

The Galpin Society

For the Study of Musical Instruments



Newsletter 39
May 2014



Neues Palais, Potsdam

CONTENTS: ::2:: Contacts; New Members ::3:: Editorial;
Query ::4:: Deciphering Galpin ::7:: GS Visit to Berlin
::11:: Friends of Square Pianos ::12:: Forthcoming events
::13:: 2014 Ivory Trade & Movement Restrictions in the USA

THE GALPIN SOCIETY

Registered Charity no. 306012

Website:	www.galpinsociety.org	
President:	Jeremy Montagu	jeremy.montagu@music.ox.ac.uk
Vice-Presidents:	Friedrich von Huene, Charles Mould, Arnold Myers, The Master of the Worshipful Company of Musicians	
THE COMMITTEE		
Chairman:	Graham Wells, 24 Gloucester Road, Teddington, Middlesex, TW11 0NU grahamwhwells@aol.com	
Administrator:	Maggie Kilbey, 37 Townsend Drive, St Albans, Herts, AL3 5RF administrator@galpinsociety.org	
Editor:	Lance Whitehead, 3 Hazelbank Terrace, Edinburgh, EH11 1SL editor@galpinsociety.org	
Journal Editor:	Michael Fleming, 13 Upland Park Road, Oxford, OX2 7RU journal@galpinsociety.org	
Reviews Editor (UK):	Mimi Waitzman, Horniman Museum, London Road, Forest Hill, London, SE23 3PQ MWaitzman@horniman.ac.uk	
Reviews Editor (USA):	Bradley Strauchen-Scherer, Dept of Musical Instruments, Metropolitan Museum of Art, 1000 Fifth Avenue, New York, NY 10028-0198, USA Bradley.Strauchen-Scherer@metmuseum.org	
Advertisement Manager:	Andy Lamb, The Bate Collection, Faculty of Music, St Aldate's, Oxford, OX1 1DB andrew.lamb@music.ox.ac.uk	
Archivist:	Diana Wells, 24 Gloucester Road, Teddington, Middlesex, TW11 0NU dianaswells@aol.com	

Other committee members: Bruno Kampmann, Ben Marks, Arnold Myers, Francis Wood

The Galpin Society Newsletter is edited by Graham Wells and sub-edited by Maggie Kilbey.

Opinions expressed by authors in the Newsletter are not specifically endorsed by The Galpin Society.

We are pleased to welcome the following new members into The Galpin Society:

Ms Fredeliza Campos, AUSTRALIA

Mr John Crookston, CHELTENHAM

Ms Christine Headley, STROUD

Sir Timothy Lloyd, BATH

Mr Pirro Miso, ALBANIA

Sammlung alter Musikinstrumente, Kunsthistorisches Museum Wien, AUSTRIA

[Cover: Galpin group at Neues Palais, Potsdam. *Photo: Adrian von Steiger*]

EDITORIAL

I would like to start by thanking all those involved in the organization of the visit to Berlin in April, primarily but not exclusively Diana Wells and Arnold Myers in the UK and Conny Restle, Heike Fricke and Christian Breternitz in Berlin, and Birgit Heise and Eszter Fontana in Leipzig, to which I would add Hans Mons, Elizabeth Wells and Jean Louchet for their photographic and textual contributions to this Newsletter. By all accounts it was a most successful trip but one that I most regrettably was unable to participate in owing to back problems. Diana also nobly stayed behind to look after me.

For those of you who like to mark events in their diaries well in advance I will mention next year's conference in Cambridge. This is scheduled to take place from Sunday 20 to Wednesday 23 September 2015, and is being held in conjunction with the Institute of Acoustics Musical Acoustics Group. Lest anyone should be concerned that musical acoustics is too technical a field let me assure them that the conference will also include the usual spectrum of papers on all fields of organology. More details and the call for papers will follow in subsequent Newsletters.

Those of you who are on the AMIS-L-List Digest will have been deluged with email correspondence relating to the latest regulations introduced in the USA concerning items containing ivory and other items from endangered species. These are to say the least draconian. It would appear that little thought went into the potential repercussions of their implementation in our case, as they affect musicians, museums and collectors. Anne Acker has very kindly provided me with a synopsis of the situation which I have decided to reproduce in the Newsletter in full. Obviously it is our US colleagues who are most affected, but the possibility cannot be ruled out that other governments will decide to follow the US government's lead and institute similar regulations.

I hope that I will see as many as possible of you at the AGM on 26 July (see announcement on p.13)

Graham Wells

I was sent the following rather intriguing photograph by fellow Galpin Society member Michael Bryant who had been made aware of its existence by a friend Paul Harris. It is believed to have been taken in Leicester sometime around 1905. The most challenging part of the image is exactly what instrument is being played by the gentleman on the right which appears to have at least one large key near the bell. If anyone has any suggestions do please send them to me and I will report back on what they are in the next Newsletter (I did have some ideas of my own but would not wish to bias anyone by mentioning them now).

