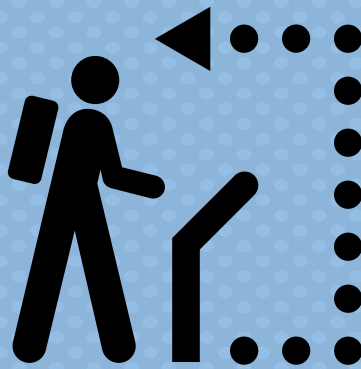


# BAM! Complete Guide to Musical Instruments Across Borders

by Robert Baird



#23

A guide for artists

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## **Introduction**

This Guide is designed to assist touring artists in getting their musical instruments across borders. Its focus is North America but artists in other parts of the world will need to be familiar with CITES and dealing with CITES and, if they tour North America, will find this Guide useful. With today's concerns for endangered species and the make-up of certain instruments, getting a musical instrument across a border requires research and planning: hence this Guide.

Robert Baird

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## **A. Instruments NOT containing Endangered Species**

In order to avoid border complications when temporarily taking items across a border, some countries provide a procedure for identifying these items, so that upon re-entry into your own country, there is no concern that the item was acquired while out of the country and any questions about purchase, duty, etc. are not applicable.

### **1. Instruments crossing into Canada**

In general, it is a good idea to have your musical instrument(s) verified by U.S. Customs and Border Protection before you leave the United States. You can do this by filling out a [CBP Form 4457](#) and taking it to USCBP at the border crossing. A CBP Officer will stamp and sign the form and give it back to you so you can present it on your return to the United States. You can use the form for more than one trip for the same instrument(s). As long as our instrument(s) contain no endangered species, this is a straightforward process.

### **2. Instruments crossing into the United States**

Again, you can have your musical instrument(s) verified by a Canadian Border Services Agency Officer before you leave Canada. You take your instrument(s) into the CBSA office at the border crossing where an Officer will record the details on a wallet-sized form BSF407. You sign a declaration on the front of the form certifying that the items listed are, to the best of your knowledge, produced in Canada or lawfully imported into Canada. You are not required to produce receipts or any other proof of lawful purchase or importation. There is no expiry date on the form and it can be used for as long as it remains readable.

Your items must be uniquely identifiable, distinguishable by a serial number or other distinctive permanently affixed marking. If this is not the case, consider having the instrument precisely described and attested to in writing by the manufacturer or store where purchased and present this attestation along with a photograph of the instrument to the CBSA Officer.

NOTE: If your instrument does not have a serial number on it the Officer will give you the option of having a Label BSF407-1 affixed to it. These labels are potentially harmful to instruments and should be dealt with carefully (placed in an inconspicuous place, for example, or refused completely if there may be resulting damage to the instrument).

## **B. Instruments Containing Endangered Species**

### **1. CITES**

CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora) is an international agreement between governments. Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten their survival. Roughly 5,800 species of animals and 30,000 species of plants are protected by CITES against over-exploitation through international trade. They are listed in the three [CITES Appendices](#). The species are grouped in the Appendices according to how threatened they are by international trade. Appendix I includes species threatened with extinction. Trade in specimens of these species is permitted only in exceptional circumstances. Appendix II includes species not necessarily threatened with extinction, but in which trade must be controlled in order to avoid utilization incompatible with their survival. Appendix III contains species that are protected in at least one country, which has asked other

CITES Parties for assistance in controlling the trade. Since many musical instruments contain endangered species in their make-up, they are subject to CITES regulations for crossing international borders.

## **2. Dealing with CITES**

### **a. Does my instrument contain endangered species?**

If you do not know what materials are in your instrument, you will have to do some research via the manufacturer or an instrument appraiser. You can also search the [CITES database](#) by scientific or common name. The most common pertinent materials found in musical instruments are African elephant ivory, sea turtle shell, Brazilian rosewood, Asian elephant ivory, monitor lizard, other rosewood, Pernambuco, mother of pearl and whale bone. U.S. Fish and Wildlife have prepared a [Fact Sheet](#) with more information on U.S. requirements, including the U.S. Endangered Species Act (ESA) and details on various materials found in musical instruments. If you're not sure if you require a CITES permit contact [US Fish and Wildlife](#).

