

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



Fifteenth meeting of the Plants Committee
Geneva (Switzerland), 17-21 May 2005

Implementation of the annotation for Orchidaceae spp. included in Appendix II

MEANING OF 'INDIVIDUAL CONTAINERS' FOR SHIPMENTS OF
ARTIFICIALLY PROPAGATED ORCHID HYBRIDS

1. This document has been prepared by the Management Authority of Switzerland.

Background

2. Orchidaceae spp. in Appendix II are annotated with an exemption for certain artificially propagated orchid hybrids, under the condition that specimens are, *inter alia*, 'traded in shipments consisting of individual containers (i.e. cartons, boxes or crates) each containing 20 or more plants of the same hybrid'.
3. Originally, Proposal CoP13 Prop. 40 (Bangkok, 2004) contained only three elements: a) plants must be readily recognisable as artificially propagated, b) they are not allowed to exhibit characteristics of wild-collected specimens; and c) shipments must be accompanied by a (non-official) documentation such as an invoice that contains certain specific information. Concerns of a number of Parties at CoP13 led to an amended proposal. The term 'individual containers' and a minimum quantity of 20 specimens per hybrid and shipment were introduced.
4. This concept originates from a former exemption for artificially propagated hybrids within the genus *Phalaenopsis* that was adopted at CoP12 and became redundant at CoP13. Paragraph b) reads 'all plants within a container are of the same hybrid, with no mixing of different hybrids within a container'. The term 'container' was not further specified.
5. The term 'individual containers' of the now valid exemption however was specified with an enumeration of three selected examples of possible packaging. This does not cover all packaging in current use and leads to some differences in interpretation between Management Authorities.
6. Within the European Region, standardised containers are nearly exclusively used for transport of live ornamental plants in commercial international trade. These containers circulate among traders and are known under the term 'CC-containers'. CC-containers consist of shelves on wheels, with trays that can be inserted at different levels, according to the kind of plants that are transported (see illustration).
7. At the moment it is unclear, whether CC-containers with trays that each contain a single kind of hybrid, in a way that individual hybrids can be considered as separately packed, meet with the criterion of 'individual containers' and hence qualify for the exemption from CITES. Clarification of this question is needed.

Rationale

8. The intention of the term 'individual containers' and the requirement of a minimum quantity of 20 separately packed specimens per hybrid and shipment were to allow inspectors to easily check for uniformity and healthiness. These requirements should exclude the possibility that the exemption could lead to illegal trade in non-exempted orchid hybrids or in botanical species of orchids, by mixing them with exempted hybrids. But in first place, the requirements of minimum quantities of the same taxon within a shipment, and of specimens of the same taxon placed side by side within a shipment, allow quite reliably excluding the possibility of false declaration of wild-collected orchids.

Conclusion

9. The enumeration of examples of packaging ('cartons, boxes or crates') shows, that there are different ways of fragmentation of shipments, or separation of lots within a shipment. As long as these don't frustrate the intention of this condition, they should be considered as helpful and being in line with it.
10. CC-containers with their shelves allow for a clear fragmentation of shipments and separation of individual hybrids into pure lots, and furthermore they facilitate very much fast access and efficient inspection of shipments, as no packaging has to be opened.

Proposal to the Plants Committee

11. It would be helpful, if the PC could decide on this matter at its 15th meeting and give further guidance to Management Authorities regarding the meaning and interpretation of 'individual containers', especially with regard to CC-containers.
12. If the annotations to Orchidaceae spp. should be reworded, the Management Authority of Switzerland proposes to add the following wording: "... individual containers (i.e. cartons, boxes or crates, or individual shelves of CC-containers)..."

CC-container with individual shelves, separately loaded with artificially propagated orchid hybrids

