



NOTIFICATION TO THE PARTIES

No. 2010/036

Geneva, 19 November 2010

CONCERNING:

Annotations for *Aniba rosaeodora* (Brazilian rosewood),
Bulnesia sarmientoi (palo santo) and *Euphorbia antisyphilitica* (candelilla)

Background

1. At its 15th meeting (CoP15, Doha, 2010), the Conference of the Parties amended CITES Appendix II to include the plant species *Aniba rosaeodora* (Brazilian rosewood) and *Bulnesia sarmientoi* (palo santo). These new listings, which entered into effect on 23 June 2010, are annotated to specify the parts and derivatives included in Appendix II.
2. The Parties also amended the annotation to the plant species of the genus *Euphorbia*, which was already included in Appendix II, in order to specify the parts and derivatives of *Euphorbia antisyphilitica* (candelilla) that are excluded from CITES controls.
3. Since CoP15, representatives of the private sector have sought clarification from Parties and from the Secretariat on the scope of coverage of these annotations. A number of Parties subsequently consulted with each other, and with the Secretariat, about how these annotations should be interpreted.
4. Article XII, paragraph (h), of the Convention requires the Secretariat to make recommendations for the implementation of the aims and provisions of the Convention. Accordingly, following consultation with a number of interested Parties, the Secretariat has prepared this Notification to assist Parties with uniform implementation of the annotations referred to in paragraphs 1 and 2 above. The views expressed by the Secretariat in this Notification are designed to serve as interim advice until an interpretation of the annotations is agreed by the Conference of the Parties.
5. The Secretariat notes that Decisions 15.90 and 15.96, adopted at CoP15, direct the range States and importing Parties of *Aniba rosaeodora* and *Bulnesia sarmientoi*, working with the Plants Committee, to examine identification issues and additional annotations related to these two species.
6. A number of terms used in the annotations have not yet been defined by the Conference of the Parties. In order to provide Parties with implementation guidance, the Secretariat has used the following working definitions of certain terms used in the annotations:
 - 'Essential oil' means a hydrophobic liquid obtained from natural plant material by distillation with water or steam. The essential oil is subsequently separated from the aqueous phase by physical means.
 - 'Extracts' means substances extracted from raw plant material, often by using a solvent such as ethanol or water.
 - 'Finished products' means specimens that have been prepared for end use and that require no further alteration to effect their purpose.
 - 'Packaged and ready for retail trade' means in a state fit for being sold directly to or used by the general public, and includes 'testers'.

Aniba rosaeodora (Brazilian rosewood)

7. Regarding *Aniba rosaeodora*, annotation #12 specifies that the following parts and derivatives are included in Appendix II:

Logs, sawn wood, veneer sheets, plywood and essential oil.

8. Although unnecessary, but perhaps to avoid any ambiguity, it specifies that the following parts and derivatives are excluded from the listing:

finished products packaged and ready for retail trade.

9. The Secretariat interprets the annotation to mean that products that consist of unaltered "logs, sawn wood, veneer sheets, plywood and essential oil" (e.g. construction materials and bottles of pure essential oil) are covered by the Convention.
10. The Secretariat further interprets the annotation to mean that any unspecified part or derivative (i.e. other than "logs, sawn wood, veneer sheets, plywood and essential oil") is not covered by the Convention. Accordingly, products that result from the alteration of logs, sawn wood, veneer sheets, plywood and essential oil (e.g. acetates or fragrance compounds that are mixtures of odoriferous or aromatic substances or contain traces of the extracts, perfumes, cosmetic products and furniture), whether or not packaged and ready for retail trade, are excluded from CITES controls.

Bulnesia sarmientoi (palo santo)

11. Regarding *Bulnesia sarmientoi*, annotation #11 specifies that the following parts and derivatives are included in Appendix II:

Logs, sawn wood, veneer sheets, plywood, powder and extracts.

12. The Secretariat interprets the annotation to mean that products that consist of unaltered "logs, sawn wood, veneer sheets, plywood, powder and extracts" (e.g. construction materials, packages of powder and bottles of pure extracts) are covered by the Convention.
13. The Secretariat further interprets the annotation to mean that any unspecified part or derivative (i.e. other than "logs, sawn wood, veneer sheets, plywood, powder and extracts") is not covered by the Convention. Accordingly, products that result from the alteration of logs, sawn wood, veneer sheets, plywood, powder and extracts (e.g. acetates or fragrance compounds that are mixtures of odoriferous or aromatic substances or contain traces of the extracts, pills, perfumes, cosmetic products and furniture), whether or not packaged and ready for retail trade, are excluded from CITES controls.

Euphorbia antisyphilitica (candelilla)

14. Regarding *Euphorbia* spp., annotation #4, paragraph f), specifies that the following parts and derivatives are excluded from Appendix II and therefore not covered by the Convention:

finished products of Euphorbia antisyphilitica packaged and ready for retail trade.

15. One example of a finished product of *Euphorbia antisyphilitica* that is "packaged and ready for retail trade" is lipstick. Consequently, lipstick is not covered by the Convention.
16. All parts and derivatives that are not packaged and ready for retail trade are included in Appendix II (e.g. candelilla wax) and remain subject to CITES controls.