

Sandy Reports

W E E K L Y I N T E R N A T I O N A L F U R N E W S

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FREEDOM OF INFORMATION ACT IN USE |

WILDEARTH GURDIANS SUE | JAPAN REMIX

Dear Subscriber,

A **nimal Rights Organizations are utilizing Freedom of Information Act to get Information on Animal Use Businesses.** Several animal rights organizations, including People for the Ethical Treatment of Animals Humane Society International, and the Center for Biological Diversity have filed with the Fish and Wildlife Service (FWS), Freedom of Information Act (FOIA) requests seeking disclosure of confidential business information that is submitted by importers of wildlife products. This is the information typically submitted, for example, when importers of fur products file their declarations with the FWS, including information on the importers name, the species imported, the supplier, the value of the shipments, the number of units, and other information that historically has been exempted from disclosure on business confidentiality grounds. To date, FWS has denied the requests. The animal rights organizations, however, have filed lawsuits against FWS in various jurisdictions challenging the denials. While the immediate targets of these FOIA requests have been hunters who import trophies, and universities and businesses who import non-human primates for research purposes, the scope of these requests are open-ended and would include importers of fur products that have licenses with the Fish & Wildlife Service. FWS has published federal register notices on this subject, giving submitters of information the opportunity to object to disclosure of their information.

The courts have been increasingly sympathetic, in recent years, to environmental groups requesting this type of information from the Government. In several decisions, the courts have ruled that confidential business information must be disclosed unless there is a showing that disclosure would cause “competitive harm” to the submitters of the information. The Fur Information Council of America (FICA) and other groups are closely tracking these cases. Several retailers, as well as the trade association itself, have filed letters with FWS objecting to the disclosure of information covered by these requests.

WildEarth Guardians sues to halt exportation of CITES Appendix II Species

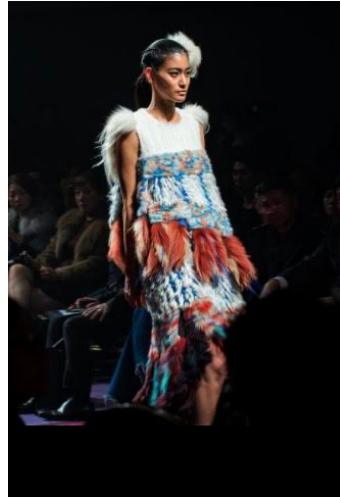
Earlier this year, WildEarth Guardians (WEG), a western-based animal rights group, filed a complaint, in a Federal District Court in Montana, against the United States Fish and Wildlife Service (FWS) and Department of Interior for violating the National Environmental Policy Act (NEPA). The complaint states that the FWS violated NEPA because it failed to prepare an Environmental Assessment (EA) of the CITES Appendix II Export program. This is the program in which FWS authorizes the exportation of certain Appendix II furbearers. WEG is asking the Court to halt FWS from authorizing the export of any Appendix II species until the agency complies with NEPA and completes the environmental assessment. Potentially impacted Appendix II species include lynx, bobcat, otter, brown bear and gray wolves.

The lawsuit is unprecedented. NEPA requires an EA for any government program that has a significant environmental impact. FWS has previously stated that the CITES Appendix II Export Program does not meet that standard, but is merely an administrative implementation of the CITES Treaty. Accordingly, no EA is required. WEG's argument, if successful, could mean that the FWS would need to conduct environmental assessments on each species, possibly in each state, before allowing these species to be exported. In the interim, all trade in such species could be suspended for a period that might extend for many years. Significantly, the complaint also targets the trapping of the various species, potentially suggesting that any EA would have to take into account the impact of trapping and might trigger an inquiry into how such trapping should be conducted (and regulated).

The case has been stayed by agreement of the parties to allow the FWS to revisit the question of whether an EA is required, and if so, what is the nature of the analysis. The FWS has until the middle of March 2017 to complete the analysis, publish it for comment and then report back to the Court. The Fur Information Council of America (FICA) moved to intervene in this case on the side of the FWS in order to represent the interests of exporters who utilize the CITES Appendix II Export Permit program, including various auction houses, manufacturers and global retailers. While WEG objected to the intervention of FICA, the federal judge granted FICA's motion to intervene, ruling that the interests of FICA's exporters needed to be protected if the litigation proceeds. The National Trappers Association (NTA) has also intervened in this case.

Remix results. The International Fur Federation (IFF) held the Asia Remix 2016 for the first time in Tokyo. Japan won the Grand Prix of the Young Designer Fur Design Competition. The event kicked off by 11 finalists from Japan, Korea, China and Hong Kong. It was held with the goal of supporting up-and-coming Asian designers and promoting the development of fur designs, techniques and the newest fur trends with the support of the Japan Fur Association. Attendees included: Mr. Johannes Manakas, Global Chairman of IFF, Mr. Thomas Wong, Asia Chairman of IFF, Ms. Kelly Xu, IFF Asia CEO, Mr. Kasper Reinbacher, VP Marketing of

Kopenhagen Fur, Ms. Chris Cui, General Manager of Kopenhagen Fur China Office, Mr. T. Nakamura, Chairman of Japan Fur Federation, Mr. Konishi Fashion Designer/TV commentator, Mr. HJ Kim, Chairman of Korean Fur Federation, Mr. Henry Sun, Chairman of Hong Kong Fur Federation, Mr. Justin Huang, President of Taiwan Textile Federation, Mr. Scott Wong, CEO of IFF Beijing Office, IFF Asia Board Directors and VP and professors from various Japanese



Photos courtesy of IFF Asia

Fur fashions shown on the runway at the Japan Remix Fashion show.

leading fashion universities, colleagues and institutes, guests from industry and fashion industry, fashion influencers, and media. Over 300 people attended ASIA Remix Fashion from the IFF Beijing office.



(left to right):

- Wallace Wong**, Vice Chair of Hong Kong Fur Federation, IFF Asia Board Director
- Henry Sun**, Chair of Hong Kong Fur Federation
- Model** wearing the winning fur garment
- Cho Po**, designer from HK, the Asia Remix Future Star Winner
- Thomas Wong**, chairman of IFF Asia Board Director (from Hong Kong)
- Brenda Fung**, Hong Kong Fur Federation

AUCTION RESULTS. **Saga Furs' December auction**, the opening auction of the season, started with certified Finn raccoon. The offering was 100% sold to an active room under widespread competition at 5% stronger prices compared with our September auction. The auction was attended by 300 buyers representing all the major markets. Almost 100% of silver fox was sold at firm prices. Blue Frost fox was 100% sold at 10% stronger prices. Main buying came from European fashion industry and Korea with good support from Turkey and Russia.

Saga® Blue Shadow fox sold at 20% and Blue fox at 30% increasing prices compared with the September levels.

Saga Furs December auction concluded on December 21st with 100% selling of Saga® Blue Shadow fox and Blue fox under strong competition. Saga® Blue Shadow fox sold at 20% increasing prices, and Blue fox at 30% increasing prices, compared with September levels. Main Buying China with strong support from Turkey, Russia, Europe and Korea. Finn raccoon Top Lot was sold to Gold Fox by Aga Furs for 500 Euros and the Saga® Blue Shadow Fox Top Lot was bought by Tommaso Guida for Gorski Group Ltd. The Top Lot buyer received a special Top Lot Award, a fur bunny handcrafted of finest certified Saga® Blue fox by the skilled furriers at the Saga Furs Design Centre. The next auction will be held on March 5th – 15th, 2017, together with American Legend and Fur Harvesters Inc.

FURthermore ... Everyone loves to be warm and glamorous in fur!



Regards,

Sandy Blye

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