

REPORT OF THE SECRETARIAT ON THE MISSION CONCERNING TOTOABA (*TOTOABA MACDONALDI*)  
TO THE UNITED STATES OF AMERICA

1. The Standing Committee at its 77th meeting (SC77, Geneva, November 2023), agreed Recommendation f) on Totoabas (*Totoaba macdonaldi*), requesting China and the United States of America to invite the Secretariat for a technical mission to get a better understanding of the measures and activities being implemented by these Parties in accordance with the provisions of paragraphs a) to c) of Decision 18.292 (Rev. CoP19) on Totoabas (*Totoaba macdonaldi*). Following an invitation received from the United States of America (United States), the mission to the United States was conducted from 18 to 22 March 2024.
2. During the mission, the Secretariat was afforded the opportunity to meeengage and have detailed discussions with operational and senior level representatives from different authorities in the United States which have a role in preventing, detecting, investigating and prosecuting totoaba specimen trafficking as it affects the Party. The mission included several field visits which were conducted at ports located on the border between Mexico and the United States. These included the Mariposa Port of Entry in Nogales, Arizona, the San Luis Port of Entry in Arizona, the Calexico East Port of Entry in California, and the Otay Mesa and San Ysidro Ports of Entry in San Diego, California. During these field visits the Secretariat mission team had the opportunity to observe and get first hand insights into the work of operational level officers, in particular the United States Customs and Border Protection (CBP). In addition, field visits were conducted to the United States Fish and Wildlife (USFWS) Wildlife Inspection Office in Rio Rico, Arizona, and the USFWS Office of Law Enforcement in San Diego, California. The mission concluded in Washington, District of Columbia (DC), on 22 March 2024, where meetings were held with United States interagency technical experts working on totoaba conservation and enforcement, as well as with senior leadership from the different governmental agencies concerned. These meetings included representatives from the USFWS (Department of the Interior), the Department of Commerce's National Oceanic and Atmospheric Administration (NOAA), Office of the United States Trade Representative, the Department of State, Marine Mammal Commission, CBP (Department of Homeland Security) and Homeland Security Investigations (Department of Homeland Security). The Secretariat mission team also on 21 March 2024 held an online meeting with Civil Society Organization (CSO) representatives regarding totoaba specimen trafficking as it affects the United States.
3. The Secretariat thanks the United States Government, in particular the USFWS, Division of Management Authority, for the technical and logistical assistance it provided to the Secretariat throughout the planning, coordination, and fulfilment of the mission. The Secretariat also thanks representatives from the United States CBP for the welcome extended and the access granted to the Secretariat mission team at the different ports visited, to observe their work and activities first hand. The Secretariat further thanks all other authorities for the information shared and hospitality offered to the Secretariat during its mission. The Secretariat also thanks CSO representatives for the inputs provided and information shared during the online meeting convened by the Secretariat.
4. The Secretariat mission, as required by SC77, Recommendation f), focused on the provisions of paragraphs a) to c) of Decision 18.292 (Rev. CoP19).

Mission findings - Decision 18.292 (Rev. CoP19), paragraphs a) and b)

5. Decision 18.292 (Rev. CoP19), paragraph a) encourages Parties affected by totoaba trafficking to implement fully, in collaboration with relevant stakeholders, the measures and activities outlined in the online [Meeting of Range, Transit and Consumer States of Totoaba](#) agreed outcomes document, as relevant to them. Paragraph b) of the same Decision encourages these Parties to draw upon the secure law enforcement communication channels and tools provided by INTERPOL and the World Customs Organization (WCO) to share information on seizures and arrests associated with totoaba specimen trafficking.
6. Regarding the work of the USFWS, information provided to the Secretariat during the mission showed that USFWS inspectors are working at the borders closely with special agents and counterparts from CBP and other Federal agencies and have powers to seize wildlife consignments when irregularities are detected. It is the responsibility of these inspectors to develop the initial case and to decide, based on the elements of each case and relevant legislation, if an administrative fine should be issued or if the case is of a criminal

