

SB 376 (STERN)

WILDLIFE TRAFFICKING AND TRADE ACT

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SUMMARY

The Wildlife Trafficking and Trade Act (SB 376) revisits those portions of last year's SB 1175 (Stern) related to the importation and trade of live wildlife in California. SB 376 seeks to address the conditions which led, in part, to the emergence of the COVID-19 pandemic, namely wildlife trafficking and trade. This bill requires the Department of Fish and Wildlife (CDFW), in consultation with the California Department of Public Health, suspend the issuance of import permits for species potentially linked to novel zoonotic disease transmission until studies show no link exists or individual animals may be adequately tested and screened. Further, SB 1175 provides additional regulatory powers to CDFW in the event that a wild animal should be prohibited from entering the state to protect public health, native wildlife, or agricultural interests.

THE PROBLEM

In SARS, MERS, and now COVID-19, initial human infection arose from viral transmission between wildlife and humans, such as bats and civets in the case of SARS. The virus that causes COVID-19 likely arose in a bat and passed through another mammal species in trade before making the jump to humans. The first widespread outbreak of COVID-19 was associated with a live wildlife market. In California, the type of retail markets where wildlife is sold for human consumption which led to SARS and potentially COVID-19 do not exist in the same form. However, live wildlife are imported and sold in California for various purposes and there is potential risk to human health from the importation of such animals carrying viruses or other disease.

Hundreds of permits authorizing the possession of live wild animals (so-called "restricted species") are issued by CDFW each year. The COVID-19 pandemic illustrates how important it is to fully evaluate the risks those animals pose to Californians.

In addition to the threat to human health, wildlife imports also threaten our native wildlife. Nationally, it is estimated that non-native species have contributed to 68% of the fish extinctions in the past 100 years. Similarly, for amphibians, the chytrid fungus, which can be spread by a number of imported and invasive species, is linked to the extinction of over 100 species since the 1970s. More recently, in 2020 the first Californian cases of rabbit hemorrhagic disease, a highly infectious and lethal disease, were found in native jackrabbits; this disease likely arose in Europe but entered

California via rabbits imported for pets or meat. Lastly, while COVID-19 arrived in the United States via human transmission, the virus has repeatedly jumped between humans and captive wildlife, including mink as well as various zoo animals. Such human/animal transmission events threaten both humans and wildlife and could lead to the outbreak of new and potentially more dangerous variants of the disease.

BACKGROUND

California must take the lead in protecting ourselves and our state's native species by ensuring that CDFW is able to better exercise its authority over the importation, possession and trade in live wild animals. Under current law, CDFW has clear authority to regulate the importation, transport and keeping of, for example, a live tiger due to the public safety threat the escape of such an animal would pose. However, CDFW's authority to regulate such species due to the disease risk they present is less explicit. In light of the COVID-19 pandemic, there is increased recognition that statutory provisions should address disease transmission – not just the risks of an apex predator injuring people or other animals. CDFW's existing authority to protect public health as it relates to wild animals is well suited to include the new and clarifying provisions of this bill. CDFW and the Fish and Game Commission must have the tools and legislative direction needed to take appropriate action where there is zoonotic disease risk. The threat of future pandemic scenarios necessitates legislative action.

THE SOLUTION

SB 376 takes a number of steps to address the multi-faceted problems of zoonotic disease and threats to biodiversity by: 1) limiting contact with potential animal disease carriers by suspending certain import permits until testing can prove the species is not a carrier of disease or proper testing and treatment, including quarantine, are available; 2) allowing the emergency addition of animals to the restricted species list if determined to be a threat to public health; 3) preventing the live sale for human consumption of certain frogs, turtles, or non-poultry birds determined to be invasive species or likely to be responsible for zoonotic transmission of a disease.

SUPPORT

Social Compassion in Legislation (co-sponsor)
Center for Biological Diversity (co-sponsor)