Graham Wells



Deciphering Galpin: Notes from the Archives of the Musical Instruments Department at the Metropolitan Museum of Art

I thought I was on the way to deciphering Reverend* F W Galpin's handwriting until I pulled up another folder containing more of his correspondence of 1907 and quietly moaned. I came to this project as a volunteer at the Metropolitan Museum of Art in the Musical Instrument Department. Kenneth Moore, the Curator in Charge, assigned me the task of entering all the correspondence pertaining to the founding of the Collection into a software package that would allow the members of the department to search the material using keywords for research and general information purposes. The letters are part of the Mary Elizabeth Adams Brown legacy.

Mrs Brown donated nearly 4,000 instruments, which became the core of the Museum's Musical Instruments collection. Fortunately and remarkably, the correspondence between the Brown family, the Museum's staff and instrument dealers and scholars from around the globe has been lovingly preserved. The letters from Reverend Galpin are primarily addressed to Miss Fannie Morris, an associate curator in the Decorative Arts Department who was co-opted to work with the rapidly expanding instrument collection. The correspondence ranges in date from the late 1800s to the early 1900s and includes over 93 letters.

Much of the correspondence relates to the cataloguing of the collection. Galpin was a mentor to the Museum and collaborated in the production of its catalogue of European instruments. He also advised on many aspects of managing the collection. The opening of one letter dated 8 March 1906 shows how the Met relied on his judgment:

‘Dear Miss Morris, Please remember that I am not a living encyclopedia in musical matters and that I always hesitate to...’

The Reverend's handwriting is very difficult to decipher. He would run three or four words together. Many times he squeezed a long missive onto a penny post card, writing on both sides. I suppose he didn't take into consideration that the Post Office stamps its information on the front of postcards, thus obliterating some of the words and rendering them impossible to read. In addition he would write up the sides of the cards when he ran out of space. Here's a sample of the method I have resorted to when transcribing an unruly letter. Once again, the handwriting is so difficult to decipher that I will list key words and key phrases in hope of directing the researcher back to the original letter.

8.1.1902

Hatfield Vicarage
Harlow

Dear Miss Morris,

1. Re Bassoon ?? in C lowest note (a sketch of the bass clef indicating the note)
2. Re Spinetta Traversa oblique side (with sketch)

Italy spinetta in England virginal

Spinetta Tavola

Virginal Spinetta

Geigernwerk Organ Clavichord

F. W. GALPIN

Dr Bradley Strauchen-Scherer, of this department and committee member of the Galpin Society, suggested I include the letter that follows in the hope that someone can decipher it:

*Francis Galpin was appointed an honorary canon of Chelmsford Cathedral in 1917

Hall's Vireo . 21.3.1907

Manuira linnii

Your packet has reached me just before the winter time, so I have looked through it all a small time later. As regards the New Zealand Flute, it was the Balfour strain who suggested that it was a Puffin. These lower and intermediate somewhat as they came to the conclusion that it is a ritical flute. Perhaps a new flute.

With reference to your division of the subject: you divide into Melanopia, Melanopia - Micronesia or Polynesia. So far so good: but though it is right to put Australia with Melanopia - it is wrong to group New Zealand with that head. I have a violence to strike and classify according to racial affinities. Thus:

- 1 Malaysia . Java, Sumatra, Borneo - Philippines
- 2 Australia and Melanopia . New Guinea, Solomon Islands, New Hebrides.
New Caledonia, Fiji, Port Moresby, etc. of Australia
- 3 Polynesia . Sandwich Islands, Samoa, Tonga, Society, Marquesas Islands and New Zealand
- 4 Micronesia . Caroline, Ladrones, Marshall Islands, etc.

[No 2 might be called Australasia: but Melanopia proper does not include Australia.]

You will see that you have no specimens from No 4 Micronesia: but Polynesia is represented by the Sandwich Islands & New Zealand at the extreme limits of this particular race.

In the Catalogue I have certainly put the Philippine things
next to Borneo Java etc. referring your attention to the
case in which they were found: of course better than would
be to put the actual specimens together.

You are quite welcome to my small contribution to
the American Museum especially as Mr Brown's collection
gave me my first taste for them and you have yourself so
kindly helped me.

As regards other matters I think my present notes on you
by the Indian people will explain all.

With warm remembrance

Yours truly
H. G. Griffin

It is very interesting to find the

Arabian Bedouin as Muhammad in Borneo - of course at
one time the Arabs had great influence in Malacca
especially in religious ways.

