Fish & Wildlife & Other Government Agencies

<u>Standard Operating Procedures</u>

Please note the information contained herein is strictly confidential and should only be shared with those directly associated with Kate Spade & Company

Revised version: February 8, 2017

Table of Contents

1. U.S. Fish & Wildlife Services
2. Definition of Wildlife. Non-domesticated and Domesticated Animals
3. Kate Spade & Company FWS Classification Procedure
4. Wildlife Products Kate Spade & Company Manufactures
5. Required Information for FWS Clearance
6. Endangered and Threatened Species
    Convention of International Trade of Endangered Species (CITES)
7. Fur Products, Ban on Skins, Ban on Merino Wool from Australia – PETA
8. Lacey Act

U.S. Fish & Wildlife Services

U.S. Fish & Wildlife Services (FWS) is a bureau of the U.S. Department of Interior established in 1940. It was established to protect wildlife (both animals and plants) and its habitats by working with other organizations. FWS manages the imports products containing wildlife into the U.S. Any product containing the wildlife must clear FWS entry prior to U.S. Customs entry.

The organization manages over 520 national wildlife refuges and 66 national fish hatcheries.

The FWS also governs two national monuments.

1. Hanford Reach National Monument
2. Papahanaumokuakea Marine National Monument.

The FWS' mission is *"working with others, to conserve, protect and enhance fish, wildlife, plants and their habitats for the continuing benefit of the American people."*

Definition of Wildlife

Wildlife is non-domesticated species of animals and plants.

Domesticated species are exempt from FWS entry. The domesticated animals include but are not limited to the following:

Mammals: Alpaca— Lama alpaca; Camel— Camelus dromedarius; Camel (Boghdi)— Camelus bactrianus; Cat (domestic)— Felis domesticus; Cattle— Bos taurus; Dog (domestic)— Canis familiaris; European rabbit— Ortyctolagus cuniculus; Ferret (domestic)— Mustela putorius; Goat— Capra hircus; Horse— Equus caballus; Llama— Lama glama; Pig— Sus scrofa; Sheep— Ovis aries; Water buffalo— Bubalus bubalus; White lab mice— Mus musculus; White lab rate— Rattus norvegicus.

Fish (For export purposes only): Carp (koi)— Cyprinus carpio; Goldfish— Carassius auratus.

Birds: Chicken— Gallus domesticus; Ducks & geese—domesticated varieties; Guinea fowl— Numida meleagris; Pigeons (domesticated)— Columba livia domestrica; Turkey— Meleagris gallopavo; Domesticated or Barnyard Mallards include: Pekin; Aylesbury; Bouen; Cayuga; Gray Call; White Call; East Indian; Crested; Swedish; Buff Orpington; Indian Runner; Campbell; Duclair; Merchtem; Termonde; Magpie; Chinese; Khaki Campbell.

Insects: Crickets, mealworms, honeybees (not to include Africanized varieties), and similar insects that are routinely farm-raised.

Wildlife is present in all different types of ecosystems throughout the world.

Kate Spade & Company Customs Compliance FWS Procedure

- The Classification Specialist reviews the F&W information provided on the knit/woven checklist/line sheet.
- The Specialist reviews the information the vendor provides with the Customs Department F&W Compilation list.
- If the species is not on the list, the information is reviewed by the Classification Specialist handling the F&W inquiries for that season.
- The specialist researches the information on the FWS website, customs brokers, and/or the internet.
- Once the F&W information is confirmed, the specialist updates the F&W Compilation List.

Wildlife products Kate Spade & Company may import

Kate Spade & Company may import products containing shells, snakeskin, corals, horn, bone, wood, furs and skins.

Examples:

- Snakeskin handbags, tote bags, wallets, shoes, belts, etc.

Kate Spade Tote Bag and Shoes

Information required for FWS Clearance

The information required for FWS clearance is as follows:

- Common Name
- Scientific Name (Genus, Species)
- Origin of Wildlife
- Source of Wildlife (Farm Raised or Taken from Wild)
- Cost Breakdown of Fish & Wildlife item (for example: number of shell buttons per item and value of shell material per piece)

It is the vendor's responsibility to provide the above information on the knit/woven checklist and the commercial invoice. Additionally, the vendor must not source product from an open market; the source must be reputable and able to provide documentation in support of wildlife, if necessary.

Additional information required for FWS Clearance

1. Health Certificate

For products made with Feathers, in addition to the FWS information above, the original Veterinary/Health Fumigation Certificate must accompany the shipment. Most commonly used is a health certificate signed by a certified veterinarian. The certificate must state the type of treatment of fumigation.

Any product containing skins, if the skins are processed, finished with no residue of blood, skin or manure no health certificate is required.

