lot of their bear gall. One apothecary said she had sold 20 whole galls to Japanese in the first five months of 1991. Another shop owner said Japanese sometimes buy bear gallbladders and cow gallstones 20 kilograms at a time.

Table 9 (continued).

Shop #/Location	Bear Gall		Stated Origin	Comments
	Sold	Price		
28 / Taipei	Yes	\$18/gram	"All over the world," including Alaska	Jar of crystals shown. Owner believes galls from USA are authentic because hunting bears is legal.
29 / Taipei	Yes	\$16-20/gram	Worldwide	Shop once sold 100 kilograms of bear gall in a year's time.
30 / Taipei	Yes	\$18-25/gram	Southeast Asia	Whole galls are less per gram than crystals. A tray of 25-30 whole galls shown, all said to be from Asiatic black bears in Southeast Asia.
31 / Taipei	Yes	\$25/gram	China	Owners reluctant to talk. Said they sold 1-2 galls per year.
32 / Taipei	Yes	Not given	Thailand, India, China	Asiatic black bears yield the best medicine. Polar bears eat too much fish. Owner reluctant to talk.
33 / Taipei	Yes	\$8-9/gram	Not specified	Owner very nervous about talking. He said he kept his galls away from the premises.
34 / Taipei	Yes	\$25/gram	Not specified	Bear gall usually sold with other ingredients.

One shopkeeper claimed his bear galls are shipped in legally from India. Most others, however, admitted theirs were smuggled in. One man said his stock was smuggled from China by "individuals" who carried 10 to 20 pieces per trip. Another shop also said it depends on overseas Chinese to smuggle in supplies, except when the boss goes to Mainland China himself and smuggles galls home. Another shop said it simply waits for strangers to come peddling bear galls. Two shop owners said they buy from a distributor in Hong Kong, and one showed an invoice from a Hong Kong export company to prove he paid \$12 per gram retail for the gallbladders he sells for \$20 per gram. A woman

shopkeeper stated that she sometimes buys from overseas Chinese who come to Taiwan from Southeast Asia to attend college and bring 10 or 20 galls back with them to Taiwan after every visit home. Another shop owner said he bought his stock from a Taiwanese broker who buys bear galls from around the world, including Alaska.

Some shops said they sold ten or fewer bear gallbladders each year, while others claimed to sell five to ten a day at times. One owner said he sells more than 100 galls per year. A buyer for another shop said he goes through one or two kilograms of bile crystals annually. Another owner said he buys three or four kilograms of

bear gall several times a year to meet the demand. Yet another said once he sold 100 kilograms of bear galls in a year's time.

We asked five expensive Cantonese restaurants in Taipei whether they served bear paw. All said they no longer serve bear entrees, citing the law, a shortage of bears in the wild, or cruelty to animals as reasons. However, we are not convinced bear paw is not served in Taiwan restaurants and believe the matter deserves further investigation.

After shopping for bear parts, we asked Tang Hsiao-yu, chief of the Council of Agriculture Conservation Division, about the open sale of bear gallbladder in Taipei. He acted very surprised. "Not in Taipei," he said. "When?" He then referred us to the city government, as each city in Taiwan is responsible for enforcing the national Wildlife Conservation Law. The central government only wrote the law, he said. It has no hand in enforcing it.

At the Taipei City Government Department of Reconstruction, a five-department municipal team is charged with enforcing the Wildlife Conservation Law within Taipei city limits. This team is made up of members

with expertise in city government, police work, education, zoos, and animal welfare. Their main job is to inspect pet shops to see if any illegal trade is being conducted. In addition, they are attempting to get owners of protected animals and their parts to voluntarily register their holdings. Since January 1991, 5,316 captive animals from 81 protected species have been added to the government's pet records, including one Asiatic black bear and six sun bears. The enforcement team is not looking at bear gall and other protected species' parts sold in Chinese medicine shops due to lack of staff resources and the problems associated with positively identifying these parts as authentic. Their priorities at this time are registration of live animals in captivity and an accounting of all ivory and rhino horn in the possession of Taipei citizens. Afterward, as of an as-yet-unspecified date, citizens caught with unregistered protected wildlife will be prosecuted (Y. Chang, pers. comm., June 1991). Chang Yuan, a member of the Taipei municipal team, said that stopping the sale of bear gallbladders is not part of enforcement efforts at this time.



**US guns  
for Vic  
hunter**

THIS Victorian big game hunter is wanted by US police for killing this protected Alaskan Grizzly brown bear.

The killing has disgusted environmental groups and outraged Alaskan wildlife authorities.

Mr Peter Stapley admits

he shot the 181kg, 22 metre tall female bear in 1986 in the northern mountain area of Alaska — the last US refuge for the species.

The offence carries prison terms and stiff fines and Mr Stapley has been advised by his lawyer not

to return to the US.

Mr Stapley, 46, a deer farmer from Timboon in south west Victoria, also faces charges over the 1981 illegal killing of a caribou, a moose, a dall sheep and a deer.

● Full report, Pages 6 and 7

**DON'T MISS  
KEVIN  
BARTLETT**

- In Monday's *Herald-Sun*

**CAPTURED  
NATIONS  
FREED** - Page 2

By **MATTHEW PINKHEY**  
**GOVERNMENT** schools face a shutdown after a meeting of Victoria's two main teacher unions yesterday

For the first time, unions representing more than 40,000 teachers have agreed to co-ordinate a series of half day strikes which will affect more than 500,000 students in 2000 schools.

According to the heads of the Victorian Secondary Teachers Association and the Federated Teachers Union of Victoria, teachers will hold a strike a week throughout the fourth term.

Teachers are demanding the government reverse budget decisions that will lead to the breaking of industrial agreements signed last year.

The co-ordinated strikes — which will begin on October 7 — are the first to be held since the 1990 disintegration of the Teachers Federation of Victoria and the emergence of separate secondary and primary teacher unions.

The half day stoppages are in addition to two 24 hour strikes on September 12 and October 31.

According to the president of the VSTA, Mr Brian Henderson, the industrial campaign will see "unprecedented disruption" of the school system.

News of the strikes came as the Education Minister, Mr Pullen, admitted he had made a mistake in signing industrial agreements with teacher unions.

In an open letter to teachers, Mr Pullen said staffing and conditions agreements had to be broken because of the worsening economy.

"With hindsight it may have been a mistake to approve the agreements," Mr Pullen wrote.