Helen Gordon Griffin

Volunteer at the [Metropolitan Museum of Art](#)

Galpin Society Visit to Berlin and Leipzig

25-30 April 2014

This year's Galpin travels continued the trend of recent years in attracting members from outside the UK: for the Berlin meeting nearly half the participants were resident in continental Europe, giving wide perspectives on our experiences.

In addition to the visits to collections and other sights which are the staple fare on our travels, an added focus of this year's meeting was the special exhibition on valved brasswind mounted by the Berlin Musical Instrument Museum and the joint symposium organized by the Museum with the cooperation of the Galpin Society. This was the event which started the visit: a day of papers on valves and valved instruments given by four speakers invited by the Museum and four proposed by the Society. In due course the proceedings will be published in *Jahrbuch des Staatlichen Instituts für Musikforschung*. The exhibition (which included instruments lent by Galpin members) and the symposium were a fitting celebration of the 200th anniversary of the earliest report of Heinrich Stölzel's invention, appropriately held in Berlin given the Prussian origins of valves as we know them. A short guided tour of the exhibition was given by its Curator, Christian Breternitz.

The Symposium was followed by a fascinating concert given by the 'Kaiser Cornett Quartett'. This was a reconstruction organised by Matthias Kamps of the brass chamber music group formed in Berlin by the famous trumpet player Julius Kosleck. Some of Kosleck's original repertoire had been obtained from an archive in Vienna, and the original instrumentation was followed closely: two 'Prussian Kornetts', a bell-forward E-flat tenor and a bass of the kind sometimes called a bass trumpet and sometimes a bass flugelhorn. The polished performance was enjoyed by a large audience, not least the brass specialists of the Galpin Society for whom the sound of the 'kornetts' was a fresh experience.

The following (Sunday) morning got off to a rousing start with the brass quintet of the Orchester-Akademie der Berlin Philharmoniker (see below). This was an impeccable performance on modern brass instruments (including German trumpets) of some of the core repertoire of the brass quintet: arrangements of early music and 20th century original compositions.



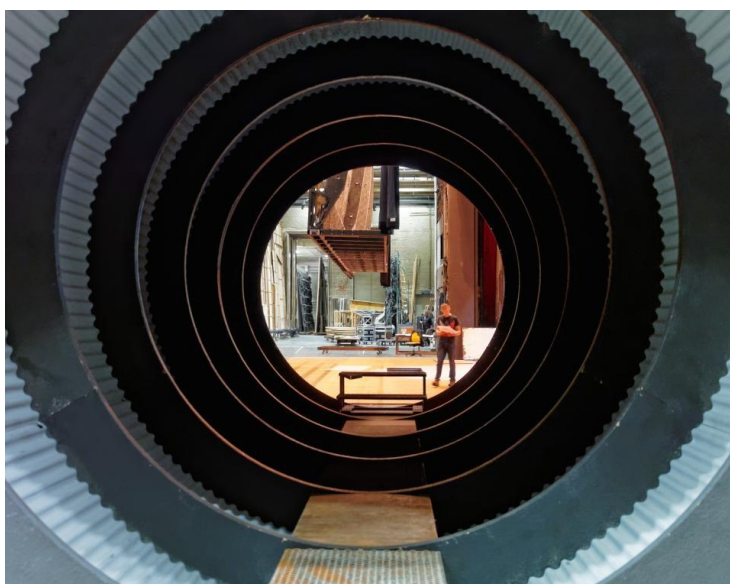


Much of the groundwork and on-the-spot preparations for the Society's visit had been generously carried out by Heike Fricke, currently engaged on a research project for the Berlin Musical Instrument Museum. She escorted us on the afternoon excursion to Potsdam (a short train ride from Berlin) where the fine weather enjoyed throughout the five days was particularly appreciated as visiting the Neues Palais and Schloss Sanssouci required not a little walking through the magnificent parkland surrounding Frederick the Great's palaces. There were several keyboard and other instruments to be seen, but perhaps the high point was Frederick's music room, his two-key flute making its contribution to the ambience of a room which witnessed many remarkable musical events (see left).

The following morning Heike accompanied the group to the suburb of Dahlem to visit the Ethnological Museum, where Professor Lars Koch gave a tour of the museum stores (see below) and explained some of the advanced techniques used by the museum for 3-D scanning of instruments and retrieving audio recordings from the wax cylinders used by the early comparative musicologists. The systematic storage and documentation of the thousands of instruments held by the museum was a reminder that 2014 sees the centenary of the Hornbostel-Sachs classification, with its birthplace in Berlin.



The Monday afternoon was a visit to the Deutsches Oper Berlin theatre in Charlottenburg for a behind-the-scenes tour (see right), again accompanied by Heike Fricke. The group was welcomed by Guntram Halder, principal trombonist of the opera orchestra, who had laid out some of the brass instruments used in performances including those associated with Wagner and Verdi. His demonstrations (all from memory) were impressive and it was interesting to discuss the Deutsches Oper stance on the use of 'period' instruments. This was followed by an eye-opening tour of some of the facilities – notably the orchestra pit and the storage for the scenery for the many productions the Opera has in its repertoire at any one time.



