I. **Introduction:** Federal enforcement agencies, including the FBI and Homeland Security, have identified significant health and safety and IP theft-related threats tied to the transport of biological materials. As a result, federal enforcement officials and the US Attorney have tightened nation-wide enforcement of biological transport regulations, both to control biological materials entering or exiting the country that may present a threat to national security and health and safety, and to reduce the theft of intellectual property developed in the U.S., often with the support of federal funds. In light of recent incidents involving the transport of biological materials both locally and nationally, this message serves as a reminder of the regulatory requirements governing transport/sharing of research items and the risks associated with violations of those requirements.

Harvard University is committed to preserving and protecting the freedom of research and to maintaining a teaching and research environment that is open and promotes the free exchange of research results. While sharing data and materials with colleagues is integral to the research enterprise, shipment and transportation of certain research items are subject to strict regulations that govern the way materials are packaged and labeled and that may require import/export permits or other documentation from federal agencies, including US Customs and Border Protection (“CBP”), the FDA, USDA, Fish and Wildlife, Department of Commerce, Department of the Treasury, and the CDC.

II. **Basic Requirements:** Whenever any item is shipped or received by Harvard (including to or from a Harvard-affiliated institution):

- **Obtain relevant authorizations:**
  - You must obtain written approval from the Principal Investigator.
  - You must also contact the Office of Technology Development (OTD) to determine if a Material Transfer Agreements (MTA) is required.
  - You must obtain all necessary permits if materials are being shipped outside of the U.S.

- **Use a Common Carrier:** Authorized materials must be shipped via a common carrier (e.g., Fed Ex).
  - If you need to transport any materials without using a common carrier (e.g. using an airline you are travelling on) contact EHS_ResearchTransport@harvard.edu in advance for assistance in determining the relevant requirements.
• **Determine if a permit or authorization is required prior to shipment or receipt.** Certain biological materials (e.g. plant and animal materials and genetically engineered materials) require permits. Contact EHS_ResearchTransport@harvard.edu for assistance with determining if a permit is required or obtaining one, if required.

• **If international, determine if an export license is required.** Shipment of items outside of the U.S. may be subject to export control regulations and require licensure. You must contact your School Export Control Administrators for assistance with determining if a license is required or obtaining one, if required. For more information, see Harvard’s informational pamphlet on shipping or take the on-line Introduction to Export Controls Training through the Harvard Training Portal.

III. **Impacts on Your Research Activities:**

Individuals transporting materials without appropriate authorization, permits, licenses, or customs declarations may be charged with a range of criminal offenses, including false statements to government officials, transport of hazardous materials on a commercial airline, or theft of intellectual property or trade secrets. These are serious charges that could result in **prison time and fines.** Violating federal regulations may also result in **loss of research funding.**

There have been a number of interceptions at Logan Airport resulting in **confiscation of materials, detention of individuals,** and **visa cancellations.** In some circumstances, shipments that have not been prepared properly or are not accompanied by the appropriate permits or licenses may be delayed or seized, leading to **waste or loss of valuable research materials.**

Harvard University’s Office of Environmental Health and Safety has detailed information on their website, under “**Shipping & Transporting Research Materials,**” including a newly consolidated **Research Material Shipment & Transport Manual** that must be followed.