● Continued Page 2



**\$130,000  
DREAM HOME**



**FOOTY  
FINALS  
SUPERFORM**



**LA TOYA JACKSON  
BARING  
MORE THAN  
HER SOUL**

# GAME IS UP



● The shooter and his trophy . . . Victorian big game hunter Peter Stapley with the antlers of a moose.

By CAROLYN FORD  
in Los Angeles

DEATH came fast for an Alaskan grizzly bear feeding on salmon it had caught in a stream.

It was gunned down from 50 metres and skinned on the spot.

The bear's hide, including its head and paws, was stored for treatment by a taxidermist.

The rest of the 181kg carcass was left, like a stripped down car, for animal scavengers.

A Victorian big game hunter, Mr Peter Stapley, 46, is wanted over the bear's killing. He is also wanted for the illegal killings of a caribou, moose, dall sheep and black-tailed deer in 1984.

The killings contravened US state wildlife regulations.

Mr Stapley is charged with taking a grizzly bear without a licence, illegal possession of big game and being an alien hunter without a licensed guide.

## Jail sentence

Each carries a one-year jail term and \$US5000 fine.

If Mr Stapley took the animals out of Alaska he violated federal law and could be charged with illegal interstate transportation of big game.

That carries a \$US250,000 fine and up to five years' jail.

"To our knowledge, he took everything back to Australia," said Mr Joe Campbell, of the Alaska Fish and Wildlife Protection Division.

Alaskan authorities have an outstanding warrant for Mr Stapley's arrest, with bail set at \$US25,000. But unless Mr Stapley returns to the US, he will not have to answer the charges.

Under US law, foreigners can be extradited from another state but not another country.

At his deer farm at Timboon in the state's south west, Mr Stapley confirmed he had killed the animals, but said he didn't know he was breaking any laws.

The Alaska Fish and Wildlife Protection Division uncovered Mr Stapley's hunting activities in 1987. Officers were searching

the home of an unlicensed guide, Mr Jim Baum — with whom Mr Stapley had hunted — when they found photographs of Mr Stapley with his wildlife trophies.

After a year-long investigation, authorities had enough evidence to lay charges but Mr Stapley had returned to Australia, and Timboon.

Mr Stapley said he thought Jim Baum was a licensed guide, and paid him \$US5500 to take him bear hunting.

He said Mr Baum told him all the paperwork and payments necessary for a foreigner to hunt had been taken care of.

"I paid for a hunt with a registered guide, but the guide turned out to be unlicensed. I wanted a cheap hunt not an illegal one that would get me in the strife I'm in," he said.

"I'm one of six or seven (Australians and New Zealanders) who have been illegally guided by this character. I am very bitter about the whole thing.

"I was led up the garden path, it's dirtied my name."

Alaskan wildlife officials were dismissive of Mr Stapley's explanation, saying he was not a novice to hunting in the area.

Mr Stapley has been offered a suspended prison sentence if he pleads guilty to the three state charges and pays related fines, makes a contribution to the Alaskan Wildlife Fund and returns all Alaskan wildlife trophies (antlers, horns and the Grizzly's head) at his expense.

Mr Stapley said he did not have the bear skin.

He said it was taken to a taxidermist in Anchorage, Alaska, to be tanned for a floor rug and that, he said, was the last he saw of it, despite paying \$US2200 for the treatment.

"I would go back if I could get a fair hearing," he said.





America's Illegal Wildlife Trade

# A SHAMEFUL HARVEST

By CONSTANCE J. POTEN Photographs by JOSÉ AZEL CONTACT PRESS IMAGES

*For a thrill, a trophy, or a big payoff, America's wildlife is under illegal attack. As greedy hunters, guides, and black marketeers do their business, two confiscated bighorns mark this gruesome, growing problem.*



*Trapped in Ohio and illegally trucked to South Carolina, these red foxes were purchased by a game farm for use as hunting quarry. Wildlife*

*agents picked up the trail and arrested the violators, who were fined. Rabies and tapeworm tests required that the foxes be destroyed.*

The story on the following pages is a grim one: that of massive and illegal slaughter of our country's wildlife for profit at home and abroad. Though the scale is enormous, the story is little known. We present it here on behalf of all threatened wildlife.

THE EDITOR

**S**OME DARK CLOUDS that over Montana's frozen eastern plains. On this Thanksgiving weekend, in the spare ranch town of Wibaux, the main industry for a number of people is illegal hunting, and they are waiting for their payoff. At dawn Montana's lone undercover-tax wildlife agent and I sit in his pickup, waiting too.

The agent, call him "Roy," is a big, patient man with a sly wit. His beat covers 147,000 square miles and often takes him out of state. Montana's wildlife has a fat hunting market.

"Montana," he says, "is one of the last states with astounding numbers of wildlife. It's made for poachers."

Two voices arise from the metal suitcase between us: wildlife agents on loan from another state, bodywired. We see them emerge from the worn, brick Palace Hotel a block away. Behind them is Neal Atkinson, an outfitter from Florida, who has allegedly taken 23 people on illegal hunts in Montana this fall alone. He thinks the agents are genuine clients.

Roy picks up his radio mic. "They're leaving. Let's take 'em down." Fourteen Montana game wardens hear this. The scene unfolds on empty Main Street. Atkinson is scraping ice off his windshield, Atkinson and deputy surrounded by a chukar and his partners, stunned men in dirty jeans and down vests, trucked and handcuffed, someone leaving to wipe up the justice of the peace.

This is not the first time Atkinson has been caught; he's already been convicted in Alaska. Two other states and two Canadian provinces have investigated him for illegal hunting. His meticulous records, seized by wardens in the shabby hotel room, outline three years of uncensored hunting. Deer carcasses and photographs were found in the hotel and nearby in homes and an old prairie school.

On this brilliant, cold day, Atkinson—a lean 45-year-old—is led to jail. He will be facing 23 federal counts, but he knows from

experience that wildlife crime sentences tend to be lenient and probation requirements are difficult to enforce. Casually, he asks the warden about other good hunting areas.

Atkinson is a player in a lucrative American industry—poaching. Officials say the trade in illegal wildlife has become a booming tax-free business. No one really knows the bottom line; United States Fish and Wildlife Service (FWS) officials estimate that the illegal profits from U.S. animals are 200 million dollars a year and growing. The trade attracts organized crime, agents say, because the return is high, the risk of getting caught is low, and, until recently, the penalties have been minimal.

