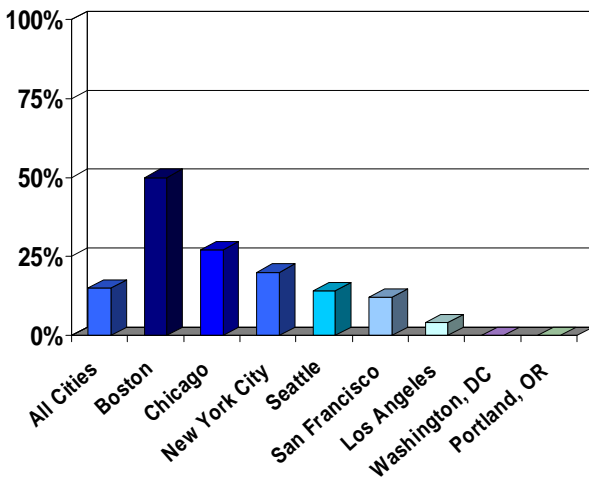


# From Cage to Consumer: Evidence of Illegal Bear Bile Trade in the

## U.S.

WSPA Investigators visited a total of 130 traditional Asian medicine (TAM) shops in eight major cities across the country, finding illegal bear products for sale in 20 shops (15%). Of the stores selling bear products, 75% offered intact bear gall bladders. Bear bile powder or crystals, sourced from live bears on Chinese bear farms, was found at over one-fifth (22%) of the stores and manufactured products containing bear bile were available at 35% of them. Investigators inventoried a total of five different manufactured bile products, all with a country of origin label from China. Sixty-three percent of all products found for sale were intact bear galls.

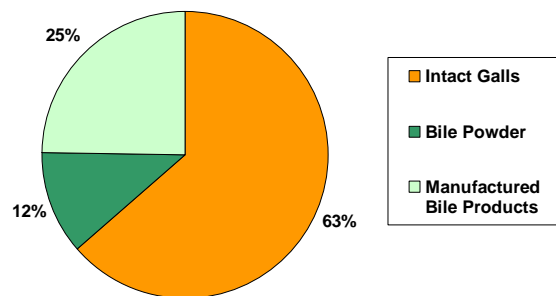
### U.S. Shops Selling Bear Bile Products



While the prevalence of illegal bear products is still at a level of concern, the overall picture can be considered more positive when compared with the results of WSPA's 2000 investigation, where 91% of TAM shops were found to be selling bear galls and bile. While nearly all the stores that sold bear products in 2000 stocked manufactured bile medicines (93%), only 17% of them offered intact galls. Therefore, while the sale of bear products in the U.S. may have declined since the earlier investigation, the trade in gall has risen.

WSPA investigators suspected that some intact bear galls were not real bear galls but made by the shopkeepers, usually from bear bile powder and the gall skin from another animal. Because wild bear gall is often considered more potent and priced higher, and because bile from wild bears is most often sold as intact galls, shopkeepers may be attempting to camouflage farmed gall for wild caught gall. Such deception makes it much more difficult to determine the true origin of the illegal bear product.

### Types of Bear Products



**Boston** Investigators found the highest percentage of TAM shops selling illegal bear products in Boston (50%) compared to the rest of the U.S. cities investigated. Two out of the four shops under investigation sold manufactured bile products, and one shop had a stock of 30 intact bear galls. The store clerk identified the gall as coming from China (but the clerk also noted that “America has no bears.”). At none of the stores did the employees indicate that selling bear products was illegal, suggesting a low level of awareness of the law. In addition to federal law, Massachusetts bars the sale of bear parts, including parts from bears legally hunted within the state. Boston’s Chinatown is the third largest Chinese community in the country. According to the 2000 U.S. Census, Boston’s Asian American community grew by 49% between 1990 and 2000.



**New York City** Boasting the largest concentration of Chinese immigrants in the Western Hemisphere, New York City provided the greatest number of opportunities for WSPA investigators, with 44 TAM shops surveyed. Nine shops (20%) offered intact bear gall and one sold bile crystal powder from China. Of those, five shopkeepers claimed the galls originated in China, two stated they were from Russian bears, one said it was from a U.S. bear and two shopkeepers were not specific. One shopkeeper also mentioned how to transport illegal bear products out of the country. In contrast, eight TAM shops noted that the sale of bear products is illegal. The State of New York, however, allows for commerce in bear parts, including gall, from bears legally hunted in the state. While it appears quite easy to obtain bear products in New York City, availability also appears to have declined since WSPA’s 2000 Investigation, which found that all shops visited in New York sold the products.

