

STATES OF JERSEY



FUR PRODUCTS: PETITION (P.72/2006) – AMENDMENT

Lodged au Greffe on 19th September 2006
by Senator B.E. Shenton

STATES GREFFE

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For the words “to agree that” substitute the words “to request the Council of Ministers to investigate the feasibility of introducing” and for the words “should be implemented and to request the Ministers for Economic Development and Home Affairs, in consultation with other Ministers as appropriate, to bring forward for approval the necessary legislation to give effect to the ban” substitute the words “and to request the Council to report to the States Assembly within six months on the consequences of any total or partial ban on the importation and sale of such products having regard, in particular, to the cost implications and to compliance with Jersey’s international and European Union obligations”.

SENATOR B.E. SHENTON

REPORT

If the amendment is adopted the proposition would read as follows –

to request the Council of Ministers to investigate the feasibility of introducing a total ban on the importation of fur and fur-trimmed products into Jersey, and on the sale in the Island of such products, and to request the Council to report to the States Assembly within six months on the consequences of any total or partial ban on the importation and sale of such products having regard, in particular, to the cost implications and to compliance with Jersey's international and European Union obligations.

I have every sympathy with the sentiments of the petitioners and share their belief that Government should lead by example and take action to control the trade in furs. Unfortunately the wording of the original petition is largely unsupportable as it creates problems and would be very costly to administer. I believe that most people that read the comments of the Minister of Home Affairs will share this view.

Rather than lose the momentum created by the petition I originally considered a small amendment in a format which would have achieved most of the aims of the people behind the petition. The amendment would have been worded along the lines –

“to agree to a ban on the importation for sale into Jersey of fur and fur-trimmed products as listed in the Appendix”.

This would get around most of the policing problems and allow me to keep my sheepskin slippers and the visiting dignitary her fur coat.

The Appendix would then have listed the types of fur that would be covered by the legislation – e.g. North American mink and the arctic fox, chinchillas, raccoons, etc.

Fur-Bearing Animals

The fur industry desperately wants the public to forget that fur-bearing animals are anything more than a coat collar or trim on a handbag. However, fur-bearers are important in their own right, playing essential roles in their ecosystems.

Mink



The mink (*Mustela vison*) is a member of the weasel family, which also includes skunks, otters, and wolverines. They are perhaps best known for their dark brown fur, which turns white at the chin and runs to black at the tips of their tails. They have long, slender torsos atop short legs. Full-grown females are usually 17 to 21 inches long and weigh 1.25 to 1.75 pounds, while full-grown males are usually 21 to 24 inches in length and weigh 2 to 3.75 pounds.

Fox



Of the five species of foxes found in North America, only two are commonly seen: the red fox and the gray fox. Gray foxes are known to be native to North America, but whether the red fox was ever native is a subject of debate. It seems likely that the red fox was, probably arriving by the same land bridge used by the first humans during the last Ice Age. Many red foxes were brought to North America from Europe in the 1700s for sport hunting, and they

remain popular prey for hunters and trappers.

Rabbit



Few animals are as content to sit unmoving for as long as rabbits are. As prey animals, rabbits go to extremes not to advertise themselves as available to be eaten—but that isn't to say they don't let their guard down once in a while. If lucky, the patient observer may see them in the early morning or evening hours in spirited and spontaneous chases of other rabbits, or energetically hopping and leaping about—revealing this animal's playful nature. While rabbits lead lives full of concern and fear, they sometimes display a joie de vivre that we can envy.

Coyote



The popular name for the coyote comes from the Aztec word coyotl, which can be loosely translated as “trickster.” Taxonomy classifies the coyote (*Canis latrans*) as a close relative of the wolf and the domestic dog. So close, in fact, that it is still a scientific detective story as to how much admixing has occurred between the groups.

Beaver



The beaver, the industrious aquatic mammal known for altering his landscape much like a human, has performed one of North America's most remarkable ecological feats: recovery from near extinction.

Raccoon



With their bandit's mask and ringed tail, raccoons (*Procyon lotor*) are one of North America's most charismatic and recognizable species—even if they are not frequently seen due to their nocturnal habits.

