

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



Twelfth meeting of the Plants Committee
Leiden (The Netherlands), 13-17 May 2002

Species proposals for the 12th meeting of the Conference of the Parties

ARTIFICIALLY PROPAGATED ORCHID HYBRIDS

1. This document has been prepared by the United States of America.

Background

2. At the 9th meeting of the Plants Committee, in Darwin, Australia, the Plants Committee agreed to review the listing of Orchidaceae. This review was initiated at the 10th meeting of the Plants Committee in Shepherdstown, United States of American, and continued at the 11th meeting of the Plants Committee (PC11) in Langkawi, Malaysia. At PC11, it was determined that a comprehensive review of the Orchidaceae would be lengthy and complex, and as an alternative, it was decided that a working group should look at the possibility of excluding the artificially propagated hybrids of six selected orchid genera, *Cattleya*, *Cymbidium*, *Dendrobium*, *Oncidium*, *Phalaenopsis*, and *Vanda*, from CITES controls, much like the 'supermarket plants' exemption for grafted cacti, florist's cyclamens, and certain other plants adopted at the 10th meeting of the Conference of the Parties in Harare. A working group convened at PC11 to discuss the possibility of such a proposal. The United States of America and the American Orchid Society were asked to draft a proposal for consideration at the 12th meeting of the Plants Committee.

Proposal

3. The Annex to this document contains the framework for a proposal to annotate the listing of Orchidaceae in the genera *Cattleya*, *Cymbidium*, *Dendrobium*, *Oncidium*, *Phalaenopsis*, and *Vanda* to exclude their artificially propagated hybrids from the listing. Such a proposal is consistent with the section of Resolution Conf. 11.11, 'Regarding hybrids', which states that hybrids may be 'excluded from CITES controls by a specific annotation in Appendix II or III'. However, discussions among the U.S. agencies responsible for CITES implementation and enforcement underscore the following difficulties with such a proposal:
 - a) As they typically appear in trade, as non-flowering plants, hybrids are not distinguishable from the species of the same genus. This is different from the previously exempted 'supermarket plants', which were limited to entities that do not occur as naturally occurring entities (i.e., grafted achlorophyllous cacti) or which excluded life stages that could not be distinguishable from wild-collected specimens (i.e., dormant *Cyclamen* tubers).

- b) Three of the genera under consideration contain species listed in Appendix I: *Cattleya*, *Dendrobium*, and *Vanda*. The Parties would need to consider how to handle the artificially propagated hybrids of the Appendix-I species of these genera, which are not distinguishable from their parent species in many cases, or from Appendix-II species and their hybrids in the same genus.
 - c) Such an exemption would further complicate enforcement, due to the problems related to similarity of appearance described in 1. and 2. above. According to law enforcement personnel, the regulation of trade in orchids is already complicated because of the similarity of appearance of different species and hybrids, and illegal trade will be further facilitated by such an exemption.
 - d) Growing methods in developing countries can result in plants that do not conform as well to the concepts of artificially propagated specimens grown in the highly controlled artificial environments used in developed countries. Therefore, shipments of plants that may qualify for the proposed exemption may be seized or otherwise delayed by the enforcement officials of importing countries due to their appearance and the lack of documentation showing that the specimens are artificially propagated.
4. The United States recommends that the Plants Committee consider the difficulties associated with this proposal and determine whether or not it is practicable, and what additional measures need to be considered for such a proposal to be successful and not put listed species at risk of further illegal trade. One suggestion would be to implement such an exemption, under a registration scheme, only for nurseries that have been determined by their Management Authorities to be propagating hybrids that meet this exemption, with assurances that the nurseries would not be trading species or other non-qualifying specimens as exempt specimens.