"There's big money out there," says Terry Grosz, the Rocky Mountain region FWS special agent in charge. "The people involved are everybody—rich, poor, outfitters, taxidermists."

Increasingly, wildlife officers rely on undercover operations like the one in Wibaux to penetrate networks of poachers and buyers. "As we get more sophisticated, so does the poacher," says Alaska senior FWS agent Al Crane. "There's more illegal activity than ever."

Despite a 91 percent conviction rate for those caught, poachers feed global demand for American wildlife. They deplete walrus for ivory tusks, net thousands of night-roosting robins for Cajun gumbo, and shoot anhingas nesting in the Everglades and raptors for their decorative feathers. In Alaska they track and shoot wolves from airplanes. They catch sturgeon and rare paddlefish and sell their eggs for caviar.

Unscrupulous outfitters purchase illegally trapped mountain lions and endangered jaguars for hunters willing to pay substantial trophies fees. Poachers shoot protected polar bears for collections, or to sell the skins, or for the \$3,000 a South Korean will pay for the gall bladder. The illegal trade supplies an Asian market with elk antlers and tails, bear parts, seal penises, even herring spawn attached to kelp, stealing the habitat too.

For the biggest trophies, collectors sometimes cross into national parks and shoot elk, deer, mountain goats, grizzlies, and bighorn sheep for the record book, wall mounts, pictures in albums, and quick profits.

Poaching has long been a tradition in the rural United States, spotlighting deer at night, a coffee can over the gun barrel to muffle the shot, using dead animals as bait for cougars

## A BIG-GAME VACATION GOES ALL WRONG



*Pursued by a posse of game wardens and undercover agents, outfitter Neal Atkinson, at right, brought client Bobby Bagley to Montana in 1989. "This was the first time I went hunting out West," says Bagley, "and I thought I was going to have the best time of my life. But it didn't turn out like that." Accused of killing two deer—one over his limit—and bringing them home to Florida, first-time offender Bagley pleaded guilty and was given three years' probation and a \$2,000 fine. "I didn't have the money to fight the federal courts, so I had to swallow it and go on with my life." For two weeks of illegal work, Atkinson was found guilty of 21 federal wildlife violations, but he remains free on appeal. "They railroad people," says Atkinson about wildlife officials. But in court, prosecutor Kris McLain argued that "Neal is a greedy, flagrant violator."*

and bears, shooting a duck or two in the farm pond for dinner. But over the past decade the stakes have soared. Word has passed among hunters that a black bear gallbladder is worth \$30 to \$100, a bobcat pelt \$200, or a bighorn sheep head \$3,000 (by the time these reach the consumer, the value will have increased substantially). Poaching has become big business.

"It's a terrible waste," says David Galloway, outdoor editor for the *Missoulian* in Montana. "As sportsmen, we hunters pay to support game management for herds to expand, not for poachers to exploit. Every year there are more hunters and fewer places to hunt. Poachers are stealing from me directly."

The demand is outstripping the supply. In less than ten years the average age of legally killed bears in southern Appalachia has

dropped by half. So few bighorn sheep are left in certain prime habitats that they must be transplanted to prevent inbreeding. The bobcat—one of the few spotted cats still legally sold—has been trapped off season and without permit for breeding purposes. The antleringly prized for coats, accounts for 60,000 animals killed in the United States each year. Nationwide, the illegal kill of animals equals or exceeds the legal kill, wildlife officials say. Only a fraction of the violators are caught.

Some hunters groups question the extent of illegal trade, charging that FWS undercover operations are public relations ploys. "Protecting wildlife no longer is enforcement's principal mission," says a Wildlife Legislative Fund of America report. "Making arrests is"



## POACHERS' WHO'S WHO

**Dead ducks:** 29 of them put Ronil Chaisson almost ten times over his limit in Louisiana. Pleading guilty, he was fined \$425 and sentenced to two years' probation and ten days of community service. Chaisson said he stopped shooting only because he ran out of shells.



DAVE BRILEY, U. S. FISH AND WILDLIFE SERVICE



**"William Heuer gets his trophy no matter what the cost,"** says Montana undercover agent "Roy." The cost for illegally taking this bull elk from a no-hunting area in Montana and attempting to transport it out of state: three years' probation, 200 hours of community service, and \$13,300 in fines.

**For two rare gyrfalcons** Lothar Ciesielski paid a government informant \$11,000 and allegedly smuggled the birds to West Germany; he remains at large. To maintain the illegal supply of falcons, Ciesielski offered the informant an 80-acre ranch and a six-figure salary.



poached in Washington State, game wardens are finding bears stuffed in Dumpsters, paw- and gall-gone. The impotation of 48 frozen black bears by South Korean businessmen made the *Korea Herald* because the galls were selling for as much as \$18,000 each. Working undercover, agents documented the loss of 360 bears from the Great Smoky Mountains region over a three-year period.

Since the sale of bear parts is legal in some states, merchandise from poached bears is very difficult to track. "Until we have standardized laws throughout the United States and Canada," says Washington State wildlife enforcement officer Ron Peregrin, "trade in illegal bear parts will flourish."

Bear-claw necklaces are de rigueur at mountain men rendezvous and, set in silver

and turquoise, are big ticket jewelry pieces. I try on a necklace with 20 claws at a fair on the Crow Indian Reservation in Montana. It is frighteningly beautiful. Legal? Who knows? In a shop next to Glacier National Park, a possibly illegal claw from a grizzly ton the FWS threatened lists is tucked away among the items.

In Alaska a wealthy hunter will pay \$10,000 to hunt an illegally guaranteed brown bear, often illegally baited with dead caribou. Until an undercover operation interrupted his business, legendary Alaska guide Ron Hayes used airplanes to herd trophy animals toward the gun barrels of hunters. In 1988 Hayes was arrested and pleaded guilty to federal charges. He served 13 months in prison, paid a \$400,000 fine, and forfeited three planes



ALASKA FISH AND WILDLIFE SERVICE

**Once the hunter, Australian Peter Stapley is now the hunted.** He allegedly shot this Alaskan brown bear in 1986, breaking three state wildlife regulations, and then disappeared. Today Stapley remains a wanted man. Apprehending poachers is one of many responsibilities shouldered by state and federal wildlife agencies that are strapped for money and manpower. According to a recent government report on the U. S. Fish and Wildlife Service, some 3,600 endangered or threatened species are receiving little or no federal protection.