nature and should be handed over to a special agent for further investigation. For administrative offences, inspectors can issue fines of up to two million United States Dollars. However, where further investigation with the aim of criminal prosecution is needed, the case must be handed over to a USFWS special agent. It was evident that these officers take great pride in their work and are dedicated to their tasks. It was, at the same time, also evident that their resources are limited and that given the number of persons and volume of merchandise crossing the border with Mexico, they are under great pressure. Inspectors cover vast areas, multiple ports, various types of major threats, and the special agents deal with significant caseloads. To cope with this workload, USFWS has established close working relationships with other authorities operating at ports, to support their work and alert them when wildlife matters that requires their attention arise. It was noted by USFWS officers that good prosecution results are achieved in some districts of the United States, but that this differs between districts. It was stated that for wildlife crime cases the knowledge and interest of judicial authorities regarding such cases in different districts sometimes influence outcomes. It was further stated that significant caseloads demand prioritization, which sometimes influence decisions on whether to prosecute offenders or rather apply a less severe administrative penalty.

7. On 18 March 2024, a field visit was conducted to Nogales Port of Entry, the biggest port in Arizona. Information shared during the field visit showed that good practice is in place across the six land border posts in Arizona. Consignments and persons passing through these ports are scrutinized in different manners, which includes for example using X-ray machines, physical inspections, targeting through risk management units and the use of an advance notification system. When cases and *modus operandi* previously unknown and that might be of interest and assist the work of officers at other ports are detected, this information is shared with all ports (throughout the United States) in the form of a significant incident report. These reports serve as alert messages to authorities working at different ports, to draw their attention to specific *modus operandi*, activities or trends identified, inform them what to be on the lookout for and to further inform, refine and target their practices. It was also noted that such information is reported and shared through WCO channels, in accordance with established protocols. Information provided confirmed that USFWS operate in accordance with legislation that allows in-transit consignments to be scrutinized, and that legislation also empowers the CBP to target and take action with regard to in-transit consignments that are of concern. Agricultural specialists (officers with a degree in biology) work hand in hand with CBP officers on a daily basis, to inspect consignments crossing the border. These agricultural specialists may have knowledge about wildlife but often rely on the USFWS for species identification. Where needed, authorities have access to facilities that provide DNA analysis to facilitate species identification and provide other forensic analysis support. In collaboration with the Association of Zoos and Aquariums, a wildlife confiscation network has been put in place, with the aim to adequately provide and care for seized or confiscated live animals when needed.
8. During the visit to Nogales Port of Entry, CBP officers delivered a detailed presentation on a 13 April 2023 seizure of 242 pounds (approximately 110 kilogrammes) of totoaba swim bladders made at the port. This information is confidential and sensitive and to protect the integrity of United States enforcement measures, cannot be made public. It is worth noting that the illegal shipment was detected through good risk management and profiling practices, which is in line with activity 1.8 in the totoaba meeting outcome document. The Secretariat enquired whether and how information about this seizure was shared with authorities in Mexico, noting that, as outlined in document SC77 Doc. 33.13.2 on Totoabas (*Totoaba macdonaldi*), information provided by Mexico indicated that information was not shared. Mexico reported that its authorities learnt about the seizure through Mexico's monitoring of open-source media reports, whilst reporting from the United States indicated that information on the incident was shared with Mexican authorities to support further investigations within Mexico. In their response, United States authorities stated that information can only be shared with authorities in other countries once it is confirmed that the sharing of such information will not jeopardize any domestic investigation within the United States. United States authorities then further clarified that in the case of the 13 April 2023 seizure, information was indeed formally exchanged with Mexico, as elaborated upon in paragraph 9.
9. It was highlighted that 11 USFWS Regional Law Enforcement Attachés are currently deployed in countries across the globe. These attaché's work closely with national authorities from the countries in which they are based, as well as at regional level with countries in their designated areas of responsibility. USFWS Regional Law Enforcement Attachés serve as focal points to facilitate stronger engagement and communication between authorities in different countries and this practice is fully in line with activities 1.6, 1.12 and 2.2.2 in the totoaba meeting outcome document. The USFWS Regional Attaché permanently based in Mexico joined the mission team in the United States and participated in various field visits and activities conducted during the mission. This provided a valuable opportunity for the Secretariat to gain insights regarding the work and activities being conducted through the United States law enforcement attaché program, also in the context of totoaba specimen trafficking. The information provided clarified that official information referrals to Mexico regarding totoaba specimen trafficking so far has been done predominantly through the attaché. Shareable

