

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

Sixteenth meeting of the Plants Committee
Lima (Peru), 3-8 July 2006

HARPAGOPHYTUM SPP.

1. This document has been prepared by the Secretariat.
2. Decision 13.60 states that:

The Plants Committee shall decide on what action is required for outstanding reports from the importing countries of Harpagophytum.
3. At its 15th meeting (PC15, Geneva, May 2005), the Plants Committee recommended that in compliance with Decision 13.60 the importing countries of *Harpagophytum* spp. report on the following actions:
 - a) verifications of the origin of imported specimens of *Harpagophytum* spp., and particularly of material claimed to be artificially propagated;
 - b) the results of negotiations with the devil's claw industry to obtain support for management programmes that promote sustainable use and the development of communities that are managing the resource; and
 - c) industry and consumer-oriented efforts to promote the trade in and utilization of wild, sustainably produced *Harpagophytum* spp.
4. The Plants Committee recommended that Botswana, Namibia and South Africa inform the Secretariat about all countries to which *Harpagophytum* spp. are exported by 1 October 2005. The Secretariat was advised that these countries were: Belgium, Botswana, China (through the Province of Taiwan), France, Germany, India, Israel, Italy, Japan, Monaco, Portugal, the Republic of Korea, South Africa, Spain, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America.
5. The Secretariat wrote to these countries to request the information mentioned in paragraph 3 above. Responses from Botswana, France, Germany, Japan, Portugal, Spain, Switzerland, the United States of America were received by 15 March 2006 and are copied in Annex 1 to this document in the language in which they were received. They were also forwarded to Germany since the Plants Committee requested Germany to provide an updated report on this issue at the present meeting. The report submitted by Germany is provided in Annex 2.
6. The Plants Committee is invited to decide if Decision 13.60 has been complied with.

RESPONSES FROM PARTIES

16-MAR-2006 17:38

FROM-FORESTRY AND RANGE RESOURCES

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T-237 P.001/002 F-573

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REFERENCE: DFRR 6/11 I (6)

28 FEBRUARY 2006



REPUBLIC OF BOTSWANA

DEPARTMENT OF FORESTRY
& RANGE RESOURCES
PRIVATE BAG 00424
GABORONE
BOTSWANA

ALL CORRESPONDENCE MUST BE ADDRESSED TO

THE DIRECTOR

CITES Secretariat
International Environment House
Chemin des Anemones
CH-1219 Chatelaine
Geneva, Switzerland

ACTION Milena COPY

17. März 2006

REPLY FILE

Dear Milena,

I would like to respond to your request for clarifications on *Harpagophytum* spp. imports and actions taken by Botswana.

- a) Botswana is predominantly an export country of Devil's Claw. It was only in 2004 that 5 tons were imported from Namibia. The imported raw *Harpagophytum procumbens* was processed in Botswana to be solely sold in the local market, since the stock of local harvested material had been depleted. The imported material originated from wild harvesting. No obtained material came from artificial propagation or cultivation.
- b) Within Botswana, the Devil's Claw Production industry is undertaken by an NGO (Thusano Lefatsheng Trust) as a local trader. Many years ago, collaboration between this NGO, Agricultural Resources Board and other stakeholders was started to promote sustainable harvesting practices and monitoring of the trade. Beside these existing relationships and information exchange with the other range states, no special support has been received from any other Devil's Claw Industry in Botswana.
- c) The National Devil's Claw Working Group together with government officials from the relevant districts have agreed on the implementation of the rotational harvesting regime in Botswana. With effect from 1st of April 2006, this sustainable management regime will be applied in the harvesting communities. The Department will provide information material, training and will carry out the evaluation of the operation.

The low price for the raw material is a challenge. However, efforts to promote sustainable and income generation from this resource will be followed and encouraged. A regional initiative started by the Regional Devil's Claw Working Group (chaired by Botswana) to address trade related issues has been established.

A proposal for a feasibility study on "Fair Trade and Expanding Markets of Devil's Claw" has been drawn up and is awaiting funding. Furthermore, the study is proposed and will be finalized during 2006 to serve as guidance for any agreements on regional actions to promote the resource value.

We hope this information will help you to compile the mentioned report for the Plants Committee (July 2006). This letter will be sent by post but we will also send it by email to enable you to have the information in time.

For any clarification you can always contact us through e-mail (bnoso@gov.bw or bnoso@yahoo.com , fbarsch@web.de).