**T**HE BLACK MARKET FLOOMS ACROSS the country like a seine, silently emptying rivers and seas of fish and shellfish by the millions. A Texas fish study showed that illegal netters are the largest harvesters of redfish, killing more than 40 percent of a species whose population has already collapsed from overfishing.

"If they weren't dealing in fish, it would be crack," says Bob Marshall, outdoor editor for the New Orleans *Times-Picayune*. "These are thieves, career criminals. The fish business is a haven because of lack of enforcement. The National Marine Fisheries Service guards federal waters from Puerto Rico to Brownsville, Texas, with only six resident agents."

New York City's Jamaica Bay, a three-by-seven-mile reach with countless marshy islets,

is so polluted that commercial shell fishing has been outlawed since 1911. When it rains, raw sewage may flush into the bay. The city's archaic system can't handle any overload. Shellfish here are covered with malodorous muck.

Two days before Christmas, shellfish prices are up, so New York conservation officer Dave Baker, two partners, and I take a boat to check out the bay. The sun is a yellow stain over Manhattan, the chill damp and deep. "A couple of nights ago we arrested two guys digging shellfish right off the dump," says Baker, pointing to a brown bulge of land. "They got a dismissal from the Brooklyn Criminal Court." Why? He shrugs, "Digging clams is nothing compared with rape. It's a misdemeanor. The diggers' defense was that every body knows you shouldn't eat raw clams."



*In his grab-and-go business a reptile poacher makes fast cash for a few hours' work. He squirts gasoline into the branches of a Florida banyan tree and lets the fumes flush out his prey—threatened eastern indigo snakes, prized as pets. This indigo sold for \$120, including the black market bonanza in a wide variety of reptiles. "If poachers can't sell it," says photographer Jose Velez, "they'll poach it."*



Baker orders them to dump all the crabs, worth \$50 a bushel, and fines the men \$500.

In the Midwest one Great Lakes investigation exposed dealers in four states selling tons of illegal trout and salmon marked as whitefish—some contaminated with PCBs—depleting those populations and spreading toxin-to-consumers. The volume of illicit fish was so large it amounted to more than \$150,000 in 1986. So, in 1987, the illegal fishing racket was broken up by the FBI, and on five men in St. Louis, including the dealers, being charged. In 1988, another penalization had a lucrative network selling illegal sport and game fish in Illinois.

For the spoon-billed paddlefish, swimming America's rivers for 65 million years, depletion of the species became a concern in the

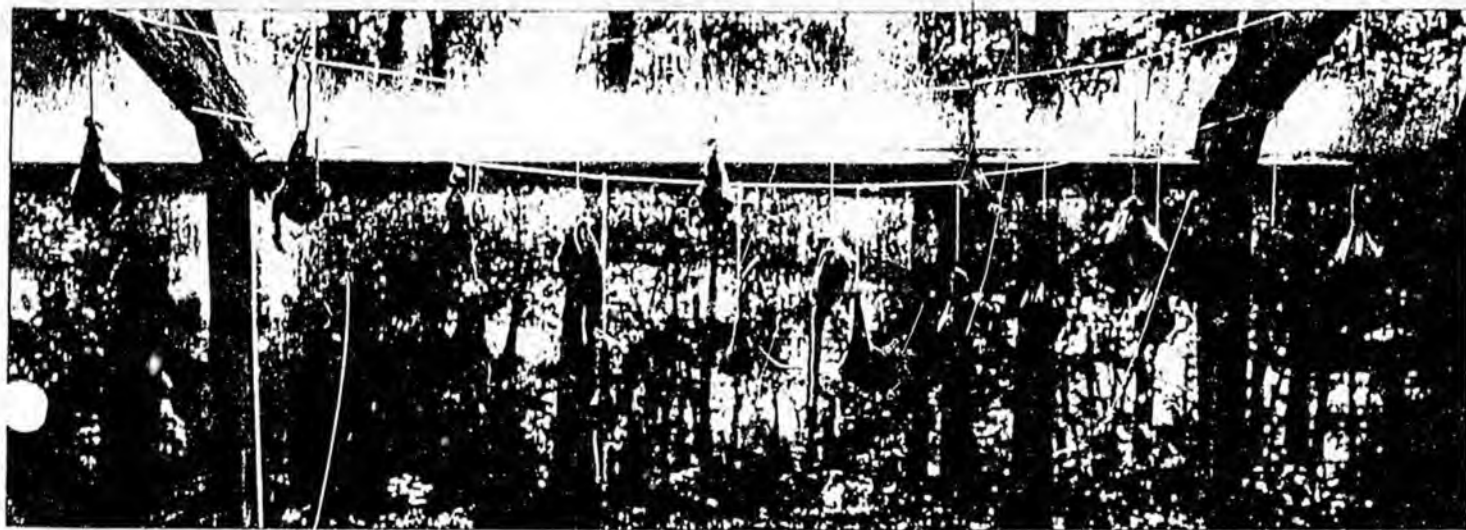
1980s. When Iranian students took U.S. hostages in 1979, the beluga sturgeon caviar source was abruptly cut off. U.S. commercial caviar producers taught Iranian fishermen how to prepare caviar from paddlefish eggs. Suddenly, the poacher "bonanza" took hold. "I went to be a contractor. For the rare poacher on fish that can produce ten pounds of caviar, worth as much as \$100 a pound on the retail market, it amounted to a death sentence."

In 1985 low water in Missouri's Table Rock Lake exposed 15 dead paddlefish, their stomachs split open, their heads and tails tied together, and the carcasses weighted down with rocks. So many similar instances occurred that in 1987, at the Turn It Loose Bar near Missouri's Harry S. Truman Reservoir, two undercover agents joined paddlefish poachers in

the shadowy business of control and caviar.

They found that at least 4,000 paddlefish were killed that year. One poacher boasted of clearing \$860,000 in five nights. When the agents caught 400,000, 50 percent of state and federal charges. At the top of the list was a representative politician. But the market for paddlefish has continued to rise.