information is communicated to the attaché who then informs the relevant Mexican authority. Information sharing is selective and the USFWS attaché clarified that this information is reported to the Office of the Attorney General of the Republic (FGR) as the entity in Mexico that deals with criminal investigations. It was noted that it is then for the FGR to decide if it wishes and considers it appropriate to convey the information to other Mexican authorities. During the mission of the Secretariat to Mexico, representatives from the Federal Attorney for Environmental Protection (PROFEPA) indicated that it maintains information on the cases it submits to the FGR, but do not have insight regarding cases or information submitted to the FGR by any other entities. This appears to clarify the discrepancy in reporting to SC77. Considering the sensitive nature of information concerning totoaba trafficking and the criminals involved, the Secretariat considers that the selective sharing of information as done by United States authorities is appropriate.

10. The Secretariat notes that the United States, as required by activity 1.6 in the totoaba meeting outcome document, appointed a focal point in the context of totoaba trafficking. The details of this focal point is available in the list of [National focal points for totoaba specimen trafficking related matters](#) on the [Enforcement focal points](#) webpage maintained by the CITES Secretariat. The Secretariat had detailed discussions with this focal point during the mission, and it was evident that the USFWS Regional Attaché plays an important complimentary role, supporting and contributing to the work of the focal point.
11. Field visits to the San Luis Port of Entry in Arizona and the Calexico East Port of Entry in California on 19 March 2024, confirmed that the practices deployed and implemented at these ports aligns with those deployed and implemented at other ports, as outlined in paragraph 7. During the visit to San Luis Port officers from CBP stated that their vetted units facilitate fast information exchange and that this is vital to their work. CBP officers also noted that there is good awareness amongst them regarding totoaba specimen trafficking and the need to target this illegal activity. It was noted that USFWS provided training on this topic and that the CBP office itself also delivered training specific to totoaba to its officers. The same was confirmed in discussions with CBP officers at the Calexico East Port, who noted that officers working at the port are well informed regarding totoaba trafficking and that training of agricultural inspectors working at the port includes training on CITES listed species. CBP noted in discussions that information is shared through WCO channels in accordance with established protocols and by working through a centralized office. Although this approach is the prerogative of the United States, the information provided did suggest that due to the exclusive interaction through a centralized office, the tools and resources available through intergovernmental organizations are likely underutilized by authorities in the United States. This includes valuable resources such as those available through the CITES Virtual College and [WCO's ENVIRONET](#), as well as training courses on CITES developed in collaboration with the Secretariat and available to the customs community through the [WCO CLICK](#) platform. The identification materials and courses available online are often underutilized simply because officers are not aware of their existence and availability. In this regard, the Secretariat committed during the mission to compile information on the resources available, and to make this information available to the USFWS, Division of Management Authority, for communication to all United States national agencies responsible for wildlife law enforcement, to encourage its use.
12. During the visit to the San Luis Port, CBP officers delivered a detailed presentation to the mission team, on the 25 May 2023 seizure of 91 totoaba swim bladders at the port. The case regarding this illegal shipment which was concealed within a commercial shipment of frozen fish fillets is still under investigation and the information provided to the mission team is confidential and sensitive and cannot be disclosed. Notably, the significant incident report produced after the seizure made in Nogales on 13 April 2023 provided information that assisted officers at the San Luis Port to detect and identify the totoaba specimens. Officers working at the Calexico East Port also noted that these intelligence alerts are used to keep officers informed. Similar to the case in Nogales, information regarding the seizure at the San Luis Port was shared with the FGR in Mexico, and as part of the ongoing investigation in the United States follow up is also being done at international level through United States attachés based in other countries. Information regarding this seizure demonstrated the challenges faced by officers when illegal wildlife products are concealed in fish product consignments for human consumption. Besides the difficulty of detecting totoaba specimens concealed in this manner, searches of such consignments are time consuming and resource intensive, and there is also the risk of claims should products be damaged or spoiled when inspected and nothing is found. Authorities emphasized that such claims could amount to thousands of United States Dollars, and therefore good risk management, profiling practices and good information and intelligence are essential for officers to address the challenges. The Secretariat was particularly impressed with the excellent work done by CPB officers at the San Luis Port as they swiftly reacted to information at their disposal, accurately observing a number of risk indicators that led them to determine that the consignment was a high-risk consignment likely to contain illegal specimens and taking action accordingly.
13. During field visits to the Otay Mesa and San Ysidro Ports of Entry in San Diego, California, on 20 March 2024, it was confirmed that the practices deployed and implemented at these ports are consistent with those