Below is a copy of a health certificate:

中华人民共和国出入境检验检疫

ENTRY-EXIT INSPECTION AND QUARANTINE OF THE PEOPLE'S REPUBLIC OF CHINA

正本 ORIGINAL

共 1 页第 1 页 Page 1 of 1

兽医（卫生）证书

编号 No. 860400208000251-2

VETERINARY (HEALTH) CERTIFICATE

发货人名称及地址
Name and Address of Consignor

收货人名称及地址
Name and Address of Consignee

品名
Description of Goods 80%WASHED GREY DUCK DOWN

报检重量
Weight Declared *3,000*KGS

产地
Place of Origin HAINAN, CHINA

包装种类及数量
Number and Type of Packages PACKED IN PLASTICS WOVEN BALES *60*BALES

集装箱号
Container No. ***

铅封号
Seal No. ***

加工厂名称、地址及编号(如果适用)
Name, Address and approval No. of the approved Establishment (if applicable) ***

启运地
Place of Despatch SHEN ZHEN PORT

到达国家及地点
Country and Place of Destination USA

运输工具
Means of Conveyance BY VESSEL

发货日期
Date of Despatch ***

标记及号码
Marks & No.
SALE NUMBER
PURCHASE ORDER
GROSS WEIGHT
CARTON DIMENSIONS
LOT NUMBER
CARTON NUMBER
COUNTRY OF ORIGIN:CHINA

THIS LOT OF GOODS HAS ORIGINATED FROM SAFETY AND NON-EPIZOOTIC REGIONS FREE FROM NEW POULTRY DISEASE AND OTHER INFECTIONS DISEASES AND WAS DISINFECTED IN A STEAM DRIER AT 120 -140 DEGREE CENTIGRADE FOR 60 MINUTES.

OXYGEN NUMBER:1.6mg/100g

****

COMMON NAME :DOMESTICATED DUCK FEATHERS.
SCIENTIFIC NAME:ANAS BOSCHAS DOMESTICA
FROM FEED OR WILD-FRED.

官章 Official Stamp

签证地点 Place of Issue QINGLAN, CHINA

签证日期 Date of Issue 27 MAY 2008

兽医官员 Official Veterinarian YU JIAN211

签名 Signature

Example

Wood Products

FWS information is also required for wooden products and trims for possible United States Department of Agriculture (USDA) entry if wood comes from endangered tree or plant. Processed wood not deriving from endangered tree sources are not subject to USDA clearance.

Shell Products

All products made with shell parts will require FWS clearance. The proper FWS information listed previous is required.

For shipments with shells of Philippines origin, a copy of the Bureau of Aquatic Fisheries Certificate or Commodity Clearance Form and an Explanation Letter is required for proper FWS clearance. Please make sure these documents accompany with the shipping documents. Attached is an example.

Republic of the Philippines
Department of Agriculture

BUREAU OF FISHERIES AND AQUATIC RESOURCES

Regional Office No. 7

BFAR Bldg., Arellano Blvd., Cebu City
Tel. Nos. 2562774 - 2562776

(Accomplish in Triplicate)

COMMODITY CLEARANCE

1. Ex TI	2. Date Received by Applicant SEP 10 2006	Application No. 14418
4. Customs Broker	5. Address Where Goods are Located SAME AS SHIPPER	
6. Consignee City Country	QINGDAO SHELL FISH INTERNATIONAL CO., LTD. HAN JIA LING CHUN, TONG JI ROAD JI NO, QINGDAO, SHAN DONG, CHINA	7. Port of Loading CEBU, PHILIPPINES 8. Port(s) of Discharge QINGDAO, CHINA
9. Vessel/Air Carrier MILLENIUM / SIRS.	10. Approx. Date of Loading SEPT. 30, 2006	11. Country of Destination QINGDAO, CHINA

12. Description of Commodity	13. Class & Grade	14. Quantity and Unit of Measure	15. Net Wt. Kg.	16. Value FOB US$

17. Goods Approved for Export	18. Class & Grade	19. Quantity	20. Net Wt. Kg.	21. Value FOB US$

22. Remarks
SPECIES ARE NOT INCLUDED IN THE LIST OF C.I.T.E.S.

23. It is hereby certified that the information supplied herein by the undersigned is true and correct.

VIVIEN SIM

Printed Name and Signature of Exporter
Authorized Representative of the Exporter

24. Republic of the Philippines
BUREAU OF FISHERIES AND AQUATIC RESOURCES
Fisheries Inspection and Quarantine Service
Port of Cebu

SEP 10 2006

Date

This is to certify that the goods declared above have been

Example

Endangered and Threatened Species

FWS prohibits importing products consisting of endangered and threatened species such as tortoise shells, furs from tiger, cheetah, jaguar, etc, elephant ivory, whale teeth, and crocodile skins.

CITES

Another organization that monitors the imports of endangered and threatened species is the Convention on International Trade in Endangered Species of Wild Fauna or Flora (CITES). CITES lists the species in three Appendixes.

Appendix I are endangered species prohibited from international trade unless if it is for scientific purposes.

Appendix II are species not yet threatened but may if the international trade is not closely monitored.

Appendix III are species added to the list by another Party which already monitors the trade but needs assistance from other countries to prevent exploitation.

If Kate Spade & Company imports any products under Appendices II and III, a CITES Permit is required for exporting the product from origin.