### **b. Acquiring a CITES permit in the United States**

#### **i. Multi-Use Musical Instrument Certificates:**

U.S. residents can apply for a musical instrument certificate (MIC) valid for up to three years which will allow them to carry instruments containing endangered species through multiple countries. The application fee is \$75 per application and average processing time is approximately 90 days

## **ii. U.S.-Issued Single-Use Permits:**

Others may apply for a one-year MIC:

For instruments containing animal or a mix of animal and plant material use [Form 3-200-23](#).

For instruments containing plant material use [Form 3-200-32](#).

Traveling groups with multiple instruments with animal and/or plant material use [Form 3-200-30](#).

## **c. Canada**

Information on CITES forms and the forms required for exporting musical instruments containing endangered species from Canada are handled by the [Department of Environment and natural Resources](#)

## **d. EU**

Note that for musicians travelling ONLY within the EU, CITES permits are NOT required.

## **e. Other Countries**

Contact your [National CITES Authority](#) for forms and procedures.

## **3. Determine Your Entry Point**

Note that there are only certain [ports of entry](#) where CITES permits (animal products) can be processed. For plant materials there are additional/alternative [ports of entry](#).

You will also find a list of CITES port contacts here as well.

Always contact the [CITES authorities](#) in your destination country for clarification of regulations

**For further information:**

**League of America Orchestras (LAO):**

<https://americanorchestras.org/advocacy-government/travel-with-instruments/endangered-species-material/protected-species-travel-tips.html>

**International Federation of Musicians (FIM):**

<https://www.fim-musicians.org/wp-content/uploads/fim-cites-handbook-en.pdf>



## C. Travelling By Air with Instruments

Here are some considerations:

- a) Be sure your instrument is insured. If it ends up checked as baggage rather than with you as carry-on, it may sustain damage. Be sure it is in a secure and protective case.
- b) Know the weight and measurements of your instrument to address any airline regulations concerning carry-on guidelines.
- c) Check with the airline regarding its [musical instrument policies](#). Carry a copy with you.
- d) Alert the chosen airline that you will be travelling with a musical instrument.
- e) Be prepared for the TSA screening and remove any questionable items from your instrument case.
- f) Check the DOT [Final Rule](#) for what airlines are required to provide in regard to musical instruments on flights. Carry a copy with you.
- g) If your instrument is damaged, file a claim before you leave the airport.
- h) If you experience difficulties with airline personnel or disregard of DOT regulations or airline policies, [complain to the airline](#); complain to the [Department of Transportation](#).

For more information, consult the League of American Orchestra's Handbook: [A Guide to Flying with Musical Instruments](#)

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Robert Baird, President of Baird Artists Management, is now available for consultation and advice regarding Canadian and U.S. regulations and information for performers, agents/managers and performing arts venues. Mr. Baird has been in the performing arts for over fifty years and has had distinguished careers in education, publishing and musical theatre. He served on the Board of Directors (2008-2010) and was President (2011-2013) of the North American Performing Arts Managers and Agents (NAPAMA). He was Treasurer and Vice-President of Festivals and Events Ontario (FEO) and served on that Board on various committees (2010-2013). Mr. Baird received the Arts Northwest Coyote Award and the Performing Arts Exchange Mary Beth Treen Award in 2012. He is Chair of Team Agent Network (TAN) and APAP Showcase Coordinator.

Robert is a regular columnist in *International Musician: The Official Journal of the American Federation of Musicians of the United States and Canada* (Circulation 100,000+ Monthly) where he writes a monthly column entitled "Crossing Borders". The column focuses on what artists need to know to get into Canada or the United States. He also writes a monthly column entitled "Artist Manager's Toolkit" for *International Arts Manager*, based in London, England.

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