deployed and implemented at other ports, as outlined in paragraph 7. Also at these ports, the value of significant incident reports, as well as the importance of close collaboration and communication between different authorities were emphasized. Representatives from the different authorities briefed the mission team on their work, confirming that good working relationships exist between them. The mission team was also provided with information about dogs trained to detect wildlife specimens deployed at the ports, and a dog handler provided the Secretariat with a live demonstration of one of these dogs at work.

14. It was clear from information shared during the visits to the different border points that criminal organizations do not conduct their activities by chance. These syndicates carefully select concealment methods they know would pose a challenge to authorities, plan and execute their smuggling activities (for example, by conducting clandestine surveillance of the activities of authorities working at borders), conducting “dry runs” to explore weaknesses, and undertaking border crossings with illegal consignments at specific times during the day when they consider detection would be least likely. Information gathered during the mission confirmed that crime convergence occurs. It was noted that a study conducted by United States authorities showed that wildlife, due to the lower risk of severe penalties when detected, are sometimes used by criminal syndicates to “test” new trafficking routes with the intention of eventually using them for the trafficking of other contraband, such as drugs.
15. The Secretariat notes that information provided by the USFWS Office of Law Enforcement in San Diego confirmed that commercial shipments of seafood are exempted from the USFWS declaration requirement however, USFWS officers and other United States law enforcement agencies (e.g., CBP and NOAA) have the authority to inspect these shipments and engage USFWS as subject matter experts as needed. Information gathered by the Secretariat during its mission to Mexico indicated that organized crime groups are diversifying their activities and increasingly encroaching on fishing of other species, including those that can be legally fished. This could potentially lead to commercial shipments of seafood increasingly being used to conceal and smuggle illegal consignments, including totoaba swim bladders. CSO representatives during the online meeting held the view that traceability systems in place for seafood products from Mexico present vulnerabilities and for this reason smuggling of seafood into the United States might be occurring at significant levels. The United States is therefore encouraged to review its practices regarding the traceability and inspection of commercial shipments of seafood, with the aim of ensuring that current measures are adequate to address this risk and to determine if further strengthened measures might be needed.
16. Similar to the findings made by the Secretariat during its mission to Mexico, it was evident from information provided to the Secretariat during its visits to the different ports in the United States that the dynamics are different in different areas and at different border points. It is also evident that the level of cooperation and engagement between United States and Mexican authorities working at these ports varies from port to port. At some ports good collaboration with Mexican authorities exist and information regarding inspections and work is regularly shared, whilst at others collaboration is more challenging. For example, the authorities working at the United States and Mexican sides of each port may differ, with some ports on the Mexican side being managed by Mexico’s National Customs Agency and others by the Mexican military, which influences the level of engagement that can occur. Despite this, information shared with the Secretariat during the mission satisfactorily confirmed that when there is a need to communicate information on totoaba specimen trafficking to authorities in Mexico or elsewhere, the necessary mechanisms exist in the United States to do so. The Secretariat further believes that with the Trilateral Enforcement Contact Group (TECG) (discussed in further detail in paragraph 20 below) now established and operationalized, information sharing, and engagement will also be further strengthened and enhanced.
17. During the meetings with interagency technical experts and senior leadership from the different United States governmental agencies in Washington, DC, on 22 March 2024, it was highlighted by the United States that it participated in the online *Meeting of Range, Transit and Consumer States of Totoaba* held in October 2021, and reiterated that its authorities address totoaba specimen trafficking as a matter of high priority. Representatives recalled that the United States in 2014 issued a National Strategy to Combat Wildlife Trafficking, noting that this escalated addressing wildlife crime to a high priority for United States authorities. It was noted that this strategy entails a whole-of-government approach to address wildlife crime, by focusing on three key objectives: strengthening enforcement; reducing demand for illegally traded wildlife; and expanding international cooperation. It was further noted that a presidential Task Force on Wildlife Trafficking bringing together 17 national agencies was formalized through the Eliminate, Neutralize, and Disrupt (END) Wildlife Trafficking Act, passed in 2016, to support implementation of the strategy. United States representatives also highlighted the Pelly Amendment to the Fishermen’s Protective Act of 1967 (Pelly Amendment), which provides a mechanism for the certification of, and possible import prohibitions from, countries where nationals are engaging in taking or trade that diminishes the effectiveness of any international program for the conservation of endangered or threatened species, including CITES. It was stated that in accordance with steps taken under the Pelly Amendment regarding the certification of Mexico