**Chicago** In Chicago, there was also a high percentage of shops investigated that sold bear products. Three out of eleven TAM retailers (27%) visited by investigators sold either intact gall or manufactured bile products, all of which were identified as coming from China. One shop, however, also mentioned that law enforcement officials visited the store and confiscated all products with bear ingredients, while shopkeepers in two of the stores mentioned that the bear was a protected species and thus did not sell any bear products. The State of Illinois has no native bears and therefore no laws or regulations on the intra-state sale of bear parts; all enforcement falls under federal law. During WSPA’s 2000 investigation, bear products were found at 100% of stores visited.



**Seattle** Awareness of the law and law enforcement was also high in Seattle, where 14% of TAM stores offered bear products for sale. Both intact bear gall and manufactured bile products from China were found. When the investigators requested bear bile, they were sometimes told that selling bear products is illegal while on other occasions told that the shopkeepers had none to sell. Whether such comments stemmed from fear of arrest or no is difficult to conclude. Although the State of Washington allows for the hunting of native bears, the trade in bear products is prohibited.

**San Francisco** Although it was widely recognized that the selling of bear products was illegal in San Francisco, four TM shops (12%) still sold bear products there. All stores investigated offered packaged bile crystal powder that included a label of origin from China. Shopkeepers were generally guarded about selling bear products, however investigators sensed that they would be more willing to sell to people they trusted. Shortly after this segment of the investigation concluded, WSPA delivered the shop names to law enforcement officials, who then arrested the owners of three of the shops after further investigation. Law enforcement efforts such as these may have contributed to the decline in bear product availability. In WSPA's 2000 Investigation, 81% of shops in San Francisco were found to be selling the illegal products.

**Los Angeles** Shopkeepers displayed a high level of awareness of the law that prohibits selling bear products. Of the 27 shops investigators visited, 13 shops indicated it was illegal to sell bear products and three mentioned it was cruel to extract the bile from farmed bears. Only one store (4%) offered an intact bear gall for sale, which the shopkeeper said was obtained from a U.S. hunter. While hunting bears is legal in California, the sale of bear parts is not. Bile from wild bears is considered to be more potent than that obtained from farmed bears, a belief reflected in its price: the gall was the most expensive (\$2800) found during this investigation.

**Washington, DC** Investigators found only one shop to probe in Washington, DC. When asked about bear gall products, the shopkeeper suggested herbal alternatives. In 2000, WSPA investigators visited two shops, both of which offered bear bile products or galls. Washington, D.C.'s Chinatown area has undergone major redevelopment in recent years, which may account for such a dramatic decline in bear product trafficking.

**Portland, OR** One TAM shop was visited in Portland but no evidence of bear bile was found.

## **Export of U.S. Bear Galls**

In addition to claims that some intact galls sold by U.S. shops came from U.S. bears, there is some evidence that they may also be exported to other countries. WSPA investigators were told by a shop in Taichung, Taiwan that the gall they offered for sale was from the U.S.

## **Public Opinion on Traditional Medicine and Asian Bear Farming**

WSPA commissioned a poll on Americans' attitudes toward traditional medicine and the medicinal use of bear bile in March 2007. Focusing on adults who expressed both an openness to using traditional Chinese medicine in the future and an opinion about bear farming, 75% stated that bear farming should not continue if the treatment of bears on the farms is proven to be inhumane.

## **Law Enforcement**

As WSPA's groundbreaking investigation proves, the global trade in bear parts and products is a thriving, multi-million dollar industry in the United States. Law enforcement officials have successfully prosecuted dozens of bear parts smugglers under existing law, though uniform federal legislation is needed to punish others. A summary of their efforts is provided below.

### Lacey Act Violations

- **Alaska:**

- In July 2007, a man was convicted of two felony counts of violating the Lacey Act by selling the black bear gall bladders to a store in Massachusetts for about \$6,200. He was sentenced to four years' probation and fined \$15,000.
- In February 2004, two Anchorage residents pled guilty to one count of violating the Lacey Act by illegally snaring, killing and removing the gall bladder of a black bear in the Kenai National Wildlife Refuge. They were each sentenced to 90 days of home confinement, \$1,000 fine, five years probation, five-year ban from any Fish & Wildlife Service / Forest Service lands, lifetime loss of hunting and fishing privileges, \$600 restitution and forfeiture of two rifles.
- Also in 2004, a joint investigation by Anchorage wildlife agents and Alaska State Troopers led to two individuals pleading guilty to one felony count of the Lacey Act each and a third to a misdemeanor violation of the Act. The three defendants allegedly participated in an ongoing conspiracy to unlawfully snare black bears for their galls and export them to South Korea for sale. In total, at least 12 black bears were killed and eight gall bladders, each worth up to \$4,000, were seized. Penalties included up to three years probation for two of the defendants, criminal fines as high as \$3,000, restitution and home detention.