2017 Notification for Products made from Lamb/Sheep

The following species have been added to Annex I of the CITES convention. These subspecies of Ovis Aries are on the endangered list and cannot be used in our products:

Ovis aries ophion
Ovis aries vignei

When using leather or wool from lamb/sheep, vendors will need to identify the 3 part scientific name (Ovis Aries _____) on the invoice for clearance thru customs.

Line sheets/checklists/PP sheets provided by vendor must identify the 3 part scientific name (Ovis Aries _____), in addition to the common name, country of origin and source (whether farm raised or taken from the wild). Some subspecies will require a CITES permit, consultation with the compliance team at the sourcing stage is advised.

Use of Fur Products & PETA

As of October 2008, brands have committed to being "fur free". This does not include "shearling". Going forward, licensing agreements should be negotiated to consider this commitment.

County of Origin Affidavit for Hides/Skins & PETA

Kate Spade & Company made a commitment to the People for Ethical Treatment of Animals (PETA) to ban sourcing of hides for leather and suede product from India, China and Bangladesh.

Ban on Merino Wool

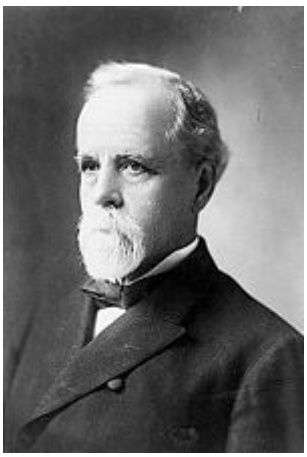
We have committed to PETA to give purchasing preferences to suppliers of non mulsed wool providing that the product meets our quality and price point requirements.

We are expecting to make good-faith efforts to find alternative sources.

https://portal.katespadeconnect.com/documents/10113/37561ea1-8bc6-4833-bf83-abc1f51207d8

The Lacey Act

The Lacey Act is a conservation law introduced by Iowa Representation John. F. Lacey. It was signed into law by President William McKinley on May 25, 1900 It is the first federal law protecting wildlife.



John. F. Lacey

The law prohibits trade of wildlife that has been illegally taken, processed or sold. The law created civil and criminal penalties for a wide range of violations. The maximum penalty is $20,000 and/or five year imprisonment.

Today the law is primarily used to prevent the importation or spread of potentially dangerous non-native species.

As of May 2009 USDA requires the attached Plant and Plant Product Declaration Form for products containing plant or wood material to be completed by the factory. The effective products are classified under the following tariff headings:

- Wood and wood articles (4401-4404, 4406-4409, 4412, 4414, 4417- 4421)
- Umbrellas (6602)
- Tools (8201)
- Furniture (9401)
- Toys, games, sporting equipment (9504)

The Plant Declaration Form with the instructions on how to complete the form is located in the below link.

http://www.aphis.usda.gov/plant_health/lacey_act/downloads/declarationform.pdf

According to the Paperwork reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0349. The time required to complete this information collection is estimated to average 1.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

OMB APPROVED
0579-0349
Exp. Date:

Plant and Plant Product Declaration Form

U.S. DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

Section 3: Lacey Act Amendment (16 U.S.C. 3372)

Applicability of Declaration:

You are required to complete this form if you are importing any of the following:
Any wild member of the plant kingdom, including roots, seeds, parts, or products thereof, and including trees from either natural or planted forest stands, except:

1. Common cultivars, except trees, and common food crops (including roots, seeds, parts, or products thereof);
2. * Scientific specimens of plant genetic material (including roots, seeds, germplasm, parts, or products thereof) that are to be used only for laboratory or field research;
3. * Plants that are to remain planted or to be planted or replanted; or
4. Plants used exclusively as packaging material to support, protect, or carry another item, unless the packaging material itself is the item being imported.

* You must still complete this form if you are importing plants described under 3. and 4. that are listed:

- In an appendix to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (27 UST 1087; TIAS 8249);
- As an endangered or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or
- Pursuant to any State law that provides for the conservation of species that are indigenous to the State and are threatened with extinction.

SECTION 1 - Shipment Information

1. ESTIMATED DATE OF ARRIVAL: (MM/DD/YYYY)	
2. ENTRY NUMBER:	3. CONTAINER NUMBER: ☐ See Attachment
4. BILL OF LADING:	5. MID:
6. IMPORTER NAME:	8. CONSIGNEE NAME:
7. IMPORTER ADDRESS:	9. CONSIGNEE ADDRESS:

I certify under penalty of perjury that, to the best of my knowledge and belief, the information furnished is true and correct:

Preparer's Phone Number and Area Code	Signature	Type or Print Name	Date

PPQ FORM 505
JULY 2010

Knowingly making a false statement in this Declaration for importation may subject the declarant to criminal penalties in accordance with 18 U.S.C. 3571(d).

Version 07-26-2010-0856

Page 1

Contacts:

Annette Diamond, Trade Compliance Analyst
Tel. (201) 295-6999
ADiamond@katespade.Com

Laurie Lewis, Classification Specialist
Tel. (201) 295-6298
Llewis@katespade.com