

Caviar & Passengers: Information for International Airlines and Cruise Lines

International airlines and cruise lines often carry caviar made from sturgeon and paddlefish to sell or serve to passengers. When you do so, you are importing or exporting wildlife – an activity regulated by the U.S. Fish and Wildlife Service (Service).

In some cases, you must obtain special permits and comply with general Service wildlife import/export requirements for companies engaged in commercial wildlife trade.

Under certain circumstances, however, your caviar “shipment” may be exempt from these requirements.

Why does the Service regulate caviar?

All sturgeon and paddlefish species (Order *Acipenseriformes*) are protected under the Convention on International Trade in Endangered Species (CITES). This treaty uses permits to regulate trade in animals and plants and helps ensure that trade does not jeopardize the continued survival of species in the wild.

While shipments of caviar generally require CITES permits, CITES member nations (including the U.S.) have waived that requirement when an individual is importing 125 grams or less for personal use. This personal effects exemption guides our policy on caviar for passengers on planes and cruise ships.

Some sturgeon species receive additional protection under the U.S. Endangered Species Act (ESA), which often further restricts import and export. The beluga sturgeon, for example, is listed as “threatened” under the ESA. Under a moratorium, beluga caviar cannot be imported into or exported from the United States in any quantity even though it may be traded in other countries with CITES permits.

What are the general requirements for importing and exporting caviar?

Unless an exemption applies, you must:

- Obtain a CITES permit before the import, export, or re-export occurs
- Hold a valid wildlife import/export license issued by the Service
- Declare the caviar to the Service
- Obtain Service clearance
- Pay appropriate inspection fees
- Use a Service “designated port” or get a permit from us to arrive or leave at another location

When do these general requirements apply to caviar loaded onboard a plane or cruise ship?

These general requirements apply to caviar and caviar products that airlines and cruise lines load onboard to sell to passengers.

Example: Bestway Airlines loads small jars of osetra caviar and moisturizer cream containing caviar onboard for duty-free shopping on its flight from Chicago to Amsterdam. This activity is a commercial export subject to general CITES and Service import/export requirements.

Example: Jolly Good Tyme Cruise Lines' gift shop sells caviar to passengers during a cruise to Greece. This activity is a commercial export subject to general CITES and Service import/export requirements.

When is caviar loaded onboard a plane or cruise ship exempt from these requirements?

Caviar for passengers may be exempt under two circumstances:

- When the caviar is served to the passengers to eat en route to the plane or ship's next international destination
- When the caviar on a plane or cruise ship arrives in the U.S. as a "foreign intransit shipment"

When would caviar served to passengers be exempt?

This caviar is exempt from CITES and Service requirements when:

- The amount onboard does not exceed 125 grams *per passenger intended to be served*;
- The caviar is consumed before arrival in the next country;
- The species involved is not listed as endangered or threatened under the ESA; and
- The caviar has been legally acquired.

Example: Jolly Good Tyme Cruise Lines wants to take 5 kg of osetra caviar onboard to serve to the 40 first-class passengers booked on its next cruise to Mexico. Jolly Good Tyme only serves caviar to first-class passengers. The company does not need a CITES permit for this caviar nor does it need to comply with general Service import/export requirements; the caviar is for passenger consumption, and the amount to be served per person is exactly 125 grams.

What if the company brings 5 kg of osetra caviar onboard to serve to 25 first-class passengers?

This quantity (200 grams per person) exceeds the amount allowed under the passenger consumption exemption. Jolly Good Tyme must obtain a CITES permit and meet Service import/export requirements before the caviar is loaded.

Why is the limit 125 grams or less?

Use of this limit mirrors the personal effects exemption for caviar established by CITES and Service regulations (50 CFR 23). Under this exemption, an individual may import or export up to 125 grams of caviar for personal use without a CITES permit.

What happens if the plane or cruise ship carries the proper amount of caviar onboard for its passengers, but the passengers do not eat all of it?

The exemption only applies if the caviar is consumed before arrival.

