

CONTROL OF THE GEORGIA FUR INDUSTRY

by

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ABSTRACT

With the advent of the 1974-75 trapping season Georgia's Game and Fish Law Enforcement Section elected to place emphasis on the control and management of the fur industry within the State with one reason being to find out, if nothing else, what was the fur industry in the state.

As could be expected several things were learned. Deficiencies were detected and an evolutionary process was begun to improve on the managing and control of this valuable resource.

Included in this effort to improve upon the State's management and control program was a review of the laws, regulations, and methods of fifteen other states, most of which were in the Southeast. This was done in an attempt to learn of better ways to administer an effective law enforcement program and also to provide a suggested approach to other southeastern states which might find themselves in the same boat with Georgia. The purpose of this paper is to provide some insight into what has been learned.

In approaching the subject of controlling and managing the fur industry from a law enforcement standpoint several factors will influence the guidelines that are to be followed and implemented.

However, for any program, be it control and management of the fur business or control and management of any industrial assembly line, the first question to be asked by management is: what is to be accomplished? What is the final objective or goal of the effort to control and manage? Obviously, this is one goal or objective that does not vary from state to state. Some states have a more defined approach through laws and regulations than do others, but the objective of any law enforcement section attempting to control and manage the fur industry should be the maximum utilization of the fur resource through protection. Granted, this is a rather infinitive description of the final objective, but it is intentionally so. Through an inductive process, it is obvious that this final objective can only be met by achieving several intermediate objectives. For example, to obtain maximum utilization (the final objective) one intermediate objective which must be achieved through protection is to insure that a sufficient supply of animals is left each year to replenish the species. With this as an intermediate goal, logically one thing that is needed then to accomplish this objective is a season for trapping. So establish a trapping season!

In the preceding paragraph what is pointed out is that a state must first decide what it wishes to accomplish then set into motion whatever is required to bring about the final objective by implementing intermediate objectives.

The process of establishing controls and management procedures is made much easier once a final objective is established and intermediate objectives identified. If a law, (the implementation of an intermediate goal) does not contribute to the accomplishment of the final objective then obviously it is not needed.

In this paper one basic concept is discussed. The fur industry is divided into three distinct segments: the trapper, the dealer and the shipper. Basic ideas are suggested for the management and control of each segment. Other incidental segments may exist, but of primary concern in the management and control of the industry are the three discussed.

At this point certain additional qualifying remarks should be made in order to bring certain related issues into perspective.

First, it must be concluded that no two states are identical in either of the factors which biologically dictate the type of species of fur bearing animals or the quantity or quality of the animals. Nor do any two states have the same exact external factors (geopolitical groups) which may affect the administering of an effective law enforcement program, i.e., 'coon hunting clubs, fox hunting clubs, anti-trapping groups as well as others.

In Georgia, for example, the raccoon, a fur bearer, is well protected in the northern third of the State. Seasons are set, bag limits established and trapping is prohibited. (The latter prohibition being somewhat attributable to the first geopolitical group mentioned in the preceding paragraph.) In addition, the law enforcement is probably somewhat more vigorous in the northern region because of the greater protection afforded by these additional laws. Whereas, in Middle and South Georgia there is no bag limit, no closed trapping or hunting season with only a hunting or trapping license required to take the raccoon year around. Supposedly this is a sound game management practice.

According to our game management section the principle behind this practice stems from the variation in the carrying capacity of North Georgia and Middle and South Georgia. The swamps, rivers and lowlands of Middle and South Georgia afford the raccoon a greater food supply, better escape cover and denies access to all but the more determined hunters and trappers. As to be expected though, the raccoon from North Georgia, Tennessee and similar locales produce a better pelt. In the latter weeks of trapping season (January and February) the raccoon in South Georgia takes on a reddish tone to the pelt which detracts considerably from the worth of the skin.

As noted by this, the geography of a state will have considerable influence on the biological factors of fur bearers, making the adoption of management and control techniques based on biological characteristics somewhat impractical.

In consideration of the geopolitical factors which may affect the industry, each state has, unquestionably, on occasion had ample opportunity to reckon with forces which are in direct conflict with game management and good law enforcement principles. Therefore, no purpose would be served in citing an example of non-departmental influence other than to mention that the many interests of the geopolitical groups may be quite effective when manifested through different channels, i.e., legislators, press, etc.

In summary, no two states regardless of their geographic similarities can expect to adopt a control system wherein all requirements of the law would be uniform for all southeastern states, especially those founded on game management principles.