Opossum



The opossum (properly, the Virginia opossum—*Didelphis virginiana*) is the only marsupial found north of Mexico. Marsupials are distinguished by their unique mode of

reproduction: the young are born in an almost embryonic form and make their way to the pouch in their mother's abdomen, where they are nourished for what in other mammals would be most of the gestational period.

Skunk



Quick: Think of a skunk. What's the first thing that comes to mind? For many, it's the animal's unmistakable eau de parfum. Which is too bad, because skunk spray has given the wrong impression about these gentle, non-aggressive creatures.

Seal



True seals (a group that doesn't include the fur seal) belong to the family Phocidae. Seals lack ear flaps and the ability to rotate their hind flippers forward to walk on land, which sea lions can do. Instead they pull themselves forward by their fore flippers, dragging their hind flippers behind them, with an inchworm-like motion. In the water, however, they are amazingly graceful, using their hind flippers in a sculling motion to propel themselves while steering with their front flippers. Some species are deep divers—the northern elephant seal dives regularly to approximately 2500 feet and stays under routinely for 20-30 minutes per dive.

Gray Wolf



The gray wolf (*Canis lupus*), also called the timber wolf (along with many other local names), is one of the most widely distributed of all mammals—some say second only to humans. They have adapted to climates as different as deserts, the Arctic tundra, and forests.

Black Bear



American black bears (*Ursus americanus*) are usually true to their name, but you might spot one who is brown, reddish, yellowish, or even cream-colored. They are the most widely distributed and smallest of the three bears found in North America. The other two, the polar bear and the grizzly bear, are much more restricted in their distribution.

Sea Otter



Sea otters are the smallest of all marine mammals. At birth, they are about

22 inches long and weigh approximately five pounds. Adult males grow to be about 58 inches long and weigh 60 to 5 pounds. Unlike other marine mammals, sea otters do not have a protective layer of blubber to shield them from cold water. To compensate, they have extremely thick fur that traps warm air between hairs and insulates the body.

Fur Seal



Sea lions and fur seals belong to the family Otariidae. They have ear flaps and can rotate their hind flippers forward, giving them a somewhat ungainly, but very agile, gait on land. These are the “circus seals”—the ones seen in circuses and aquaria—able to stand on their fore flippers and climb stairs. In the water, sea lions and fur seals use their fore flippers to propel themselves, with a wing-like flying motion, using their hind flippers to steer (the exact opposite of true seals).

I spoke to Customs concerning this and soon realised that this approach would also create problems for the following reasons –

- The limiting of the ban to goods imported for sale would still mean that we would be faced with the burden of detecting importations by freight and by passengers. It is very common for merchandise to be carried in baggage.
- If we did detect fur we would then be faced with not only establishing whether it was real or fake but also the animal it came from and whether it was going to be sold.

Therefore I can't see that the estimate of the extra resources that would be required could be reduced.

There is also a legal issue which would have to be resolved. I believe that Senator Syvret's proposition was forwarded to the Attorney General for his comments on “whether or not an import ban of this nature would be possible under Jersey's international and EU obligations.” I am not aware if the Attorney General has replied and would be interested in his response.

Finally, drawing up a definitive list of animals might be a problem. Having just a quick review of the proposed Appendix prompts the question – why should rabbit fur be banned but not sheepskin or the fur of domestic cats, etc.

Conclusion

Rather than simply state that something cannot be done, it would be better if Government come up with some possible solutions. The Home Affairs Comments (P.72/2006 Com.) are very negative in structure and give no inclination that any thought has been given to achieving the broad aims of the petitioners. I would have preferred a more constructive comment along the line of – ‘you cannot do that but you might like to consider this alternative’. The Members of the States Assembly and the Council of Ministers cannot ignore a petition on behalf of 2,505 signatories simply because its wording was constructed in a heartfelt manner rather than perfect legalese. I ask the Council of Ministers and States Assembly to support this amendment.

There are no financial or manpower resource implications as the work required is not substantive and can be undertaken within current working arrangements.