**I**n the 1980s, many of the great fisheries of the Pacific Northwest where fishing rights issued since 1850, and the roe and meat of salmon, sturgeon, and steelhead trout are worth enough money to fuel large-scale poaching. Native Americans claim treaties protect their freedom to fish in their original territory. Court decisions over the decades have reaffirmed the treaties, and



BILL COOK, NATIONAL PARK SERVICE TRAPLINE AND TRAP



DAVE HILL



Spoils from the slaughter, animal parts are prescribed by doctors practicing traditional Asian medicine. To treat indigestion, fever, hemorrhoids, and a litany of other ailments, doctors recommend gallbladder from a bear. After the fist-size galls are hung out to dry (left), they are diced, mixed with wine or liquor, and ingested. For sustenance and strength, doctors suggest tea steeped with sliced elk antlers, available at Asian medicine shops in the U. S., on the streets of Seoul, South Korea (below), and elsewhere in Asia.

In a less therapeutic vein, bear paws (below, middle) are boiled to make bear-paw soup, another Oriental specialty. In Alaska, where native peoples may legally kill walrus and sell handicrafts fashioned from the animals' tusks, raw ivory (far left) can still be obtained by nonnatives—illegally and for a price. Valued at 200 million dollars, the annual U. S. illegal wildlife trade represents a hefty slice of the 1.5-billion-dollar worldwide market.



ALAN BARRETT

to a Indian impact on fisheries—commercial take, dams, and pollution has further reduced the catch.

"Ten years ago I worked for the biggest mover of sterlhead from the Northwest to New York City's Fulton Fish Market," boasts a Seattle-area veteran illegal fish broker. Apprehended and convicted, he now acts as an informant. "I shipped 50,000 pounds a day. Had 11 aliases going at once. You don't need an ID to get a license. I had the Indians protecting me, erasing and reusing fish tickets to hide the real numbers of fish I was buying.

"In the past ten years Washington's natural spawning runs are down 75 percent," he says, pointing to a chart. "I'd say the illegal take is responsible for a third to a half of that."

"The spawning of sturgeon has been so drastically reduced in the Columbia River's Bonneville Pool that biologists are gravely concerned about the future of the fish. Washington wildlife officer Ron Peregrin agrees. "It is illegal to catch fish longer than six feet there, because that's the size when they begin to spawn. Now the spawners are disappearing. The direct implication is the illegal bar vest, particularly of the roe."

Tonight a full-spring moon, bright as a stadium light, shines down the broad Columbia. With the informant as their front man, agents posing as fish buyers drive to the river to buy into the illegal trade. Each night Indians bring in boatloads of illicit sturgeon—outside or shorter than four feet. They throw back only those too small to have a commercial value.

In the beam of a flashlight the agents measure their truckload of purchased fish. Two out of 18 are legal size. Still alive—sturgeon can take four days to die—one stands out. She is eight feet long (two feet over the legal limit), 390 pounds, and more than 60 years old. She will be sold to an illegal fish broker in Tacoma, a sacrifice agents must make for a solid case. Seattle FWS agent Dick Lichtenberg studies the fish sadly.

"That fish was here before the Grand Coulee Dam," he tells me. "She survived the hooks and nets, didn't succumb to the logging, the industrial waste—and then some dirtbag nets her and throws her out of the water illegally."

The meat will be taken by airfreight to the East Coast, the roe to Europe. The market is

substantial. Washington State wildlife agents continue to broker hundreds of pounds of illegal fish, building a case that promises to tighten fishing regulations and strengthen fish populations in the Northwest.

**P**ROFIT IS ONLY ONE of the motives behind the illegal traffic in big game animals in the United States. Another is the obsession by some to possess, at any cost, these symbols of power and freedom. Bill Day, a Texas banker, wanted a trophy so badly he paid \$20,000 for record-book white-tailed deer antlers, which he then proceeded to have mounted on the skull of a Mexican deer.

"Day had his picture in *Outdoor Life* for getting the biggest Mexican nontypical



whitetail ever," says Joel Scatford, a senior FWS agent for Montana and Wyoming. "He got to portray himself as the big gun to whitetail hunters." The real story came out when Canadian officials recognized the antlers. They had been stolen from a Canadian taxidermy shop. Day was sentenced to five years' probation and a \$20,000 fine.

During the fall hunt Pennsylvania's William Hener's elk and deer don't make the record books. He pressures his Montana guide for an under-the-table hunt. He illegally buys a resident's license but doesn't know the salesman is Montana's undercover agent, "Roy."

"I consider myself a sportsman, whether anyone else does or not," Hener tells Roy, who is taping it all with a hidden recorder. At dark, in a no-hunting area on the edge of Yellowstone, Hener sets his gun on the hood of Roy's truck and aims at a huge bull elk. He has instructed the guide to fill a plastic bag with blood and let it drip from the legal area to the illegal kill. The shot rings out.

Months later, Roy's tape blasts the sound of the shot through the quiet of a federal courtroom. Members of the jury flinch. They look at Hener. The tan, trim, steel-haired man in a pin-striped suit sits impassively. The recorder is switched off.

The jury doesn't know that Hener has prior convictions in two other states. But their decision is quick: guilty of one Lacey Act violation. His federal sentence is three years' probation, \$13,500 in fines, and 200 hours of community service.

Founded by Theodore Roosevelt to recognize exceptional hunting skills with fair-chase criteria, the prestigious Boone and Crockett Club publishes a record book of trophy animals. "Trophy hunting does not appreciably affect wildlife populations," executive director Lawrence Means says. "Nearly 1,900 record-book trophies were entered in the past two and a half years alone, which suggests big game populations are doing well."

But so are hunters, getting into places

*In the hands of serologist Wayne Ferguson, a frozen bobcat is still a valuable one. At the new National Fish and Wildlife Forensics Laboratory in Oregon, its blood and tissue samples will augment a comprehensive data base designed to help investigators answer such questions as: Does the blood on a poacher's pants come from a bear—or a protected bobcat?*



*Set for the night shift, Buckshot—a decoy for Delaware's Fish and Wildlife Division—will stand rigid in a poacher's spotlight, just like a real*

*deer. When poachers shoot, they get arrested. Says Capt. Rick Burritt, "Buckshot never complains about the pay or the working conditions."*

nobody could reach before. "Teddy Roosevelt and the Boone and Crockett Club," Roy says, "would not condone the illegal use of aircraft, laser night scopes, one million candlepower spotlights, to tranquilize deer, two-way radios, silencers, poison, or all-terrain vehicles. We're losing a lot of quality wildlife."

"Seventy percent of my caseload involves trophy poaching," FWS agent Scraftford says. "They're killing off the biggest, the best of the gene pool for future generations."