Accepting the above conclusion, however, a certain basic concept in law enforcement administration can be discussed and each state may implement the suggested techniques in accordance with good management and control principles.

One additional consideration which will affect the type principles to be adopted is the method which each state finances its efforts. If a state's game and fish program including law enforcement must be self supporting through the recovery of revenue from license sales, fine recoveries, severance taxes and others, then the alterations which are necessary may make the adoption of the discussed techniques undesirable. In other words, if direct revenue from the fur industry within each state must help support the game management and law enforcement efforts then obviously a tagging system and severance tax may be necessary. If this be the case then different and a more in-depth set of controls may be needed. However, for those states presently having a tagging and severance tax: does it contribute substantially toward a management objective? (Controls are only management tools.) By converting Georgia's 1974-75 fur sales (Annual Report: page six) into revenue using another state's taxes approximately \$6,377.35 would have been recovered last year.

VALUE OF FUR INDUSTRY IN GEORGIA
1974-75 ANNUAL FUR REPORT

| <i>Trapped</i> | <i>Total</i> | <i>Avg. Price To Trapper</i> | <i>Total Value To Trapper</i> |
|----------------|--------------|----------------------------------|-----------------------------------|
| Muskrat | 18,052 | \$ 2.50 | \$ 45,130.00 |
| Raccoon | 18,787 | 5.00 | 93,935.00 |
| Otter | 776 | 25.25 | 19,788.00 |
| Opposum | 4,853 | 1.77 | 8,589.81 |
| Mink | 1,556 | 7.50 | 11,670.00 |
| Red Fox | 396 | 17.00 | 6,732.00 |
| Grey Fox | 1,974 | 11.75 | 23,194.50 |
| Bobcats | 509 | 18.00 | 9,162.00 |
| Beaver | 1,795 | 4.75 | 8,526.25 |
| Skunk | 84 | 1.25 | 105.00 |
| Misc.* | 18 | 2.50 | 45.00 |
| | 48,800 | | \$226,877.56 |

*Coyotes, Civet Cats, Weasels, etc.

| | |
|---|--------------|
| The above dollar value indicates only that received by the trapper. An estimated 40% gross profit can be added as the value received by the Georgia dealers | \$ 90,751.02 |
| Total value received by trapping industry | \$317,628.58 |
| Licensed Trappers: 558 | |
| Licensed Dealers: 10 | |

Less than one one thousandth of one percent of the Game and Fish's total budget. Georgia could hardly afford to engage in this type control system.

The merits of such a system may be worthy of consideration, but the cost of changing to such a system by those states not already having such a system should be considered.

In consideration of the proposed control techniques the first requirement which must be dealt with regardless of what additional controls a state intends to institute is that there must be established a records reporting system. For a reporting system to work there must be established a focal point for control of all records and reports as well as related intelligence. Considering that almost all furs will be sold in interstate commerce at some time and that this transportation can be across any of the state's boundaries certain facts become inevitable. One being that management and control on a district or regional level becomes impractical and inefficient. As for trying to administer a records and reports system on a district level, Georgia has learned through experience that there is very little coordination or control or exchange of intelligence between districts whenever there is no point of control or no office designated to be in charge of administering the state's program.

In the past in Georgia one law on reporting procedures simply stated that all fur shipments from the state must be made to the Game and Fish Division three days prior to the shipment. Well, the intent of this law was good. The three day prior notice was to allow for inspection by our personnel. However, in actuality, the wording of the law precluded any operational control (inspection). What resulted was some reports were made by telephone, some by mail, some to the local ranger, some to the Atlanta office, some to the district offices, and some were not made at all. The problem with reporting requirements such as this are apparent and stem from not having an established centralized location for control. Since that time all report requirements for shipping fur must be made in writing to the district wherein the shipment originated. Some difficulty has been encountered with the three day prior notice, however, immediate shipment approval can be granted by phone from the district office provided the written report is mailed that day to the district. By this requirement a district is able to exercise operational control on one aspect of the fur industry. This report is then copied and properly noted as being received by the district and mailed to the central law enforcement office in Atlanta where an overall analysis of the state's management and control is possible.

A suggested form for this reporting requirement is the form (page nine) now being used by the South Carolina Wildlife and Marine Resources Department. It is a simple, but thorough form which fits the reporting requirements of both the dealer and trapper and supplies most of the information needed for record purposes. In using this form or any similar form the instructions should include the requirement that furs purchased outside the state and furs purchased from other dealers be distinguished from those purchased from the trapper so as to prevent double accounting and an inflated annual report.