Tuesday was devoted to the permanent collection at the Berlin Musical Instrument Museum, where the group had the opportunity for a free-ranging visit of this outstanding and extremely well documented collection, before a complete guided tour was given by Director, Professor Conny Restle (on far left of photo) accompanied by Heike Fricke. The spectacular, single display room transports us through time from the Renaissance to the Romantic era, while the modern instrumentarium is shown on the first floor balcony, thus expressing the unity or continuity of the musical instrument creation process. After large losses during the war, in particular among plucked

instruments, most of the gaps have now been successfully filled and the display shows, in addition to the ever-visible keyboards, some very fine bowed and brass instruments. Besides fine examples of Flemish and German harpsichords, a Benoist Stehlin brother of the Smithsonian's, and a modern copy of one of the Mietkes kept at the Charlottenburg Museum, several remarkable viols by Joachim Tielke and a beautiful collection of Renaissance woodwinds and brass, special mention has to be made of the clever and enlightening arrangement of the collection of revival harpsichords, around their 'ancestor' Harrass, its much discussed 'Bach' disposition and two reconstructions, with three (16+8+4ft) and four (16+8+8+4ft) choirs corresponding to conjectural stages of its history. This unique display sheds a most welcome light on the history of harpsichord building in Germany and, though to a lesser extent, France and England during the period 1890-1970.

The whole visit in Berlin was punctuated by some fine eating, culminating in the Group dinner at Café Einstein on the Tuesday evening.

A reduced party of members made the day trip to Leipzig and its three museums in one building. There Eszter Fontana (on far right of photo), only recently retired Director of the museum, gave a very detailed presentation of the collection and the clever arrangement she designed. Among the most remarkable instruments, No.1 in the inventory is a 1543 fretted clavichord by Dominicus Pisaurensis, neighbour to a 1533 harpsichord, the earliest known by the same maker; an interesting Italian school 8+4ft harpsichord featuring split bridges both at the bass and, more unusual, at the treble end to accommodate a string change from brass to iron for the nine upper notes. Another beauty was a Cristofori fortepiano and harpsichord matching pair, in their elegant vermilion red outer cases (see below). A 1760 pedal clavichord by Gerstenberg was a further fascinating keyboard; there were also beautiful examples of bowed instruments by Klotz and others, and an outstanding collection of renaissance brass and woodwinds, in particular dulcians and rare racketts.

The whole trip was in the best traditions of the Galpin Society, with its focus on instruments, and appreciation of the wider cultural scene. Those taking part are extremely grateful to Graham and Diana Wells, who planned everything perfectly but were at the last minute most unfortunately prevented from taking part in the meeting.



**Arnold Myers
and Jean Louchet**

*[Photos: Hans Mons,
Jean Louchet
and Elizabeth Wells]*



More treasures seen during the course of our travels! Top left: Grassi Museum, Leipzig; All others: Musikinstrumenten Museum Berlin

Friends of Square Pianos weekend

10-11 May 2014

Finchcocks was the attractive venue for an enjoyable event of talks and performances organized by the Friends of Square Pianos. The gardens were looking at their best with superb herbaceous borders, magnolia and wisteria in full flower, but the spring weather was not kind and the event offered a welcome indoor activity safe from the stormy showers rattling the windows, in the good company of about forty members of the Friends, chaired by David Hackett and hosted by Richard and Katrina Burnett, the owners of Finchcocks and its fine collection of keyboard instruments. Some participants had visited the Colt Collection on Friday, others stayed for further study of the instruments and the workshops on Sunday.

The main programme on Saturday began with a fascinating talk by Alastair Lawrence, piano-maker and managing director of John Broadwood & Sons, on the Broadwood tuners, revealing many details about the customers of Broadwoods, which were discovered in a booklet recently purchased at a country auction. Using the handwritten records for February to April 1800 he was able to establish the frequency of tuning: often several times a month, the types of instruments tuned; mainly squares and grands as well as a few harpsichords, the costs, the number of tuners: six plus 'Mr B' presumed to be Mr Broadwood himself, their likely origin as all had Scottish names, and the location of these regular customers in central London.

'Melting Pot', the early development of the square piano in America, was a very interesting and well-illustrated account of pianos imported in the 18th century and locally made between 1800 and 1850, given by Thomas Strange, archivist for the Clinksale Early Piano database, maker and restorer of many pianos and harpsichords in upstate South Carolina.