Not so, declares Warren Parker, former president of the Safari Club International, the largest hunting organization in the world. "Trophy hunting doesn't affect animal populations. It actually works for the good. It takes out old animals out of a herd."

Until 1990 the Safari Club's most coveted award was presented for taking the top 27 game animals of North America. Public criticism persuaded the board to drop the award because the list included three protected species—the walrus, polar bear, and jaguar. It is illegal to import or hunt them in the United States. Parker, a top 27 winner, was convicted of a misdemeanor in 1985 for illegally transporting the skin of an endangered Mexican jaguar.

**T**ROPHY SIZE ANIMALS have become so rare in the wild that "people are hitting the parks hard now," says agent Scraftford. In his zeal to acquire a Roosevelt elk trophy, a former Safari Club chapter president contacted an outfitter about hunts in Washington's Olympic National Park. "He wanted to skip the hunt," the outfitter, an FWS undercover agent, tells me, "and just have the elk delivered to the Seattle airport."

In competition for record book animals, hunters will pay guides huge prices for trophies. "That creates unethical business relationships between the guides and those hunters whose skills and this are not developed," says FWS agent John Cooper. "It puts tremendous pressure on guides to produce."

Alaska state trooper Sgt. Joe D. Amico says, "Last year we cited 6,000 hunting and fishing violations, and we have only 60 field officers in all Alaska. That indicates the magnitude of the poaching problem."

For one of the most prized trophy targets, North America's wild sheep, hunters are willing to pay more than \$100,000 at auction for

the year's last legal Montana permit. "You don't see big-horn sheep over eight years old any more," says agent Scraftford. "For 30 minutes of work, I can get at least \$5,000 for a big-horn trophy. People invest in record book trophies like art collectors collecting Remington bronzes. Hold one for five years, and it can be worth \$50,000. People poach on speculation now."

One of the most valuable live animals today is the elk, for the antlers alone. American elk antlers (especially illegal ones taken from national parks where the forage has no chemicals) are number one with South Koreans. "Apothecaries sell them in Seoul," says Montana antler dealer Don Schaudler. "They slice them taper thin, boil ginseng and herbs with them, then squeeze the blood out of the horn. It's like a tonic—they believe it wards off flu and colds."

Elk produce new antlers each year, worth \$100 a pound in the blood-filled velvet stage. The resulting boom in elk ranching has encouraged illegal trapping of wild elk to stock the ranches. At up to \$16,000 a head for a legally purchased animal, high prices make the temptation to trap wild elk palpable.

In a landmark case Leo Smith, the manager of the Chama Land and Cattle Company, faces a lawsuit from New Mexico for stealing state property. Smith, a small volcano of a man, a cigar perpetually clamped between his teeth, is charged with 99 felonies, including larceny, racketeering, and embezzlement. The company is accused of stealing and transporting out of state 250,000 dollars' worth of migratory wild elk.

States are rethinking the wisdom of game ranching. (Washington has already outlawed it.) In the West dozens of game ranches have sprung up in the past decade. Wyoming law bans private ownership of game animals and can prohibit importation of exotic species. The state is being challenged by one heir of the Campbell Soup fortune, who has been denied permits for a large game ranch. But as the debate continues in other states, the market for game ranches grows.

Meanwhile, Valerius Geist, professor of environmental science and biology at the University of Calgary in Alberta, predicts that game ranching will have lethal results. By November 1990 a major outbreak of bovine tuberculosis had spread through Canadian game farms, traced, says Geist, to elk brought



American-style caviar—eggs from the rare freshwater paddlefish—was seized in 1989 in Missouri, where commercial taking of paddlefish is illegal but seductively lucrative: The roe from a large female may retail for as much as \$5,000. Sentencing three defendants in this case, a federal judge said, "We can no longer tolerate the destruction of our nation's natural resources for the short-term profit of a few."



BOOTH BY LARRY BECK, U. S. FISH AND WILDLIFE SERVICE

in from Montana. The highly contagious disease is fatal to animals and is debilitating and difficult to treat in humans.

The disease spread faster than anyone anticipated. By February 1991 nearly a hundred Montana and Canadian game farms were placed under quarantine, and several herds were destroyed. By April, 11 people tested positive, and the disease had spread to cattle and pigs. "The tragedy," says Geist, "is that Canadians have lost the advantage of TB-free status for their cattle, meaning the loss of potential markets. The cost is estimated to go into the hundreds of millions of dollars."

**F**OUR MAJOR FLYWAYS funnel migratory waterfowl from Arctic regions to Mexico and South America, and from beginning to end illegal killings are withering populations. In a Corpus Christi, Texas, shopping center, surrounded by duck decoys, packed boxes, and framed artwork, a federal agent and I sift through stacks of court records. The papers document a three-year undercover investigation on the Gulf Coast of Texas that brought charges against 210 people for 1,300 violations. The store we are in sold wildlife art but was really the front for the Texas Takedown, the biggest waterfowl



The end of the game for outfitter-turned-outlaw Robby Coombs came in 1989 when he was arrested and handcuffed in Raton, New Mexico (bottom). To gather evidence on Coombs's interstate hunting scam, undercover agent "Hank" signed up for a bear hunt. Coombs led Hank to Colorado and, without a valid license, used garbage to attract a bear, which dogs freed and Hank shot (above). Then Coombs trucked the carcass across the state line to New Mexico—a federal offense. For this crime and two others, Coombs pleaded guilty, served eight months in prison, and is now out on parole. "Bobby's not really a troublemaker," says case agent Tim Barraclough. "He just took the lazy way out."

So do other hunters, from thrill-seeking weekend poachers to professionals who shoot animals from aircraft while monitoring police radios to stay a step ahead of the law. Says federal agent and hunter John Cooper, "The American public won't settle for having its wildlife only in zoos."



MARK TATUM, THE APPOLOUGH PINNACLES, COLORADO



RAY CRONIN, THE APPOLOUGH PINNACLES

undercover operation in history. On December 13, 1988, a hundred FWS agents—half the entire force—served papers on the violators.

"The hunters and their guides did everything illegally," says the agent, who asks to remain anonymous. "Shot too early and too late in the day, used lead shot and electronic callers, shot over bait, left crippled birds to die, and herded birds with airboats. It's been going on like this for years."

Bored with waterfowl, the hunters blasted kingfishers, killdeer, ibis, and red-tailed hawks, illegally killing 2,800 birds. When 88 geese fell in one volley, one of the guides complained, "It could have been better." He happened to be one of the justices of the peace who handle wildlife cases.