Yours sincerely



R. M. Kwerepe
Acting Director DFR



**Direction
de la Nature
et des Paysages**

Sous-direction de la chasse, de la faune
et de la flore sauvages
Bureau des échanges internationaux d'espèces
menacées

Affaire suivie par : Sylvie GUILAUME
téléphone : 01 42 19 18 81
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Paris, le 24 FEV. 2006

ACTION MILNER COPY
27. Feb. 2006
REPLY FILE

Milena Sosa SCHMIDT
Unité d'appui scientifique
Secrétariat CITES
Chemin des Anémones
CH-1219 Châtelaine
Genève - SUISSE

Nos réf : SG / CS / n° 2006 - 0047
Vos réf : MSS/VEZ/ Harpagophytum spp

Madame,

Par courrier ci-dessus référencé, vous indiquez que la France figure sur la liste des pays importateurs d'*Harpagophytum* spp et nous demandez certaines précisions relatives à l'application de la Décision 13.60.

Harpagophytum spp est inscrit à l'annexe D du règlement (CE) n° 338/97 du Conseil du 9 décembre 1996 avec l'annotation §3, qui précise que sont soumis aux dispositions du règlement, outre les plantes vivantes, les spécimens morts entiers ainsi que les feuilles, racines / rhizomes, tiges, graines / spores, écorce et fruits. A ce titre, toute importation de ces spécimens dans la Communauté est subordonnée à la présentation d'une notification au bureau de douanes frontalier d'introduction dans l'Union européenne, copie de ce document étant envoyée à l'organe de gestion compétent du pays destinataire.

Aucun des différents organes de gestions français n'a signalé avoir reçu copie d'une notification d'importation concernant *Harpagophytum* spp, ce qui laisse penser que notre pays n'a pas importé de spécimens de ces espèces.

Nos services n'ayant pas connaissance des différents établissements français utilisant *Harpagophytum* spp, il n'est pas possible de satisfaire au point b) de la Décision 13.60.

Il serait utile que les personnes ayant indiqué que la France importe ces spécimens nous communiquent davantage d'informations.

Dans l'attente, nous vous prions d'agréer, Madame, l'expression de notre considération distinguée.

Pour le Directeur de la Nature et des Paysages
L'Inspecteur en Chef de la Santé Publique Vétérinaire

Ministère de l'Écologie et du Développement Durable
20, Avenue de Ségur 75302 PARIS 07 5P
Standard : 01 42 19 20 21 - www.ecologie.gouv.fr

Jacques WINTERGERST



Bundesministerium
für Umwelt, Naturschutz
und Reaktorsicherheit

ACTION *mlena* COPY

10. März 2006

REPLY . . . FILE

Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit
Droßweg 12, 66, 53175 Bonn

CITES-Secretariat
15, chemin des Anémones
CH- 1219 Châtelaine-Genève

Switzerland

Geschäftszeichen (bei Antwort bitte angeben)

N II 1 - 70121-1/3

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☎ +49 - (0)1888 - 305 - 3225 (Zentrale)
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✉ E-Mail Elisabeth.Murozert@bmu.bund.de

Bonn, 07. März 2006

Decision 13.60

Your letter of 16 December 2006

Referring to your request of 16 December 2006 with regard to Decision 13:60 I should like to submit the following information:

13.60 lit. a)

Since Germany has no trade monitoring system in place for non-CITES species, no official trade data are available for *Harpagophytum* species and their products. To implement Decision 11.63, an interview survey among German importers was carried out. German importers were interviewed and asked to report on their imports for the years 1999, 2000 and 2001. Trade was predominantly reported as being direct from Namibia to Germany. Imports from South Africa are few. Total German imports are 271 tons, 513 tons and 554 tons for 1999-2001 respectively. This information was presented to PC 12 in Doc. 8.1.2. Since then, no additional trade review has been carried out.

13.60 lit. b)

At the 12th meeting the Conference of the Parties, the Parties adopted Decisions 12.63 - 12.65, relating to *Harpagophytum* spp. All three Decisions require range States of *Harpagophytum* spp., and in the case of Decision 12.64, importing States, to provide progress reports to the Secretariat regarding implementation of these Decisions. Decision 13.60 of the 13th meeting

☞ Haltestelle Robert-Schuman-Platz Stadtbahnhöfen 66 und 68, Buslinien 614 und 623
Liefer- und Zustellanschrift Robert-Schuman-Platz 3, Zufahrt über Heinrich-von-Stephan-Straße

the Conference of the Parties focused on outstanding reports from importing countries related to 12.64.