and the trafficking of totoaba specimens, the President of the United States directed a number of actions, including an assessment of Mexico's enforcement actions and implementation of its CITES Compliance Action Plan on totoaba. An assessment will be submitted to the President by the end of June 2024, and it will be considered if additional steps concerning Mexico's certification will be necessary, including potential import prohibitions under the Pelly Amendment.

18. During the same meeting, representatives also again highlighted the work being done through its attaché program, as elaborated upon in paragraph 9. It was also reported that the United States National Marine Fisheries Service is engaging with Mexico to support the adoption of vaquita-friendly alternative fishing gear. U.S authorities indicated that there were 45 convictions in the United States for crimes involving totoaba specimen trafficking at the time of the mission, and that in some of these cases financial assets were also seized. Representatives from United States authorities reported that a number of investigations related to totoaba specimen trafficking were ongoing. Similar to authorities in Mexico, U.S authorities highlighted that investigations targeting those managing and organizing the illegal activities take time. The Secretariat noted that this is the norm for investigations of this nature. United States authorities also confirmed that, where appropriate, opportunities to conduct controlled deliveries are explored, as anticipated by activity 1.4 in the totoaba meeting outcome document.
19. CBP representatives highlighted the CBP Green Trade Strategy launched in 2022, which emphasizes that CBP should work closely with United States agencies responsible for national resources and wildlife and noted that it is working closely with the USFWS at both its national targeting centre and at ports. United States authorities also highlighted an annual three-week training, International Conservation Chiefs Academy, which is delivered at the USFWS National Conservation Training Center and presented to agencies from different regions in the United States and representatives from other countries, noting that in 2023 four delegates from Mexico attended this training.
20. United States authorities also reported on progress regarding the TEGC between China, Mexico and the United States. The information provided reaffirmed the information provided during the mission of the Secretariat to Mexico. Similar to authorities in Mexico, representatives from the United States reported that the terms of reference for the TEGC have been agreed and that the group is now established and operational. The Secretariat was also informed that the USFWS Regional Attachés are included as participants in the TEGC, as appropriate. It was reported that the first TEGC meeting was held online on 7 March 2024 and that it was agreed to create a smaller subgroup consisting of enforcement authorities that will engage to share enforcement information and undertake related activities. The United States also confirmed that a deadline of 45 days from the time of the March 2024 meeting was set for this group to be formed. Like authorities in Mexico, U.S authorities expressed the view that the establishment and operationalization of the TEGC is expected to substantially contribute to, and support, the required engagement and sharing of information between the Parties concerned. The Secretariat noted that the Standing Committee at SC77 agreed Recommendation i) on Totoabas (*Totoaba macdonaldi*), requesting the Secretariat to work with INTERPOL and the United Nations Office on Drugs and Crime (UNODC), subject to the availability of funds and resources, to convene Wildlife Inter Regional Enforcement (WIRE) and Regional Investigative and Analytical Case (RIACM) meetings on totoaba. The Secretariat further noted the importance that these meetings should be complementary and not duplicative of the work done by the TEGC subgroup. United States authorities expressed support for the WIRE and the RIACM meetings, noting that these could provide a valuable platform for the TEGC subgroup on enforcement members to meet in person and discuss collaboration, build trust and agree on joint work. The meeting was informed by the Secretariat that at the time of the mission, arrangements to convene these meetings were in progress.
21. During the online meeting held with CSO representatives, attention was drawn to the Mexican company, [The Blue Formula](#), which sells an anti-aging collagen supplement with the same name, made of totoaba fish extract and other ingredients. It was noted that this product was sold on Amazon but was removed after being contacted by CSOs. United States authorities reported during the meeting in Washington, DC that the United States made an official referral to Mexico regarding the activities of this company. The Secretariat welcomes the follow up on this matter and encourages authorities in the United States to consider continuously the illegal trade in totoaba specimens as part of its activities to address wildlife crime linked to the internet and ensure that any such trade that may affect the United States is detected in a timely manner and addressed as needed. Such activities would be in line with what is anticipated by activity 1.7 in the totoaba meeting outcome document.
22. The Secretariat emphasized in discussions in Washington, DC that significant work still needs to be done in Mexico regarding the use of alternative fishing gear and encouraged NOAA to continue its support to Mexico in this regard. The Secretariat also emphasized the need for additional human resources to be deployed, as elaborated upon in paragraph 6. The Secretariat noted that the outcomes of the online *Meeting of Range*,