Among a number of eminent Galpin Society members present at this event, Graham Wells gave a talk on 'Tales from the Saleroom'. Starting with the earliest auction sale known to him of Thomas Britten's collection in 1714 which included a harpsichord, a Ruckers virginals and an organ with five stops, he described the first Sotheby's sale of musical instruments in 1805 which included 'Twenty fine-toned Piano Fortes' fetching from £4.14s.6d for a square by Ball to £9.11s.6d for a Stodart grand, and a number of square pianos sold in his 30 years as Director of the Sotheby's department, including some from the Broadwood collection sale in 1980.

Prof Dr Olaf van Hees, whose thesis was on *Hearing Damage in Musicians*, spoke on 'The Sound of Silence'. This gave an overview of the development over the last few centuries from the low level of sound enjoyed in earlier times on lutes, clavichords, recorders, etc at a time when the only loud sounds to be heard were thunder and occasional explosions or cannon fire, to the ever-increasing noise level of 19th and 20th century music expected of players of keyboards and orchestral instruments.

The gathering were entertained by Martyna Kazmierczak, a pianist born in Warsaw in 1992, who has already achieved an impressive list of prizes, recitals around the world, performances as soloist and chamber musician, and is currently studying at the Royal Academy of Music. She spoke with infectious enthusiasm



on 'The Square Piano as a Musical Instrument: a player's perspective', and played on a spinet, a clavichord, a square and a grand piano in the collection with impressive skill and sensitivity as well as technical ability in moving between the different instruments.

The day included delicious refreshments in the Cellar Restaurant and in the evening an excellent supper was followed by 'Tea with Jane', performed by Café Haydn. This Amsterdam-based trio of excellent musicians was led by Olaf van Hees singing bass, in appropriate costume to re-enact a musical evening in a well-to-do household such as that of Jane Austen, well-known for being fond of country-dancing and for playing her square piano.

Diana Wells

Martyna Kazmierczak playing the Michael Rosenberger, c.1800 in the Finchcocks Collection [Photo: Courtesy of Tom Strange]

Forthcoming Events

For an updated list please see [Forthcoming events](#)

Tradition and Modernity: The Organological Congress of Animusic, Museu Nogueira da Silva, Braga, Portugal

18-20 July 2014

The submission for papers is now closed.

For full information and registration refer to the [Animusic website](#)

In addition to three full days of lectures, recitals and discussions the Congress includes:

- Exhibition of musical instruments both historical and recent
- Exhibition of photography
- Special guided visit to the Cathedral of Braga
- Publishers, makers, restorers and participants stall

From 21 July there are also guided visits to cultural places in Braga, namely the Museu dos Biscainhos which holds some musical instruments and guided visits to culturally important places in the North of Portugal including a boat cruise on the Douro River (registration and pre-payment is necessary and includes two nights accommodation, transportation, entry to sites and five meals).

The Galpin Society Annual General Meeting

26 July 2014

This year's AGM is kindly being hosted by the Horniman Museum. In addition to giving those attending the opportunity of touring the musical instrument collection including the 'At Home with Music' exhibition and the new keyboard instrument display, there will also be a short concert given by Julian Perkins on the Museum's newly restored Kirckman harpsichord.

Programme:

3.00pm	Annual General Meeting
Approx 4.00pm	Harpsichord recital by Julian Perkins

Location:

Horniman Museum and Gardens
100 London Road
Forest Hill
London, SE22 3PQ

Directions:

[Horniman museum: how to get here](#)

Members are welcome to arrive any time after 10.00am and enjoy all the other displays which the Museum has to offer and the delightful gardens. There is an excellent café on the premises or one can explore the local restaurants by walking down the hill to the Forest Hill shopping centre.

The 2014 Ivory Trade and Movement Restrictions in the USA

Unless you read the White House Blog daily, you no doubt missed a quiet but monumental announcement. On 11 February 2014 the White House issued an Executive Order essentially banning international trade in items containing ivory, as well as tightly controlling movement of personally owned items containing ivory. Two weeks later, on 25 February 2014, Dan Ashe, Director of the U.S. Fish & Wildlife Services, released Director's Order 210 giving the draconian details of implementation. The Executive Order and Director's Order were immediately enforced, including being applied to CITES (Convention on International Trade in Endangered Species) import and export applications that had been filed months earlier. Remarks were made that restrictions on intrastate and interstate sales and movement would follow, which happened on 15 May 2014, along with other revisions I will discuss below.

Note that the Executive Branch and the U.S. Fish & Wildlife Services have ignored federal requirements for publication of proposed regulations and public comment before enforcing them. You have perhaps learned, e.g. of violin bows belonging to members of touring European orchestras being confiscated upon entry to the United States, or of the refusal to give a CITES permit for the import of a significant harpsichord by an important United States collector and performer. The new regulations are being enforced through immovable, irrational requirements. Sadly, they ignore personal property rights of legally acquired items containing ivory. The situation has far-reaching effects among musicians, collectors, musical instrument dealers and repair people, and everyday citizens.