At this point in the discussion of reporting requirements and forms it is necessary to add the following remarks concerning all reports required of the fur industry. First, if a state's conservation department is to properly manage their interest in the fur business then certainly written reports are required. And if written reports are required it is a plain, simple fact that the state must provide these forms on which the desired information is to be reported. The importance of this cannot be stressed enough. These report forms must be simple, fill in the blanks. Without this the department must accept the responsibility for erroneous incomplete reporting as has Georgia in the past. Again, in discussing the reporting requirements to be placed on the fur business, a state should be forever mindful of the bureaucratic quagmire which is so easily created by agencies which are trying to exercise administrative control. (The number of reports has nothing to do with efficient administration.)

With a central location established for the control and administering of a state's program the next consideration is to decide what additional requirements are needed.

Again, through experience, Georgia has learned that it is nearly impossible to effectively control the fur industry from the grass roots level (the trapper). (This is equivalent to driving a Missouri mule by twisting his tail.) With in excess of six hundred licensed trappers in Georgia and by their very reclusive occupation and nature their control and regulation becomes sporadic and inefficient at best. Most laws pertaining to the trappers deal with being properly licensed, using proper methods and complying with seasons. The amount of time required to properly police the trappers alone is greater than the man power available to this conservation agency. Additionally, control of the trapper on an individual basis has little effect on the state's overall program. Consequently, the trapper is not the best place to emphasize control. However, the requirement for management of this segment of the industry should not be overlooked. Indeed, this is the place where states will wish to place certain restrictions such as the size of the traps permitted, the allowed trapping methods and type trap sets permitted and other restrictions which will vary from state to state. However, there are three basic requirements that should not be overlooked in the overall management of this segment as it relates to the industry.

First, and obviously so, a license is required. Though the purpose of such a license is to permit some regulatory measures of those engaged in trapping. The license fees have little value to the state in revenue collection. But whenever a license is sold there becomes a record which is an important management tool if properly used.

In Georgia all trapping licenses are sold through the central office in Atlanta. These license transactions are then entered on computer and a printout of all special license holders by law enforcement district is then mailed to the respective districts which allows for operational control by field personnel.

A second requirement designed primarily to control the trapper in the field but has actually little effect on the overall industry, is trap identification. This is of particular importance in controlling this particular segment. All that is required is a metal (copper) tag be affixed to the trap bearing the trapper's name and address. Most benefits from trap identification are apparent, however, not to be overlooked is the management aspect. With the printout to use as a cross reference, it is quite simple to check to find out if a trapper is licensed without ever contacting the trapper. Also, by identifying each trap all related requirements can be better managed. (Traps not properly tagged in Georgia are confiscated.) (Tags are ordered at the same time the trapper orders a license.)

The third requirement which is of considerable importance in the management of the trapping segment as it relates to the rest of the industry is that of reporting. This is a matter which may be handled in several ways. The purpose, though being, no doubt, to find out what is being trapped, when, to whom sold, and how delivered. (Shipments out of state by trappers must also meet the same three day prior notification as required of dealers.)

The one aspect of this requirement which will depend upon the preference of each state is when do they wish for each trapper to report. What is desirable is to have each trapper to report each month as is required of the dealers, allowing for considerably more control. However, it is quite simple for the entire management process to become bogged down in a bureaucratic administrative mess. And considering that most trappers are not known for their finesse as bookkeepers, it is best to keep the reporting requirements simple. Therefore, it is recommended that trappers be required to report only at the end of season. However, to compensate for this concession the law should require of each trapper that current records be kept and be made available for inspection at all times.

Alabama has an exceptionally good law which may be used as a guide in developing this requirement:

“INSPECTION OF BOOKS AND RECORDS OF DEALERS.—The Commissioner, his wardens, or any other persons appointed and designated by him for such purpose, shall have power and authority at any and all reasonable hours to inspect or examine the books and records of any person, firm, association or corporation, in order to determine the amount of license fees due under the provisions of the preceding section, and to further require such persons or any member or members or agents or employees of such firm, association or corporation, to answer under oath any questions that may be propounded, to determine the facts desired. The Commissioner and his said wardens and agents shall further have authority to administer an oath to any such person. (Title 8, Section 102, 1940 Code of Alabama.)”

Although a state will wish to vary the wording of this particular law depending upon which segment it is directed toward. (The intent is easy to follow.)

Though the trapper is an important segment of the fur business to manage as suggested by the above, of much more importance is the management and control of the dealers.