Operations do not end for wildlife agents until they've been through court, and in this case the worst was still to come. So many charges stacked up against the LaBove Shooting Resort and its owner that she entered a plea bargain, offering to pay fines of \$275,000, serve five years' probation, and forfeit two trucks and an airboat. The U.S. district judge's sentence: \$1,975 in fines, three years' probation, and forfeit of the vehicles.

"There was laughing in the court," recalls the agent. "These people were indicted on felonies, pleaded to misdemeanors, and still got lighter sentences. The message is that it's OK to defy the law."

The extinction of the Labrador duck in the 1880s and the near extinction of a dozen other species of waterfowl compelled the United States and Canada to sign the Migratory Bird Treaty Act of 1918. The enactment of kill limits and the ban on commercial market hunting helped remnant populations of birds begin a slow recovery. Today waterfowl populations have collapsed again, down 60 percent from the 1910s, and continued loss of habitat and chemical poisons have drastically reduced the chances for revival.

But tradition lingers. For generations many in the small community of Tangier Island in the Chesapeake Bay have supplemented their income with duck hunting. Tangier native Donald Thorne's grandfather was a market hunter, and until he was jailed for poaching, Thorne was a guide for wealthy hunters who ignored the limits. He also sold birds illegally.

"I've been doing these things since I was 14," says Thorne, 36. "I've sold to every man around here. When that gets in your blood,

it's just like an alcoholic. You can't get it out."

Federal wildlife agent Dave Hall is videotaping Thorne as he says this, to show to schools and hunting groups. When Hall realized that poaching was a social problem, he launched a crusade he calls Poachers to Preachers. "The poacher is a folk hero in his community," says Hall. "The answer is to get the violators to help change the attitudes of their neighbors."

Royley Folse, one of Hall's converts, served six months in a Louisiana federal prison for a one-day killing spree that netted over 600 protected yellow-crowned night herons, locally called *gray hercs*, a prized food. A charismatic, compact man in his early 40s, Folse and his wife, Theresa, sit with Hall and me in the prison lobby before his release.

"Where I live, you were very important if you came out with a bunch of ducks or grosbeaks," Folse says. "How many ducks did we kill? Until we got tired or ran out of shells."

**B**ESIDES MIGRATORY WATERFOWL, nearly all birds except starlings, house sparrows, upland game birds, and feral pigeons are protected by U.S. law. An international fascination with Native American artifacts lionized from feathers has focused a demand on eagles, hawks, owls, scissor-tailed flycatchers, anhingas, flickers, even bluebirds and magpies. A golden eagle tail may go for \$260, kestrel and flicker batpins, \$10; a scissor tail fan, \$700.

"We have an annual million-dollar black market in eagle feathers in the West right now," says FWS agent Scraftford. "Most of them go to Japan, Germany, Britain, and Eastern Europe, to history buffs and cowboy and Indian clubs."

It is illegal for anyone to buy or sell eagles or their parts in the U.S., and only Native Americans are allowed to possess the feathers. The National Eagle Repository in Ashland, Oregon, stores frozen carcasses sent in from wildlife agencies around the country. The repository supplies about 800 requests a year from tribes for eagle carcasses and feathers. Yet a large underground trade moves on and off reservations throughout the country. A Montana trading post owner tells me, "Indians offer me eagle feathers at least three times a week, five dollars each. They are desperately poor people."

Seattle agents attached radio transmitters to

Getting to the bottom of the illegal bald eagle trade, federal agent Larry Keeney worked undercover in Washington State as a taxidermist. He hid radio transmitters inside mounted eagles and sold them to a suspected smuggler, who stashed the birds inside a legally mounted black bear. Before it could be shipped to collectors in Japan, Keeney swooped in for the seizure, here reenacted.



PHOTO BY ERIC LADD BRAY

two illegal stuffed eagles in a taxidermist's shop. One transmitter surfaced later, inside a mounted elk being shipped to Japan. "We opened the elk up, and there were five eagles inside," says West Coast FWS special agent Dave McMullen.

Alive, raptors are worth thousands of dollars. During a four-year undercover operation federal agents and an informant, Jeff McPartlin, penetrated a black market of endangered peregrine falcons, gyrfalcons, goshawks, and Harris' hawks that stretched from the Alaskan Arctic to Saudi Arabia.

"In 16 months two Canadian smugglers netted \$750,000 on North American birds," says McPartlin. "They stole a hundred birds in one season alone. They also smuggled eggs by taping them to their bodies, outfitted briefcases with incubators, and recycled ID bands to get birds through customs. The treatment of the birds was atrocious." The bands are used to identify captive-raised birds, which are legal to export.

Although more than 50 people have been convicted in Operation Falcon, the key figures of a worldwide smuggling network are still at large: members of the Ciesielski family of Cologne, Germany, who supply raptors to wealthy Japanese, European, and Arabian falconers. "Lothar Ciesielski paid me \$7,000 cash for one white gyrfalcon," says McPartlin. "He resold it immediately for \$135,000. They call these birds feathered cocaine."

COLLECTORS OF REPTILES are a specialized lot, like falconers, and competition for rare specimens provides a keen market for contraband. Ten years ago FWS agents set up a storefront operation in Atlanta, Georgia. They discovered hundreds of thousands of U.S. reptiles were being stolen from the wild every year. It's illegal to ship snakes through the mail, but 100,000 are mailed each year. About 60 percent of them die. Destinations include Japan, Belgium, Czechoslovakia, and Britain.

"Human commercial activity," says Dez Crawford, founder of the Reptile Defense Fund, "has put the populations of at least four dozen indigenous American snakes and amphibians on the threatened list. The pet trade is no longer the primary culprit in species decline," she adds. "Fashion fads are now number one." The U.S. demand for Indian python boots like John Travolta's in *Urban*

*Cowboy* and reticulated python jacket-like Paul Hogan's in *"Crocodile" Dundee II* have endangered both species.

It's against the law to pour gasoline down holes to flush denning snakes, but that's the most popular way to collect them for Texas rattlesnake roundups. The method has side effects: Gas poisons water and kills den-sharing turtles, tortoises, and burrowing owls. Purgng the land of these necessary predators upsets the balance of nature. Crawford says the depletion of western diamondback rattlers by rattlesnake roundups costs farmers 25 million dollars a year in crop loss to rats, mice, and rabbits, not counting the price of pesticides to replace the snakes.

