



Department  
for Environment  
Food & Rural Affairs

Lord Gardiner of Kimble  
Parliamentary Under Secretary of State for Rural  
Affairs and Biosecurity

Seacole Building  
2 Marsham Street  
London SW1P 4DF

T 03459 335577  
defra.helpline@defra.gsi.gov.uk  
[www.gov.uk/defra](http://www.gov.uk/defra)

The Earl Attlee  
House of Lords  
London SW1P 0PW

11<sup>th</sup> October 2018

Dear John,

Thank you for your contributions to the debates to date on the Ivory Bill. At the Committee Stage you asked whether there could be a de minimis test when assessing the thickness of items with a low ivory content under clause 7 of the Bill.

Subsections (1) and (2) of clause 7 state the provisions that need to be met for items with low ivory content. The item must be made before 1947, all the ivory the item contains must be integral to the item, and the volume of ivory must be less than 10% of the total volume of the material/s of which the item is comprised. The clause provides that ivory must be "integral" to an item, to the extent that the ivory: (i) cannot be removed without difficulty; or (ii) without damaging the item.

A person wishing to register such an item will have to estimate the volume of ivory in the item. This includes estimating the thickness of a piece of integral ivory where it is not possible to measure or weigh it accurately (e.g. if it is embedded in another material). The Secretary of State will issue further guidance on assessing items against the de minimis threshold before the ban comes into force.

Clause 3 requires an applicant registering an item to make a declaration that, to the best of their knowledge, the item satisfies the relevant exemption conditions and to explain how the item satisfies those conditions. This provides an opportunity for the applicant to explain how the thickness of a piece of ivory was estimated and how this relates to the total volume of ivory.

I am placing a copy of this letter in the Library of both Houses.

Yours ever,  
John