In consideration of this segment one aspect which makes it better to manage is because it is smaller. Another being that this is a focal point for the entire industry which is an exceptionally important concept in the management. Agreed, it is impossible to force complete compliance with all laws, but of considerable importance here is the amount of compliance which can be obtained from the trapper by properly regulating the dealer. An example of how a state can exercise indirect control of the trapper can be found by again reviewing an Alabama regulation:

“POSSESSION OR SALE OF RAW FURS AFTER CLOSE OF SEASON: The possession, sale, shipment or storage of raw furs, skins, or pelts of fur-bearing animals after the season for taking same has been closed for twenty days is hereby prohibited, and shall constitute a violation of this regulation; provided, however, that on or before twenty days after the close of said season any legal fur dealer may, with the written permission of the Department of Conservation and Natural Resources having been first received, retain raw furs for a period longer than twenty days after the close of said season, provided said fur catcher or dealer complies strictly with the following conditions and stipulations:

On or before twenty days after the close of the trapping season any legal fur catcher or dealer may send to the Department of Conservation and Natural Resources an itemized and verified list of the raw furs in his possession, showing number and kind, together with a statement from a licensed storage plant where said furs are stored, which statement shall certify the list of said furs being stored. Upon receipt of same, the Department of Conservation and Natural Resources shall send a permit to said catcher or dealer for retaining said raw furs not longer than six months after the close of said season. The Department of Conservation and Natural Resources shall have the right to inspect said furs at any time it deems advisable.”

In effect, what is accomplished by this law is that a buyer is forced to stop dealing in pelts after the trapping season closes. What this does indirectly is dry up the market for raw furs. Though this places the burden of compliance on the dealer, the trapper is affected just as much, thereby accomplishing the objective of prohibiting trapping during closed season.

Considering that the dealer is the most important segment in controlling and managing the industry for not only the reasons stated above, but also this segment, being a link between the other two, allows for much to be learned about the other two segments.

Another point to remember if a tight rein is to be held on the fur business is that the scheduled reports of the dealers' activity must be reviewed on a scheduled and timely basis. Therefore the proper solution to this is to require a monthly report as suggested in the discussion of records management (page eight).

Little can be achieved if dealers' reports are received on an annual basis. The end of trapping season is certainly no time to correct errors in their operations. Certainly, annual reports would allow for management on a yearly basis, but no business can be efficiently operated except by management during operations.

Also to remember here is that the records of this segment must be available for inspection in accordance with the suggested guidelines discussed, (page thirteen).

The third area for consideration for states in obtaining compliance with their management objectives is the regulation of common carriers. Almost all states and the Federal Fish and Wildlife Service have statutes that place stringent requirements on the shippers or common carriers. However, the enforcement against this segment of the industry is of little effect because of the

difficulty in prosecuting this segment of the industry where the intent to violate the law is not so apparent. Consequently, prosecution and conviction is not as certain, therefore enforcement is not as vigorous.

Though the controlling of this segment of the fur industry may not be so appealing as that of the trapper or dealer, it has been learned in Georgia that prosecution at this level can achieve considerable compliance in very much the same way the trapper can be indirectly controlled by the dealer.

Also not to be overlooked is the wealth of record data available through the records of the shipping companies.

If control is to be exercised of the common carrier, then laws must be developed which will require the carrier to comply with the desired results.

One requirement of importance here is to require access as mentioned of the other two segments. Accurate records are normally no problem in that trucking firms normally keep exceptionally good records.

A second consideration being a requirement placing some responsibility of due care on the common carrier. The following is an excerpt from the Federal Lacey Act which outlines the liability of common carriers:

SECTION 43

- Par. (a), "Any person who
- 2) delivers, carries, transports, or ships by any means whatever, or causes to be delivered, carried, transported, or shipped for commercial or noncommercial purposes or sells or causes to be sold in interstate or foreign commerce any wildlife taken, transported, or sold in any manner in violation of any law or regulation of any State or foreign country;
- shall be subject to the penalties prescribed in subsections (c) and (d) of this section.
- (c) (1) Any person who knowingly violates, or who, in the exercise of due care, should know that he is violating, any provision of subsection (a) or (b) of this section may be assessed a civil penalty by the Secretary of not more than \$5,000 for each such violation."

Again, the intent here is easy to follow. The point being here that the liability of due care is placed on the common carrier which gives a state the needed leverage in managing and controlling this segment of the industry.

In conclusion of this paper, it is acknowledged that not all aspects of the fur industry have been sufficiently covered. There was no attempt to go into detail of the many facets of the fur business. Certain aspects were not mentioned in detail because such an effort would have precluded development in this paper. However, some attempt has been made to present an overall basic management concept which may be of some help in developing a state's program.