The reasoning for these regulations is that they are said to be necessary to fight elephant poaching in Africa by shutting down the market for ivory. According to President Obama, the United States needs to 'Lead by Example' with tough restrictions on all trade and movement of ivory. It is unclear why any country, especially China, which is responsible for virtually all of the market for illegal new ivory, would be influenced by the restrictions in the United States, where only very small amounts of illegal new ivory enter the country. The U.S. Fish & Wildlife Services has acted to, in their words, 'close the loopholes' of transportation and markets for illegal new ivory in the United States, thus theoretically reducing pressure on elephant populations. The illogic of thinking a legally acquired musical instrument, or for that matter a piece of ivory-inlaid 17th or 18th century furniture, knife or cane containing antique or pre-Convention (1976) ivory would be a conduit for new ivory in or out of the United States seems apparent to us, but the new regulations are being rigidly defended by the U.S. Fish & Wildlife Services staff. Director Dan Ashe also states that they cannot tell new from old ivory, a statement that has every expert and repair person familiar with antique or even just old ivory shake their head in strong disagreement.

So, why the urgency and drama? The story is that the African elephant is in dire danger of losing 1/5 of its population over the next 20 or 30 years. Looking at CITES most recent report, there are currently about 500,000 African elephants in Africa, roughly the same as in 1982. About 22,000 elephants have been killed in each of the last several years, an admittedly horrific sounding number. According to other official reports, the population does replenish itself at a rate of about 5% per year so it would appear that the population is actually quite stable, a point supported by the same CITES report cited above. On the other hand, if poaching rises, as it may since organized crime seems to have become involved due to the tremendous prices being paid for illegal new ivory, then elephant populations will be at some risk. In some countries they are already at risk, while in others they are actually over-populated causing serious problems for farmers and themselves as they are destroying crops and overgrazing their own protected preserves. In these countries, culling is necessary. These countries have actually requested selling their ivory stores in a controlled fashion to help local human and elephant populations. Still, poaching is a brutal, dangerous, and horrific activity. That is agreed.

The Prior and Current Rules (please note these are subject to change):

Previously, there were no domestic restrictions, and CITES permits could be acquired for import and export of legally acquired ivory by following instructions, paying a fee and filling out paperwork, a somewhat onerous but do-able process. Exemptions were granted allowing import or export of items that could be demonstrated to be antique (over 100 years old), or pre-Convention (1989 for African elephant ivory). All of this changed in February. 'Commercial' imports of ivory are forbidden. Period. No exceptions. Exports are limited, but the hoops to jump through have become virtually impossible to navigate. As of 25 May 2014 the details of the regulations have actually eased somewhat thanks to various musical instrument related

organizations with lobbyists working tirelessly in Washington, DC. While better, the limitations and requirements are still unreasonable and irrational.

The most up-to-date summary can be found here: [Ivory ban question and answers](#)

Remember while reading this webpage and the explanations of it below, that qualifying for the CITES documents is now extremely difficult. Here is the summary, with remarks about qualifying for the exemptions below.

Commercial Imports:

Forbidden. This means that if you buy an instrument out of the country, you will not be able to get it into the United States. Period. Note that the term ‘commercial’ is being applied to any transaction that could be conceived of as resulting in a financial gain. For example, if you want to import an instrument and donate it to your favourite institution, they consider that commercial, since you may be applying for a tax deduction for the donation. Instruments bought overseas before the ban was announced, but awaiting their import permits had their permits abruptly rejected.

Personal Imports:

You may import an item containing ivory as part of a household move or inheritance, or as part of a musical instrument or as part of a travelling exhibition as long as the item contains ‘worked elephant ivory that was ‘legally acquired’ and removed from the wild prior to February 26, 1976 and has not been sold or otherwise been transferred for financial gain since February 25, 2014’. Thus you will not be able to bring in (or out) of the country any ivory-containing item that was purchased after 25 February 2014. (This is at least a significant improvement of the original specification of not being transferred for financial gain after 1976!) This freezes instrument ownership for touring musicians as of the date of the Director’s Order. Additionally, the individual or group must qualify for a CITES musical instrument certificate, and the musical instrument containing worked elephant ivory must be accompanied by a valid CITES musical instrument certificate or equivalent CITES document. See below.