Germany has already reported to the 14th and the 15th meeting of the Plants Committee (Windhoek, 2004; Geneva, 2005) about its actions to involve the devil's claw processing industry in sustainable use activities for this species. Since 1999 the German Ministry of Environment is funding the Sustainable Harvested Devil's Claw Project which supports the self-organization of local harvesters in Omaheke in eastern Namibia. The conservation oriented aspects of the project aim at setting mutually agreed annual quotas for and by the harvesters which are based on a resource assessment which ensures sustainable utilization. On fenced permanent plots the regrowth after harvesting and the effects of rainfall are investigated over several years. A final report on this project is about to be published.

Over the last years, the German Scientific Authority has negotiated with the various actors of the German devil's claw industry which import the raw material and process it into phyto-medicines. The aim was to identify a company which would be willing to (a) exclusively buy the sustainable collected project material under a long-term contract, (b) to support the community through certain mutually agreed activities, and (3) to start a promotion campaign in Germany and market their product as stemming from sustainable wild collection.

13.60 lit. c)

The market for devil's claw products is supplied by several German companies. All of them clearly would favour devil's claw material from cultivation. However, the domestication of devil's claw has proved to be difficult. Several companies are supporting commercial farmers in Namibia and South Africa to develop cultivation techniques, either through cuttings or seeds. The marketing of these German companies in journal advertisements is focussing strongly on the benefits of cultivation for the conservation of the resource.

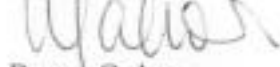
Therefore, the identification of a German company which commits itself to the promotion of wild collected material was not easy. Only one phytopharmaceutical company in Germany with a broad spectrum of organic products expressed interest and negotiated a long-term buying contract. However, even this company is engaged in the development of cultivation techniques elsewhere. Another reason for the slow progress is that the annual production at Omaheke is not big enough to support a stand-alone product.

The German Federal Agency for Nature Conservation (BfN), WWF/TRAFFIC, and the IUCN Medicinal Plant Specialist Group are presently in the process to develop an *International*

...

Standard for the Sustainable Wild Collection of Medicinal and Aromatic Plants (ISSC-MAP). This process includes among other steps the testing of the Standard in various projects. In 2005 the Standard was tested for the sustainable collection of devil's claw on the Omaheke farm. The company mentioned above funded this process.

Best regards



Dr. von Gadow



MINISTRY OF ECONOMY, TRADE AND INDUSTRY
JAPANESE GOVERNMENT



March 31, 2006

Ms. Milena Sosa Schmidt
Scientific Officer
Scientific Support Unit
CITES Secretariat
Fax No. +41 (22) 797 34 17

ACTION *Y. New COPY David*

31 März 2006

REPLY . . . FILE

Dear Ms. Schmidt,

We received your letter on December 16, 2005 about reporting of *Harpagophytum* spp. in compliance with Decision 13.60.

Based on the consultation with our Scientific Authority about this matter, we would like to inform you that we are unable to provide any information of *Harpagophytum* species. Because any specimens of *Harpagophytum* spp. are not restricted under any Japanese domestic regulations, we can not monitor any trade of *Harpagophytum* species and also not submit any information on the devil's claw industry in Japan.

Sincerely,

Toru Ishitsuka
Agricultural and Marine Products Office
Ministry of Economy, Trade and Industry
CITES Management Authority of Japan
Fax No. 81-3-3501-6006



Ministério do Ambiente, do Ordenamento do Território e do Desenvolvimento Regional



ACTION *Milena* COPY

28. März 2006

REPLY FILE

Ref. n°: 85/2006 DAC/DSCN

DSCN
 DAC - Divisão de Aplicação de Convenções
 Rua de Santa Marta, 55
 P - 1150-294 LISBOA - Portugal
 tel: +351.213507900 fax: +351.213507986

Para / To:	CITES SECRETARIAT		
	Att/ Ms Milena Sosa Schmidt		
Fax:	+41 22 7973417	Tel:	
De / From:	CITES Management Authority - Portugal		
Data / Date:	27-03-2006	N° págs / No pages:	1
Assunto / Subject	Trade in <i>Harpagophytum</i> spp		

MENSAGEM / REMARKS:

Dear colleague

Following your letter dated 16 December 2006 we hereby inform the Secretariat that the Portuguese Management Authority has no records of any *Harpagophytum* spp imports in the last years (at least since 2000).