- **Maryland:** Three Maryland residents pled guilty to trafficking bear galls in 2005 after being apprehended by federal Fish and Wildlife Service agents in a Minnesota airport with nine galls hidden in a suitcase. The group harvested the galls from bears they hunted in Canada and planned to sell them for use in Traditional Asian Medicine (TAM), as they admitted to having done previously.
- **Minnesota:** Federal agents intercepted 84 vials of bear bile being illegally imported from China by a Minnesota woman in late June 2007. More animal products were found in a raid of her home. The investigation continues.
- **Oregon:**
  - According to *The Eugene Register-Guard*, a three-year investigation from 2003-2006 by State Police Sgt. Tom Hulett led to the first wildlife-related racketeering conviction in the country against a poaching ring. Over a three-year period, more than 100 bears were killed and their galls sold for up to \$400 each.
  - In June 2005, a Portland, Oregon man was arrested by state police officers for attempting to buy bear galls from undercover Fish & Wildlife Service agents posing as poachers as part of a yearlong sting.
- **South Dakota:** The owners of a South Dakota for-profit bear-themed tourist attraction pleaded guilty in 2003 to illegally buying two grizzly bears and selling their galls in violation of the Lacey Act. Court statements revealed they also sold seven galls between 1999 and 2001.
- **Tennessee:** In 2002, a wildlife official's investigation into bear poaching on National Forest lands resulted in a two-day trial in Knoxville and a conviction for two defendants under the Lacey Act.

#### State Law Violations

- **California:**
  - After receiving an anonymous phone tip, the California Department of Fish and Game arrested a San Diego man in December 2007 after he allegedly sold black bear gall bladders. The man faces felony charges under state law, up to \$5,000 in fines and up to one year in prison.
  - As a result of some early findings in WSPA's investigation, California Department of Fish and Game wardens arrested four people at three shops in San Francisco in October 2006 for illegally selling bear bile products worth about \$30 each. It is a felony to sell any part of a bear in California.
- **Michigan:**
  - In September 2007, a 50-year old man pleaded guilty to one count of selling of black bear parts – gall bladders. Tyson Shellenbarger was forced to pay restitution, fines and costs in the amount of \$3,080 and serve five days of community service. His hunting privileges were also revoked through the 2010 season. The sale or purchase of black bear gall bladders is illegal in Michigan, and undercover officers had made purchases of bear gall bladders from Shellenbarger prior to his arrest.

- In February 2006, wildlife officials found the head of a black bear and suspected foul play. In Michigan, poaching black bears is a misdemeanor punishable by 93 days in jail, and a person charged with the crime is subject to fees that often exceed \$1,000.
- **New Jersey:** In March 2008, a female black bear and her cub were killed illegally in Sussex County, NJ by a 29-year old man whose motive was initially unclear. The culprit would probably not have been caught had the female not been one of few bears wearing a radio collar in the state. Bear hunting is legal in New Jersey but the trade in bear parts is not.
- **Pennsylvania:**
  - Two animal protection organizations were offering a combined \$1,000 reward for information about the death of a small female bear in Duryea, who was killed illegally in December 2007. The bear's hides, paws, gall bladder and entrails were removed. Officials were considering using DNA samples to determine if the bear originated from Pennsylvania or elsewhere.
- **Virginia:** In August 2005, two women pleaded guilty to selling black bear parts as part Operation VIPER, a three-year sting operation that netted dozens of wildlife smugglers. Each woman received a one-year suspended prison sentence and was ordered to pay \$3,000 restitution. In Virginia, black bears are valued at \$1,500 apiece.

## Federal Legislation

WSPA supports passage of the **Bear Protection Act of 2008** (H.R. 5534), which would prohibit the import, export and interstate trade of bear parts and products. By facilitating wildlife law enforcement and closing loopholes in existing state laws, the Act would help end this cruel and unnecessary trade for good.

To help pass the Bear Protection Act of 2008 or support our End Bear Farming campaign, please visit <http://www.helpbears.org>.

For more detailed information on the findings of our global investigation, please refer to the WSPA report, *From Cage to Consumer – the global trade in bear parts from China to Asia and beyond* at [www.wspa-usa.org](http://www.wspa-usa.org).

April 2008




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*WSPA and its partner, the Calvin Ayre Foundation, are proud to be working together to end bear farming.*