Commercial Export:

While the rules state that Pre-Convention and antique items containing worked ivory may be exported, in reality the new requirements to qualify for a CITES export certificate are extremely difficult if not impossible to satisfy. They did, fortunately, eliminate two of the most ridiculous aspects of the 25 February Director’s order, wherein (1) no domestically made items containing worked ivory could qualify, and (2) the exporter had to supply evidence that the item had entered through one of the ‘specified ports’ for ivory import/export, despite the fact that these ports did not exist before 1982. Still, one has to provide a complete report as to any restoration or repair work done on the item, not just the ivory. If the ivory was repaired or modified after 1973, it will not qualify. If the item was originally imported after 1982, then it must demonstrably have been imported through one of the 13 ports of entry designated for antiques made of ESA-listed species (see below).

To qualify under the antique exemption, the exporter must also document the age of the item and the identification of the species used in the item. Proof of age can be through scientific testing at an accredited laboratory or facility, a qualified appraisal, or provenance through other documentation, such as a detailed history of the item, family photos, ethnographic fieldwork or other evidence that assigns the work to a known period of time. Fortunately, most musical instruments can be dated quite accurately. The species can be identified through DNA analysis (which is unusable as large quantities are required which would destroy that part of the musical instrument), or a qualified appraisal or other documentation that demonstrates the identification of the species through a detailed provenance of the item. Note that there are visual ways to identify the different types of ivory, except that Asian and African elephant cannot be visually distinguished. See [Identifying ivory](#)

Again, the ivory must not have been ‘repaired or modified’. Agents reviewing applications are now insisting on full details of work done on restored instruments, not just whether the ivory was repaired. When repairing ivory, restorers do not need to, and do not, use new ivory. There are synthetics and ample supplies of surplus antique ivory, e.g., in the form of piano key tops removed from old upright pianos. Regardless, as the rules are written now, if the ivory was repaired, they can refuse the application even if it means you just filled a crack with a tinted dental epoxy.

The burden of proof has been laid heavily on the exporter. In practice the Fish & Wildlife agents reviewing applications since February have been virtually impossible to satisfy. Some have insisted that appraisers have been trained in biology or wildlife forensics. They have been informed that they don't have to believe any documentation and to 'set a high bar'. This writer, who has been importing and exporting antique pianos for over ten years, was informed that the common knowledge, as well as referrals to published information, that piano key tops were made from African elephant ivory was insufficient. This was despite pointing out that I was initially told by a Fish & Wildlife Official years ago that African elephant ivory (*Loxodonta africana*) was the correct species to enter into the form for piano and other ivory key tops. See [Director's Order 210](#)

The Musical Instrument 'Passport'

After being besieged by concerned touring orchestras and other musicians, the U.S. Fish & Wildlife Service and CITES created a new permit certificate for people travelling regularly with their instruments, commonly called the Musical Instrument Passport. The application should be available on the Fish & Wildlife website by mid-June. They will require a signed appraisal stating the age of the ivory containing item, which must pre-date 1976. Note that you need a different CITES form for each endangered species in your instrument, including rosewood and tortoiseshell. Also note that you and your instrument will need to exit and enter the country through one of the 13 [designated ports for ivory](#). If your instrument contains a listed endangered plant species, you must further exit and enter through one of the [designated ports for listed plant species](#).

There is a fee of \$75 due with the application, which can take 45-60 days or more to be approved, processed, and the certificate mailed to you. Note that the musical instrument certificate is good for three years, and you must bring the instrument back into the issuing country before it expires, at which point you can apply for a new certificate. [Forms applicable to musical instruments](#)

Domestic: Intrastate and Interstate trade and movement

Beginning on 26 June, (30 days after new regulations were published in the Federal Register), domestic sellers of African elephant ivory will be required to demonstrate that any item offered for sale – whether across state lines or within a state – was lawfully imported prior to the CITES Appendix-I listing of the African elephant (January 1990) or that the ivory was legally imported under a CITES pre-Convention certificate. Appendix-I covers species around the world most at risk as a result of international trade. Non-commercial movement is still allowed. It is possible that later in the summer, the domestic rules will be tightened further.

Current and potential effects

Already, the international import ban has prevented collectors from importing important pieces to add to the types of instruments available for study, performance and recording. Because of the abrupt nature of the announcement and enforcement, quite a few people who were buying or selling internationally have found themselves caught, unable to get instruments to their new homes. Reduced to the domestic market alone, musical instruments values will necessarily drop. If they proceed to further limit domestic trade, the value of affected objects will be reduced to virtually nothing, nor will anybody be able to receive a tax deduction for donations of instruments to institutions since that is considered 'financial gain'. There is also a serious potential loss of donations to colleges, universities, museums and other public institutions, especially should the more severe domestic limitations come into play.

The restriction of musical instrument certificates to instruments that have not transferred ownership for any financial gain after 25 February 2014 means that internationally travelling musicians will not be able to upgrade, or ever again purchase any instruments or bows containing ivory that can travel with them. Again, musical instruments containing ivory will be significantly devalued.

