

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



Twentieth meeting of the Plants Committee  
Dublin (Ireland), 22-30 March 2012

Annotations

PREPARATION OF CLARIFICATION AND GUIDANCE ON THE MEANING OF  
"PACKAGED AND READY FOR RETAIL TRADE"  
AND OTHER TERMS USED IN THE ANNOTATIONS

and

TREE SPECIES: ANNOTATIONS FOR SPECIES INCLUDED IN APPENDICES II  
AND III [DECISION 14.149, 15.35 AND 14.148 (REV.COP15)]  
(Agenda items 17.1.2.2 and 17.1.2.4)

Membership (as decided by the Committee)

Co-Chairs:	The Chair, the observer from Canada and the observer from the European Union
Members:	Representatives of Asia (Ms Zhou), Central and South America and the Caribbean, Oceania, Alternate representative of Asia (Ms Al-Salem)
Parties:	Australia, Brazil, Canada, Chile, People's Republic of China, France, Germany, India, Indonesia, Iraq, Ireland, Italy, Malaysia, Mexico, Namibia, Norway, Poland, Qatar, Saudi Arabia, South Africa, South Korea, Spain, Switzerland, Thailand, Republic of Tanzania, the Netherlands, United Kingdom of Great Britain and Northern Ireland and United States of America
IGOs and NGOs:	UNEP-WCMC, IUCN, ITTO, Greenwood, IFRA, SSN, TRAFFIC, WWF and Ajmal Perfumes

Mandate

1. Regarding item 17.1.2.2
  - a) Reconsider and simplify the definitions in paragraph 11 document PC20 Doc. 17.1.2.2 so that an informed non-expert may be able to make a firm identification of specimens; and
  - b) Draft a definition of 'finished products' that can be applicable to all CITES plant products.
2. Regarding item 17.1.2.4
  - a) Consider the conclusions of the intersessional working group with respect to the need to amend annotations for tree species;

- b) Consider whether annotations #2, #7, #11 and #12 require specific clarification given the apparent range of interpretations by Parties;
- c) Identify the conclusions of this working group and of previous timber annotation working groups as potentially useful guidance for amending tree species annotations (see the PC19 summary record); and
- d) Suggest ways to encourage participation at the Plants Committee by enforcement officers and other regulatory experts in the evaluation of any new listings and annotations for timber species.
- e) Consider and discuss the terms in the glossary of agarwood products in Annex 3 of document PC20 Doc. 17.2.1 Annex 3, and recommend the best way to make this available to the CITES community.

### Recommendations

1. With respect to mandate item 1a) having considered the definitions in paragraph 11 document PC20 Doc. 17.1.2.2, the Working Group developed and proposes the Plants Committee endorse the following definitions and consider including the definitions in an appropriate Resolution, such as Resolution Conf. 11.11 (Rev. CoP15) *Regulation of trade in Plants*:

#### Extract

*Any substance obtained directly from plant material by physical or chemical means regardless of the manufacturing process. An extract may be solid (crystals, resin, fine or coarse particles), semi-solid (gums, waxes), or liquid (solutions, tinctures, oil and essential oils). Finished products containing such extracts as ingredients are not considered to be included in this definition.*

#### Powder

*A dry, solid substance in the form of fine or coarse particles*

#### Wood chip

*Wood that has been reduced to small pieces*

#### Root

*All underground organs or parts of a plant including bulbs, rhizomes, corms, caudices, and tubers*

2. The working group recommends deletion of the definition 'essential oil' contained in paragraph 11 document PC20 Doc. 17.1.2.2, as the expanded definition of 'extract' includes essential oil. The working group notes it was unable to agree to exclude 'complex mixtures' along with 'finished products' in the definition of 'Extract'.
3. With respect to mandate item 1b) the Working Group proposes the following broadly applicable definition of 'finished products':

#### Finished product packaged and ready for retail trade

*Products, shipped singly or in bulk, requiring no further processing, packaged, labelled for final use or the retail trade in a state fit for being sold to or used by the general public.*

4. With respect to mandate item 2 a), the working group considered the conclusions of the intersessional working group and agreed that the annotations for tree species are difficult to interpret. The working group recommends that the annotations for tree species be amended.
5. With respect to mandate item 2 b), after considering annotations #2, #7, #11 and #12, the working group concluded that the definitions it developed to replace those in paragraph 11 document PC20 Doc. 17.1.2.2 serve to clarify interpretation of the annotations. The working group noted particularly that the definition of 'extract' as defined in recommendation 2 (above) could facilitate efforts to combine and reduce the number of annotations for tree species.

6. With respect to the portion directed to the Plants Committee of Decision 14.148 *Tree species: annotations for species included in Appendices II and III*, understanding that new annotations for tree species cannot be developed in advance of the trade study referenced in Decision 15.35, to be commissioned by the Secretariat, the Plants Committee may wish to consider revising the decision as follows:

***Directed to the Plants Committee***

*14.148 (Rev. CoP15)*

- a) *Based on the results of the trade study, the Plants Committee shall review the annotations for tree species listed in Appendices II and III and, if appropriate, draft amendments to the annotations and prepare clear definitions for the terms used in those annotations in order to facilitate their use and understanding by CITES authorities, enforcement officers, exporters and importers.*
- b) *The amended annotations shall focus on articles that initially appear in international trade as exports from range States and those which dominate the trade in and demand for the wild resource.*
- ~~c) *The Plants Committee shall draft, if necessary, proposals to amend Resolution Conf. 10.13 (Rev. CoP15) and/or to amend the Appendices accordingly so that the Depositary Government may submit them on its behalf for consideration at the 16th meeting of the Conference of the Parties.*~~
7. With respect to mandate item 2 c), the working group identified the conclusions of the PC19 intersessional working group and those of previous timber annotation working groups as potentially useful guidance for amending tree species annotations, and recommends the information be considered if current annotations for tree species are amended.
8. With respect to mandate item 2 d), the working group recommends that Parties:
- i) identify within their regulatory agencies those enforcement officers and regulatory experts having particular expertise in CITES processes; and
  - ii) seek to include enforcement officers and regulatory experts in the review of Plants Committee documents and as regular members of CITES Plants Committee delegations.
9. With respect to mandate item 2 e), having considered and discussed the terms in the glossary of agarwood products in Annex 3 of document PC20 Doc. 17.2.1 Annex 3, the working group recommends that:
- i) Definitions within the glossary that correspond to those in paragraph 11 of document PC20 Doc. 17.1.2.2 be revised to reflect the new definitions developed by the working group;
  - ii) The finished glossary be incorporated on the CITES website in addition to publication of printed copies; and
  - iii) the glossary of agarwood products be considered a useful model for development of a general glossary and illustrated brochure that would provide guidance on the meaning of “packaged and ready for retail trade” and other terms used in CITES Annotations.