

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



Eighteenth meeting of the Plants Committee
Buenos Aires (Argentina), 17-21 March 2009

INTERNATIONAL COMMERCE AND ANNOTATION FOR FINISHED PRODUCTS CONTAINING
CANDELILLA WAX DERIVED FROM *EUPHORBIA ANTISYPHILITICA*

1. This document has been submitted by the American Herbal Products Association*.
2. *Euphorbia antisiphilitica* is a succulent species of *Euphorbia* and so has been listed in CITES Appendix II since 1975. The United States and Mexico are the species' only range states. Wild populations of the species are the only source of candelilla wax, an ingredient with commercial applications.
3. Export of *Euphorbia antisiphilitica* wax from Mexico is reported in the UNEP-WCMC CITES Trade Database to have been between 98000 kg and 430525 kg in the years 2001 through 2007; export of an extract of the species from Mexico is reported in just one year during this period, in the amount of 19500 kg in 2006; and export of 5 live plants from Mexico is reported in 2001. Export of the wax from the United States is reported to have been 8000 kg in 2007 with no export reported from the United States during the years 2001 through 2006. Export of significantly smaller amounts of wax or extract is reported in the years 2001 through 2007 from China, France, Japan, and Germany. The database reports export and import data during these years only for wax, extracts, and live plants of the species, and has no record of any amount of export or import of finished products, for example, of derivatives in bottles or other finished product packaging.
4. Candelilla wax derived from *Euphorbia antisiphilitica* is used in many finished cosmetic products, including lipstick. A tube of lipstick with this ingredient contains about 0.3 mg of candelilla wax.
5. There are currently no annotations to the CITES Appendix II listing for *Euphorbia* spp. that are relevant to *Euphorbia antisiphilitica*. More specifically, while annotations for some CITES Appendix II species specifically except finished products packaged and ready for retail trade, there is no such annotation for *Euphorbia antisiphilitica*. Absent such annotation, all international commerce in finished products that contain any amount of candelilla wax are subject to CITES export, import, and re-export requirements.
6. A change in CITES enforcement controls of finished products containing candelilla wax, especially lipstick, occurred in 2008 so that millions of finished product units became subject to CITES control in numerous importing countries, and an undocumented number were confiscated.

* The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat or the United Nations Environment Programme concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.

7. A trade survey submitted by Germany as PC18 Inf. 6 provides a review of international trade in *Euphorbia antisyphilitica*, and states, "After the Candelilla wax has been legally exported and the raw commodity processed into finished products it seems to be without any conservation effect when re-export certificates and import permits would be necessary for consumer products." PC18 Inf. 6 also suggests "that the international community agrees on the facilitation of trade in finished products made of *Euphorbia antisyphilitica*."
8. In considering annotations relating to medicinal plants the following guiding principles were adopted at CoP13 (document CoP13 Doc. 58):
 - a) Controls should concentrate on those commodities that first appear in international trade as exports from range States. Those commodities may range from crude to processed material; and
 - b) Controls should include only those commodities that dominate the trade and the demand for the wild resource.
9. The guiding principles identified in paragraph 8 are equally relevant to considering annotations for non-medicinal plants. These principles support annotating *Euphorbia antisyphilitica* to except finished products. Adoption of such annotation will prevent loss of livelihoods for collectors of this species who harvest *Euphorbia antisyphilitica* in a manner in which the exporting range state, Mexico, determines to be non-detrimental to the species' survival.
10. The Plants Committee will consider recommendations of two working groups (WG4 and WG12) at PC18 to decide that an annotation should be adopted at CoP15 for *Euphorbia antisyphilitica* to except finished products that are packaged and ready for retail trade. The discussions at these working groups also considered whether such annotation should also except finished products in bulk packaging that are shipped from a manufacturing location in one country to a packaging location in another. Although these working groups did not agree to this additional exception it may be considered whether there is any conservation benefit in maintaining all CITES controls on finished products that are not yet packaged and ready for retail trade.
11. Any annotation identified in paragraph 8 that may come to be adopted at CoP15 would not come into effect until 90 days after CoP15. In the intervening time between PC18 and CoP15, individual Parties should therefore evaluate and implement immediate enforcement options for finished products containing candelilla wax from *Euphorbia antisyphilitica*, including adoption of appropriate enforcement discretion. Such enforcement decisions by individual Parties should be established to reflect the Plants Committee's decision recommended in paragraph 8 and the conclusions and suggestions in PC18 Inf. 6.