Lastly, it will obviously take a great deal of time, paperwork, and human power to administrate and enforce all these new regulations. This will cost taxpayers as well as considerable personal time for applicants, and yet will not help to prevent the loss of even one elephant to poaching. Antique and pre-Convention instruments are not loopholes for illegal new ivory.

Touring musicians have already run into serious problems, for example the [Budapest Festival Orchestra](#). Given the amount of expense and paperwork to obtain the musical instrument passports, along with the aggressive and suspicious stance of the customs officials, it is highly likely there will be less touring of U.S. musicians out of the United States, and of international groups into the United States.

Look-alike problem

It is also very important to point out that customs agents are not always skilled at identifying materials. This has resulted in items containing 'look-alike' materials being confiscated and held at border crossings. It is highly advisable to have prepared an official appraisal or listing by the maker of the materials used in your musical instrument. Always have that document travel with the instrument, as well as retaining a copy that travels with you.

On the horizon

There are likely to be more changes announced this summer for good or for bad. President Obama is hosting the first United States-Africa Leaders Summit in Washington, DC on 5-6 August 2014. Washington insiders expect he wants to make an announcement about rigid ivory controls in the United States as part of fighting poaching elephants in Africa. This makes it urgent to speak out to prevent closing domestic markets for musical instruments (and other items) containing ivory, and try to reverse the elimination of the antique and pre-Convention exemptions.

What you can do to help

These are regulations, not laws – yet. They can be changed with enough pressure. Already some easing happened, which Dan Ashe of U.S. Fish & Wildlife Services admitted was simple 'common sense'. There is more common sense to instill. There are some paid lobbyists acting on behalf of groups such as the League of American Orchestras, NAMM and some private individuals (e.g. through the important Podesta Group.) To really make a point though, numbers count. It is important for as many people as possible to write to the President, the Secretary of the Interior, the Director of Fish & Wildlife Services, and those on the Committee for Wildlife Trafficking (see below). Most useful is to try to get an appointment, in person or by phone, with your senators and representatives and explain why these regulations are harmful and will not save any elephants. Congress funds U.S. Fish & Wildlife and can put corrective and preventative measures into appropriations bills.

The important talking points are:

- We all want to end the poaching of African elephants and the illicit trade in ivory, but banning the domestic sale and trade of legal ivory in the United States and preventing import of antique and pre-Convention items containing ivory will not stop poaching, nor save one living elephant.
- If implemented, the ban would unnecessarily hurt owners of antiques and any items containing ivory already legally imported into this country by stripping the value from those items, resulting in a taking of billions of dollars from law-abiding Americans. The domestic ban would instantly render the current legal market in worked ivory illegal, causing legitimate business owners tremendous economic harm and causing harm to everyday citizens now unable to sell their instruments.
- The proposed ban would make the survival of cultural and historic artifacts much more unlikely, and keep them out of collections where they would be preserved.
- The proposed ban would go against the U.S. Fish and Wildlife Service's longstanding position that almost all ivory in the U.S. has been legally imported, and that its sale in the U.S. has no impact on poaching in Africa. It is also clear in the Endangered Species Act that it never intended to limit trade in or movement of antique and pre-convention ivory.
- Note how the ban will hurt you personally.
- The current requirements for the antique exemption for export are still virtually impossible to meet for many legally obtained instruments due to a lack of documentation that has never been previously required to stay with the instruments.
- Ideally, ivory regulations should revert to where they were on 1 February 2014, which did indeed stabilize elephant populations since their inception.

This is one of those times when we all need to stand up for what is right and fair. Somehow we need to get the powers in charge to understand that NOT ONE elephant will be saved by these absurd regulations, but our cultural, historical, and musical heritages will suffer, as will private individuals and small businesspeople.

Here is information for contacting the appropriate officials:

- Sally Jewel, Secretary of the Interior
Department of the Interior, 1849 C Street NW, Washington, DC 20240
Phone: (202) 208-3100
[Email](#)
[Contact form](#)
- Daniel M Ashe, Fish & Wildlife, Director of External Affairs
U.S. Fish and Wildlife Service, 1849 C Street NW, Washington, DC 20240
[Contact form](#)
1 800 344 WILD (9453)
- Barack Obama, President of the United States
The White House, 1600 Pennsylvania Avenue NW, Washington, DC 20500
[Contact form](#)
Comments: (202) 456-1111
Switchboard: (202) 456-1414
- Representative Ed Royce, Chairman, Committee on Wildlife Trafficking
1380 S. Fullerton Road, Suite 205, Rowland Heights, CA 91748
[Committee for Wildlife Trafficking](#)
- Your local senators and congressmen: [Contact details](#)

Further reading:

[National Strategy for Combating Wildlife Trafficking & Commercial Ban on Trade in Elephant Ivory](#)

Anne Acker

[Anne Acker Early Keyboard Instruments](#)