*Transit and Consumer States of Totoaba* places strong emphasis on the importance of strengthening the mobilization of financial investigations and Financial Intelligence Unit engagement in the fight against totoaba trafficking. Some of those interviewed during the mission had informed the Secretariat that wildlife crime was difficult to prosecute as a serious crime. The United States representatives have however clarified that trafficking of totoaba specimens is included as a serious crime in relevant legislation in the United States. For example, as an “endangered species” under the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531 et seq; 50 C.F.R. 17.11(h)) all import, export, and other commercial activity with totoaba (including specimens in transit) to, through, and from the United States is prohibited under Section 9(a)(1) of the ESA (16 U.S.C. 1538(a)(1)). Penalties under the ESA by itself (16 USC 1540) include forfeiture; administrative fines up to \$63,991, depending on the nature of the offense; and criminal fines of not more than \$50,000 or imprisonment for not more than one year, or both. Other laws provide additional penalties for certain activities, including the Eliminate, Neutralize, and Disrupt (END) Wildlife Trafficking Act (18 U.S.C. 1956), which makes trafficking in endangered species, such as totoaba, a serious crime, for any such act that is a criminal violation of the ESA, if the endangered or threatened species of fish or wildlife, products, items, or substances involved in the violation and relevant conduct, as applicable, have a total value of more than \$10,000. Criminal ESA violations including totoaba trafficking are predicate offences under federal money laundering statutes (18 U.S. Code § 1956 - Laundering of monetary instruments and 18 U.S. Code § 1957 - Engaging in monetary transactions in property derived from specified unlawful activity). This national legislation is consistent with Article 2 (b) of the United Nations Convention against Transnational Organized Crime, and also with the recommendations in paragraph 6. c) of CITES Resolution Conf. 11.3 (Rev. CoP19) on *Compliance and enforcement*. Penalties for such acts may be civil, including a fine of the value of the property, funds, or monetary instruments involved in the transaction, or USD10,000; or criminal of not more than USD500,000 or twice the value of the property involved in the transaction, whichever is greater, or imprisonment for not more than twenty years, or both, depending on the nature of the offense.

#### Decision 18.292 (Rev. CoP19), paragraph c)

23. Decision 18.292 (Rev. CoP19), paragraph c) encourages Parties affected by totoaba trafficking to engage in awareness-raising activities, in collaboration with relevant stakeholders, on the illegal trade in totoaba, and its severe implications for the conservation of vaquitas (*Phocoena sinus*), including demand reduction campaigns, as well as activities to eliminate supply and demand for illegally sourced specimens of totoaba, taking into consideration the measures and activities outlined in the online *Meeting of Range Transit and Consumer States of Totoaba* agreed outcomes document under the heading *Opportunities to eliminate supply and demand for illegally sourced specimens of totoaba*.
24. The CSO community in their meeting with the Secretariat suggested there is a market for totoaba specimens in the United States. The mission team met with United States authorities at the USFWS Office of Law Enforcement in San Diego to discuss this matter. Authorities stated that based on data derived from totoaba bladder seizures and related investigations, they do not see the United States as a major destination market for use of these specimens, and that these specimens mostly transit through the United States to other countries. It was confirmed that a marginal illegal market for contraband totoaba specimens may exist in the United States, for small scale personal use. Authorities noted, however, that selling totoaba specimens in the United States is difficult for criminals since use is not socially acceptable, and profit margins do not compare to those in Asia. It was noted that although organized crime related activities involving totoaba specimen trafficking occurs within the United States, these activities facilitate the movement of illegal consignments from the United States to countries in Asia, using large United States trade volumes to disguise their illegal activities.
25. Considering that information provided during the mission confirmed that a marginal illegal market for contraband totoaba specimens likely exist within the United States, it is important that the United States conduct further research in this regard and continuously monitor the situation, to implement measures in a timely manner as needed to address any new or emerging trends. However, before engaging in any awareness-raising activities and demand reduction campaigns, it will be important to get a better understanding of these markets and the audience to target through such campaigns, to avoid campaigns inadvertently stimulating demand rather than addressing it.

