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Old law a new threat to turtles

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When marine biologist George Balazs noticed turtle-skin purses on sale in Shirokiya's at Ala Moana Center, he notified management that selling turtle products is endangering the species.

Balazs, a researcher at the Hawaii Institute of Marine Biology, is an active voice in an international movement to protect all species of marine turtles. He has produced excellent results in his notices to some retail outlets.

Store managers at J. C. Penney's and Liberty House, for example, listened to his arguments and promptly removed all turtle-product items from the shelves.

Shirokiya's, however, went to Federal and State officials and wound up with a State-issued license giving them permission to continue selling their purses — thanks to an old Hawaii law.

For Balazs, the turtle-products license is galling. "I think that requiring a license for the import of these products gives their sale a degree of false legitimacy, a false facade of it being okay to sell the stuff," he said yesterday.

BALAZS AND OTHER pro-turtle forces thought they had achieved success in relieving the hunting pressure on the creatures when the State Division of Fish and Game adopted Regulation 36 to prohibit further commercial exploitation.

While that may be the rule for Hawaiian waters, it now turns out that the division has an earlier rule known as Regulation 11 that allows the licensing of imported marine products that are illegal to take locally.

Adopted before Statehood, the old rule apparently intended to ensure the delivery of fish products to the Islands from elsewhere when those products were out of season locally, hence illegal to take here.

The problem of "endangered species" has become more critical in the years since Rule 11 was written. But a division official said yesterday that he must still follow it and issue permits to those who seek to import marine products that are banned within Hawaii.

"If the product cannot be taken legally from the imported areas, then such provisions would be taken care

of there by people who would be concerned. Our concern is to protect it here," said the official, who wished to remain anonymous.

BALAZS WROTE in a recent issue of 'Elepaio, the journal of the Hawaii Audubon Society: "It is regrettable that we have not yet become responsible enough to protect the world's other declining turtle populations from our commerce here in Hawaii."

There is an attempt, meanwhile, by the U.S. Fish and Wildlife Service to restrict turtle trade within states and importation into the United States.

But one problem, according to Kimberly Wright, special agent for the service in Honolulu, is that once a product gets to the retail shelf the burden of proof that it came from an officially endangered species shifts to the Federal Government.

"A lot of times, by the time a product is made into a commercial article it is almost impossible to identify the species," she said.

That difficulty may turn out to work to the advantage of local conservationists, since Regulation 11 says the seller must identify the species of the goods being sold before the State grants a license.

MEANWHILE, Elsie Shimabuku, head of import and export here for Shirokiya's, assured a reporter yesterday that the sale of the turtle purses is entirely within the law.

And the Pocketbook Man, another Ala Moana shop spotted selling turtle products by Balazs, said yesterday that are selling none of the wares. (Balazs claims he saw them on the store's shelves Monday.)

Still others to catch his eye include Betty Ford, who served turtle soup at the White House last spring, according to Vogue magazine.

Balazs sent notification to the First Lady — but, as he reported in the 'Elepaio journal "short letter from social secretary—to my knowledge, no corrective action taken."