Best regards

The Head of Division


 (João Loureiro)



MINISTERIO DE INDUSTRIA, TURISMO Y COMERCIO

ACTION *milenia* COPY
21. März 2006

F A X

REPLY . . . FILE

M ^o INDUSTRIA, Y. C. S.G. INSP. CERTIFIC. Y ASIST. TÉCNICA COMERCIO EXTERIOR	Salida	Nº. 209628100001170	21/03/2006 11:32:05
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SECRETARÍA DE ESTADO DE TURISMO Y COMERCIO
SECRETARÍA GENERAL DE COMERCIO EXTERIOR

SUBDIRECCIÓN GENERAL DE INSPECCIÓN, CERTIFICACIÓN Y ASISTENCIA TÉCNICA DEL COMERCIO EXTERIOR

DE	AUTORIDAD ADMINISTRATIVA CITES - ESPAÑA		
A	SECRETARÍA CITES		
ASUNTO	Importaciones de Harpagofito en España		
S/REF	MSS/VEZ/Harpagophytum spp.	N/REF	RT/
FECHA	21 de marzo de 2006		
Nº DE PÁGS. INCLUYENDO PORTADA :	1		

Estimada Sra. Sosa:

En relación con su escrito de 16 de diciembre sobre el asunto de referencia, he de informarle que, habiendo contactado con el sector comercializador de Harpagofito en España, se ha obtenido la siguiente información:

-La mayoría de las empresas que distribuyen y venden Harpagofito se suministran de mayoristas de otros países de la UE, principalmente de Francia.

No obstante, en España hay algún proveedor que se abastece directamente, y casi en su totalidad, de Namibia, donde no existen cultivos extensivos. En algunos casos muy concretos también efectúan pequeñas compras a Sudáfrica.

Tal y como nos informa el sector, ni en España ni en el resto de Europa existen cultivos de esta planta.

-En cuanto al volumen de importación, no hemos podido obtener cifras oficiales de Aduanas en tanto en cuanto no existe una subpartida arancelaria específica para las partes y derivados de esta especie.

No obstante, los operadores españoles que importan directamente de África nos comunican que lo hacen en cantidades muy pequeñas (del orden de uno ó dos contenedores al año en función de la oferta y la demanda):

A pesar de que el Reglamento (CE) Nº 338/97 exige la presentación de una Notificación de Importación para poder determinar el volumen de Harpagofito realmente importado, no se nos han presentado dichas Notificaciones.

LA JEFE DE AREA CITES,

Maria Rosario Rubio Garcia
Maria Rosario Rubio Garcia



Premio a las Mejores Prácticas MAP
www.mcx.es/pmp.pdf



EN CASO DE PROBLEMAS EN LA RECEPCIÓN, POR FAVOR CONTACTAR CON NUESTRAS OFICINAS



BVET
OVF
UFV

Bundesamt für Veterinärwesen
Office vétérinaire fédéral
Ufficio federale di veterinaria
Uffizi federal veterinari

Your Ref. MMS/VEZ/*Harpagophytum* spp.
Our Ref. jlu
Date 4 January 2005

CITES Secretariat
Milena Schmidt
International Environment House
Ch. des Anémones
1219 Châtelaine

ACTION *Milena* COPY

05. Jan. 2006

REPLY . . . FILE

Decision 13.60 - *Harpagophytum* spp.

Dear Milena,

we would like to remind, that the genus *Harpagophytum* is a non-CITES taxon and this has certain consequences, *inter alia* for the collection of data.

Switzerland does not report on import of non-CITES plant products on the level of specific taxa, with a few exceptions of commodities that are specifically listed in our customs tariff and the customs harmonized system respectively, such as candelilla wax (*Euphorbia antisiphilitica* - 1521.1091), Ginseng roots (*Panax* spp. - 1211.2000) or Salep (*Orchidaceae* spp. - 0714.9010). This does unfortunately not allow to monitor import of *Harpagophytum* and we are therefore not in a position to provide any data on the origin of imported *Harpagophytum*. Moreover, we would be interested to know, on what evidence Switzerland has been identified as an importing country. This could maybe be helpful. I can confirm from own observations, that *Harpagophytum* is available in pharmacies in Switzerland, but this is already all I can tell.