#### Final remarks and conclusions

26. Findings made during the mission confirmed that authorities in the United States attach importance to the issue of totoaba specimen trafficking, and that efforts are being made to address it. The Secretariat noted that officers from different authorities seem to be increasingly aware of the importance of compliance with the Convention and the importance of combatting wildlife crime. Regarding the provisions in Decision 18.292 (Rev. CoP19), paragraphs a) to c) and the measures and activities outlined on the online *Meeting of Range*,

*Transit and Consumer States of Totoaba* agreed outcomes document, the Secretariat concludes after this fact-finding mission that the activities of authorities in the United States in general responds well to these.

27. The Secretariat notes the work being done through the USFWS Attaché Programme and encourages the United States to continue its engagement with the FGR in Mexico through the USFWS Attaché based in Mexico City. The Secretariat considers the USFWS Attaché Programme an international best practice in the context of establishment of relationships, engagement and collaboration between different countries. Parties are encouraged to consider similar models and approaches. The Secretariat also welcomes the positive feedback received during the mission from different United States agencies regarding the establishment and operationalization of the TEGC between China, Mexico and the United States. The Secretariat notes that at the time of the mission it was too soon to determine progress and understand the impacts that will be achieved through the work of the TEGC, but indications were positive and the Secretariat concludes that once this group is operational, enforcement information, intelligence exchange and related joint activities could significantly improve through the work of the smaller TEGC subgroup on enforcement. In addition, CBP and other United States authorities working at ports located on the border with Mexico are encouraged to continue collaboration with their Mexican counterparts at these ports, and to actively explore opportunities to strengthen such collaboration at ports where room for improvement in this regard exist.
28. The Secretariat also concludes that there remains a need for authorities in the United States to engage in continued persistent and dedicated efforts to combat totoaba specimen trafficking. Key matters that require further consideration and attention were identified during the mission. These can be summarized as follows:
  - a) USFWS inspectors and special agent staff resources are low and they must deal with significant workloads. Even with the best of will it is challenging to get to everything, and this has the potential of negatively impacting some cases or causing some important matters to be overlooked. It is encouraged that the United States evaluate the workload of these officers, conduct an assessment on the need for additional human resources to be deployed, and make available the human and financial resources as needed.
  - b) It was also evident that despite the efforts deployed by enforcement authorities in the United States, criminals continue to be able to transit through the territory of the United States with illegal specimens of totoaba. It is unclear how those criminals are supported or assisted by individuals operating within the United States to receive and store the illegal consignments until re-exporting them to Asian markets. There is a risk that commercial shipments of seafood could be used to conceal and smuggle illegal consignments, including totoaba swim bladders. The United States is therefore encouraged to review its practices regarding the traceability and inspection of commercial shipments of seafood, with the aim of ensuring that current measures are adequate to address this risk and to determine if further strengthened measures might be needed.
  - c) A marginal illegal domestic market for contraband totoaba specimens appears to exist within the United States, but it is poorly understood and rather anecdotal. Authorities in the United States are invited to continuously monitor the situation in a timely manner and implement measures or activities as needed to address any new or emerging trends. Any awareness-raising activities or demand reduction campaigns should be undertaken with caution and based on further research to ensure that such campaigns do not inadvertently stimulate demand.
  - d) The tools and resources available through intergovernmental organizations are likely underutilized by authorities in the United States. The USFWS Division of Management Authority is encouraged to communicate information about the tools and resources available to all United States national agencies responsible for wildlife law enforcement and encourage their use.