Can a plane or cruise ship offload caviar in the United States and still be exempt from general CITES and Service import/export requirements?

No. When the caviar is removed from the plane or ship, it becomes an import subject to CITES and Service import/export requirements.

What if the airline offloads the caviar into a foreign trade zone or other duty-free area?

Unlike Customs and Border Protection, the Service considers shipments entering or leaving such areas to be imports or exports. Caviar offloaded into a free trade zone or other duty-free area is subject to general CITES and Service import/export requirements.

Example: Fastway Airlines offloads 25 jars of caviar from an arriving international flight to a duty-free warehouse for eventual loading on other flights for passenger consumption. Moving this caviar into a duty-free warehouse is an import under Service regulations and subject to CITES and Service import/export requirements.

Under the exemption for passenger consumption, can an airline carry “extra” caviar onboard an international flight and then divide that shipment to be loaded on other flights at the U.S. airport where it lands?

No. All of the caviar on that flight would be an import subject to general CITES and Service import/export requirements because it has not been served to passengers en route, exceeds the amount allowed per passenger, and has been taken off the plane.

When does caviar on a passenger flight or cruise ship constitute a foreign intransit shipment?

We consider caviar to be a foreign intransit shipment exempt from general CITES and Service import/export requirements when it:

- Is loaded on the plane or ship in a foreign country;
- Does not exceed 125 grams per passenger to be served;
- Remains on the plane or ship while that conveyance is in the United States;
- Will be served to passengers before the plane or ship arrives at its next foreign destination;
- Is made from species that are not listed as endangered or threatened under the ESA; and
- Has been legally acquired.

Example: Best Italian Airlines’ flight from Rome to Hong Kong stops in Los Angeles to refuel and pick up additional passengers. Before the flight left Rome, the crew loaded 2 kg of osetra caviar into the kitchen for eventual consumption by 16 first-class passengers. This caviar is a foreign intransit shipment exempt from U.S. CITES and Service requirements because it meets all of the criteria listed above.

What else should airlines and cruise lines know about caviar?

You should remember:

- That passengers can only buy and import 125 grams of caviar per person or less without a CITES permit.
- That caviar from sturgeon species listed as endangered or threatened under the ESA generally cannot be imported or exported in the United States.

What happens if passengers take more caviar off the plane or ship than can be imported without a permit?

The Service may seize all of the caviar when the passenger arrives in the United States, not just the overage. Such a passenger may also be subject to fines and penalties.

Which sturgeon species used in the caviar industry cannot be commercially imported into or exported from the United States?

As of the date of this factsheet, the United States does not allow trade in three sturgeon species currently utilized by the caviar industry:

- The Kootenai River population of the white sturgeon (*Acipenser transmontanus*) (listed as endangered)
- Buluga sturgeon (*Huso huso*) (listed as threatened)
- Specific populations of the [shovelnose sturgeon](#) (*Scaphirhynchus platorynchus*) (listed as threatened)

The white and shovelnose sturgeon listings apply **only** to fish from specific populations.

Are these the only ESA-listed sturgeon?

No. The United States has listed eight species as either endangered or threatened; five of them are not typically used for caviar production.

Four species are listed as endangered:

- Alabama sturgeon (*Scaphirhynchus suttkusi*)
- Pallid sturgeon (*Scaphirhynchus albus*)
- Shortnose sturgeon (*Acipenser brevirostrum*)
- White sturgeon (*Acipenser transmontanus* Kootenai population)

Four are listed as threatened:

- Beluga sturgeon (*Huso huso*)
- North American green sturgeon (*Acipenser medirostris*)
- Gulf sturgeon (*Acipenser oxyrhynchus desotoi*)
- Specific populations of shovelnose sturgeon (*Scaphirhynchus platorynchus*)

Can a Service officer inspect airline or cruise line caviar that is exempt from general CITES and Service import/export requirements?

Yes. The Service has the legal authority to detain and inspect any wildlife (including parts and products) imported into or exported from the United States, including caviar in duty-free areas.

Contact:

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