If range States wish that importing countries report on *Harpagophytum*, they could list the genus in CITES Appendix III and export products with corresponding permits.

Further, as a CITES management authority, we have no mandate to negotiate with the industry on non-CITES taxa, and finally we are not aware of efforts of the private sector to promote the trade in and utilization of wild sustainably produced *Harpagophytum* spp. in Switzerland.

I hope that this information is useful.

Best regards
Permits and inspections
CITES Management Authority (Flora)

Dr. J. Lüthy

Cc Chairman of the Plants Committee
Scientific Authority of Germany



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240IN REPLY REFER TO:
FWS/DMA/PLA 7-17

MAR 7 2006

Ms. Milena Sosa Schmidt, Scientific Officer
Scientific Support Unit
CITES Secretariat
15, chemin des Anémones
CH 1219 CHATELAINE-Genève
Switzerland

ACTION *milena* COPY

08. März 2006

REPLY . . . FILE

VIA FACSIMILE: (4122) 797 3417

Dear Ms. Schmidt:

Thank you for your letter of December 16, 2005, regarding international trade in specimens of *Harpagophytum* spp. and U.S. actions in accordance with Decision 13.60. As you know, this genus is not listed in the CITES Appendices nor does it have a specific Customs tariff code associated with it. As a result, information on U.S. imports of specimens of this genus is lumped under the general harmonized tariff code for medicinal plants and is not possible to extract. Therefore, we are not providing information on the verification of the origin of imported specimens of *Harpagophytum* spp. Additionally, since this is not a CITES-listed taxon, we do not have the resources to undertake concerted outreach efforts to the U.S. medicinal plant industry on its trade. However, we will incorporate mention of *Harpagophytum* spp. in our future public outreach efforts on medicinal plants.

Please feel free to contact me if you have additional comments or questions.

Sincerely,

Peter O. Thomas, Ph.D., Chief
Division of Management AuthorityTAKE PRIDE
IN AMERICA

SUMMARY REPORT PREPARED BY THE SCIENTIFIC AUTHORITY OF GERMANY
AT THE REQUEST OF THE PLANTS COMMITTEE

1. At its 15th meeting, the Plants Committee requested importing countries to report on three aspects of their trade in *Harpagophytum* spp. (cf. Summary Record, 15th meeting of the Plants Committee; www.cites.org/eng/com/PC/15/E-PC15-SummaryRecord.pdf).
2. The present report summarizes and evaluates information provided by the importing countries: Botswana, France, Germany, Japan, Portugal, Spain, Switzerland and the United States of America.
3. Botswana has informed the Secretariat that, although it imported a small amount of *Harpagophytum procumbens* from Namibia for domestic use, it should be regarded mainly as an exporting country. Therefore, addressing this country through Decision 13.60 might be considered not to be useful.

Verification of the origin of imported specimens of *Harpagophytum*

4. Importing countries replying to this request pointed out that they had no system in place to report imports of *Harpagophytum* species. Consequently, no substantial figures on verification of the origin of imported specimens of *Harpagophytum* spp. were provided. Germany referred to information resulting from a trade review which had already been presented to PC12.
5. Since August 2005, legislation of the European Union rules to notify imports of roots of *Harpagophytum* species. Member States have to report import notifications to the EU Commission. However, it will still take a long time to adopt and implement this monitoring system before it can provide reliable figures.

Negotiations with the devil's claw industry

and

Efforts to promote trade in wild devil's claws that are collected sustainably

6. With regard to these requests too, only little information has been made available.
7. With the exception of Germany, which has already reported on its negotiations with the devil's claw industry at PC15, importing countries that have replied/provided a report stated that they were not aware of activities of the devil's claw industry in their country or of the type and scale of their operations. Some countries emphasized that they did not have a mandate or resources to negotiate with the industry or to promote trade in sustainably produced *Harpagophytum* species.

Conclusion

8. CITES authorities of importing countries have no possibilities or only restricted possibilities to monitor imports of specimens of *Harpagophytum* spp. as this is not a CITES-listed taxon.
9. Consequently, importing countries do not appear to be in a position to provide adequate information as requested by PC15. It seems that importing countries can only give limited support of the sustainable use of wild collected *Harpagophytum* spp. and further actions by importing countries cannot be achieved.