WORLD'S AWAY, in Alaska's Beering Sea, walrus and their tusks have become the focus of a frantic, escalating trade. "What poachers did to the elephant is a blueprint for what could happen to the walrus," says Dave Cline of the National Audubon Society.

The Marine Mammal Protection Act of 1972 makes it illegal for non-Native Americans to hunt or sell walrus, seals, sea otters, sealions, or polar bears. So many white dealers use Alaska native people to disguise unlawful ivory trade. Other outlaws claim skins and ivory were taken before 1972. Alaska FWS agent Wally Soroka says that the tonnage of old inventory never seems to diminish, but it's hard to prove when ivory was obtained.

In remote outposts like Nome, Alaska, the illegal ivory trade is blatantly casual. "I buy raw ivory," a Nome merchant tells me. "Sell it back to native carvers. Been doing that for years, and they haven't caught me yet." By law native carvings must be traditional, but he shows me a carved ivory nut and hollowed out bolt. "It's for a cocaine stash," he laughs.

To kill walrus for their ivory, some natives drive motorboats out to ice floes, shoot the animals with semi-automatic weapons, and cut off the heads of those they can retrieve, although "wanton waste" is illegal in Alaska, as in most states. Half the animals sink, washing to shore in the spring. In 1988 approximately a thousand walrus bodies washed up on St. Lawrence Island, nearly all were found headless.

"It wasn't until you guys came up here with a monetary system that this started happening," Darryl Frigg, vice president of the Nome Eskimo Community, tells me.



On a hunting holiday four men from Florida and Alabama arrived in Montana in 1989 and left carnage behind. They allegedly shot 27 antelope and 4 deer, far more than their legal limit, and removed only the choice animal parts—the hindquarters and backstraps—leaving the rest to rot (left).

Although these species are not endangered, such wanton waste infuriates Montana undercover agent "Roy," who denounces "the total lack of concern for wildlife."

Roy, who collected the evidence (above) and posed as an outfitter (below), is a former vice squad officer. "When I worked prostitution, gambling, or narcotics, the crime got committed and I made the arrest. But when investigating wildlife violations, I get more involved, because it's not immediately obvious who is a legal hunter and who isn't." In this case, he got a close look. "They were fairly well-to-do businessmen," he says. Their airport departure, though, wasn't business as usual (next page).



ROYALTY'S ALLEGEDLY INTERFERED WITH THE HUNTERS' DEPARTURE.

People can't get by without their fur. A few of the walrus-killed men used for meat or waterproof clothing any more. A large head with tusks brings \$1,000, the lion's nose, now, more. "Young men jump on a plane to Anchorage to get \$200 worth of drug for \$5,000 worth of ivory," says Torg. Though raw ivory is illegal to sell, it changes hands like currency, buying gas, groceries, drugs, liquor, even airline. "Some people have turned subsistence into an unrestricted slaughter," says FWS special agent Gary Mowand.

You can find ivory in practically every store in Alaska, and often called in, hiberna, and walrus penis bones, called *osiris*. In a gift shop of the Hotel Captain Cook in Anchorage, next to a \$2,000 walrus trophy head in an oval, for sale for \$135, in a locked case. What are they used for? "Conversation pieces," says the salesman. "That's it."

The unlawful killing of marine mammals is difficult to track, but agents say the take is widespread. Valuable skins of sea otters are surfacing around the world through a quiet, lucrative black market. Some buyers pay huge amounts for live sea otters for their aquariums. Agent Soroka recently seized 15 polar bear skins from one individual in Anchorage who was selling them for as much as \$1,000 a lot.

To protect it, wildlife, the nation has less than 200 federal agents and about 7,000 state officers—about half the Chicago police force. "Knock one bad guy down and ten step forward," says FWS agent Terry Custer. "I think Custer had better hold."

**T**HEIR VILLAGES BURNED DOWN. Civilians have survived illegal pillage and made strong comebacks when enough human resources were directed at a single species. Poaching threatened the survival of the American alligator two decades ago, but continuous law enforcement operations and closely monitored harvest and trade control brought it back. Hunters—who almost poached themselves out of a market—were making only \$2.50 a linear foot in an illicit skin trade controlled by buyers. Now, legally, they make more than \$60 a foot for the skin, and one skin averages seven to eight feet.

The black market hasn't stopped completely, but, says FWS agent Dave Hall, "allegations are plentiful and unproductive poaching really was."



Agents say people are responding; poaching hot lines in every state have become major sources of information. If the drain on wildlife is to be reversed, it is this kind of grass-roots intervention that will be the most effective.

States are working to strengthen penalties and standardize laws to prevent the smuggling of animal products. Artists like Bill Pease of Montana's Crow Indian Reservation are making bear claws, teeth, elk antlers, and skulls from plastic resin. A Japanese pharmaceutical firm is working on a synthetic substitute for bear galls.

A hope for the future: the National Fish and Wildlife Forensics Laboratory, which is dedicated to suppressing world wildlife crime. In its storeroom-like seizure rooms in every fish and game office throughout the country—the shelves are piled high with thousands of seized animal products, many from endangered species. In Ashland, Oregon, top scientists in many fields, including chemical analysis, serology, and morphological studies like feather

*Arrested at a Montana airport in 1989, this poacher and three partners pleaded guilty last June to shooting more than the legal limit of antelope. As wildlife agents and prosecutors scramble to bring violators to justice, most poachers go undetected, leaving America's wildlife on the run and under the gun.*

identification, have come together to work for what they call "a new lab in a new frontier."

By this autumn, evidence analysis will be able to trace a tanned, dyed, and glued leather purse back to the animal, identify cut and frozen meat, trace a bloodstain to a specific deer. The lab's mission is to strengthen legal cases, in the past the difficulty of proving the origins of animal products has stymied cases against poachers.

"We have a time limit. It makes us anxious," says Miami FWS agent Dean Freeman. "When we're talking about wildlife, we're talking about something our children might not see." Poachers take away more than the animals; they take away a freedom for lawful hunters and undermine an already precarious natural balance. They take beauty and leave only waste. □

National Geographic EXPLORER will rebroadcast its four-part series "Wildlife Wars U.S.A." during November, on Sunday nights at 9 p.m. E.T. on TBS SuperStation.



For more information on how to help protect endangered species, contact the Wildlife Fund, Inc., 1500 K Street, N.W., Washington, D.C. 20005.

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