

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

Regional reports

NORTH AMERICA

Note: This report has been submitted by the regional representatives for North America\*.

1. General information

- a) Names of the representatives:  
Regional Representative: Mr Robert R. Gabel (United States of America)  
Alternate Member: Dr Adrienne Sinclair (Canada)
- b) Number of Parties in the region: 3
- c) Period covered by this report: April 2008 (since PC17) through December 2008

2. Directory of experts on CITES plant issues

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\* 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.

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## UNITED STATES OF AMERICA

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### 3. Activities carried out

#### Review of the Appendices

## MEXICO

*Candelilla (Euphorbia antispyhilitica)*: This species is included in the periodic review to be carried out between the 13th and 15th meetings of the Conference of the Parties.

On 16 and 17 December 2008, the CITES Scientific Authority organized a national workshop in the city of Saltillo, Coahuila, on the conservation and use of and trade in the candelilla in Mexico. The workshop was

attended by managers of this resource, representatives of communities, producers, traders, various national authorities (INIFAP, SEMARNAT delegation in Coahuila, the Government of the State of Coahuila DGGFS-SEMARNAT, CONABIO, CONAFOR, PROFEPA and CONANP), academics and civil society organizations. One of the main results of the workshop is the establishment of a working group whose mandate includes: seeking better practices in management, exploitation, study and trade; and creating a national inventory of the candelilla as a fundamental requirement to assess precisely the conservation status of this resource and the capacity for using it sustainably in Mexico.

Queen Victoria agave (*Agave victoriae-reginae*): This species is included in the periodic review to be carried out between the 13th and 15th meetings of the Conference of the Parties. At the previous meeting of the Plants Committee (PC17, Geneva, April 2008), Mexico undertook to carry out the periodic review of this species, which is endemic to its territory.

The Scientific Authority has contacted the expert in this species who will conduct the study *Evaluation of the conservation status of the Queen Victoria agave (Agave victoriae-reginae, Agavaceae) in Mexico*. The project will start in February 2009 and last for one year. Its results will be submitted at the next meeting of the Plants Committee (PC19).

## **UNITED STATES**

The U.S. Scientific Authority participated in the intersessional working group reviewing *Euphorbia* species, including a separate Periodic Review of *Euphorbia antispyhilitica*, being coordinated by Mexico.

Other

## **CANADA**

National Standing Non-Detriment Finding reports for American ginseng (*Panax quinquefolius*) and Goldenseal (*Hydrastis canadensis*) are published on the CITES-Canada website ([www.cites.ec.gc.ca](http://www.cites.ec.gc.ca)).

The Canadian Scientific Authority is an active member of the Ginseng Recovery Team made up of Canadian federal, provincial and municipal government members. This recovery team monitors wild ginseng populations and their status, as well as researches threats to ginseng and its habitat. Landscape-level and site-specific protection and recovery measures are being determined and implemented.

## **MEXICO**

Regional meetings: From 12 to 16 May 2008, Mexico organized the 13th annual meeting of the Trilateral Committee in Veracruz. Mexico co-chaired the CITES roundtable and focused its efforts on the review of the commitments previously made in relation to the triennial Action Plan, the results of the 17th meeting of the Plants Committee, and the preparation of the 57th meeting of the Standing Committee.

## **UNITED STATES**

International Expert Workshop on CITES Non-Detriment Findings in Cancun, Mexico (November 17-22, 2008): The U.S. Scientific Authority presented a case study on *Panax quinquefolius* at the workshop.

### 4. Capacity Building Activities

## **CANADA**

Canada served on the Steering Committee and attended the International Expert Workshop on CITES Non-Detriment Findings in Cancun, Mexico, from November 17 to 22, 2008, with participation focussed in the perennial plants and trees working groups. Contributions included development and presentation of case studies on American ginseng (*Panax quinquefolius*) and Canada yew (*Taxus canadensis*) as well as Co-Chairing the Perennial Plants Working Group.

Canada has developed a "Strategic Plan for CITES in Canada" in consultation with the Management and Scientific Authorities from Canadian jurisdictions. The Strategic Plan for CITES in Canada will be discussed and possibly adopted at the upcoming National CITES Scientific and Management Authority Meeting which will be held in Spring 2009.

In January 2007, a Web-based Permitting System was launched by the Conservation and Service Delivery and Permitting section of the Canadian Wildlife Service, Environment Canada. Work continues on expanding full access to the web application to our federal, provincial and territorial CITES partners.

The Web-based system increases the efficiency of permitting by compiling accurate and consistent information, and facilitates the production of annual reports on international trade in wildlife in Canada. Next steps will include the development of an online CITES permit application which will allow for Canadians to apply online to obtain a CITES permit.

Note that UNEP-WCMC kindly developed a tool to facilitate periodic downloading of the Checklist of CITES species in XML format on their website at:  
(<http://www.unep-wcmc.org/species/databases/citesdownloads.htm#STR>).

## **MEXICO**

In PROFEPA, capacity is built following different strategies and courses of action, such as staff training, equipment and the adequacy of infrastructure. It is also achieved through the constant improvement of operative processes and the creation of synergies within and between institutions as well as with other national governments.

The Mexican CITES Authorities (CONABIO, DGVS<sup>1</sup> and PROFEPA<sup>2</sup>) have co-organized and participated in the *Capacity-building courses on selected topics for the implementation of the wildlife law*. These courses trained environmental inspectors, Customs officers and other officials responsible for supervising, inspection and enforcement activities related to CITES. Additionally, an online course on *Experts on environmental and wildlife crime* was set up and run.

With regard to equipment, TRAFFIC – North America presented PROFEPA with animal handling equipment worth around USD 28,000 as part of a collaboration agreement between the two entities. This equipment was given to the inspectorates of the Seaports, Airports and Borders Inspection Programme.

With regard to the adequacy of infrastructure, PROFEPA and the National Institute of Administration of National Property [*Instituto Nacional de Administración de Bienes Nacionales* (INDABIN)] agreed on modernizing infrastructures to ensure the proper running of inspectorates located at regular border checkpoints. These infrastructures comprise offices, inspection areas and warehouses. The first phase covers border checkpoints on the south-south-east Mexican border, whilst the second phase covers the border with the United States. The timeline for building, adapting and overhauling the infrastructure is 2012, with an estimated operating life of 50 years for the installations.

Improving operating processes is an essential element to build capacity. To this end, PROFEPA has set up an electronic database that expedites mandatory administrative steps for the transborder movements of wildlife goods and forest products subject to non-Customs regulations from the environment sector. The Institutional System of the Verification Register [*Sistema Institucional del Registro de Verificación* (SIREV)] allows a private individual to fill in the Verification Register online, which reduces the processing time at the inspectorate level and certifies the statement made by the individual. During 2008, the electronic system was set up, the inspectors were trained and a pilot version was tested. In 2009, the inspectorates will receive the equipment to implement the system, the system will be launched and stress testing will be conducted in coordination with Customs officers. This system allows PROFEPA to feed into its Institutional Information System [*Sistema de Información Institucional* (SIIP)] whilst, at the same time, integrating fully into the Governmental Interconnectivity Programme. The latter is coordinated by the Ministry of Economy and operated by the Ministry of Finance and Public Credit. Its objective is to allow the different departments of the Federal Public Administration that deal with external trade to exchange information in real time on goods in transit through Mexico.

Additionally, in 2008, PROFEPA passed bilateral agreements with the Government of Guatemala firstly to implement in the short term mechanisms to exchange information on environmental crimes, and secondly to control transborder movements of wildlife specimens.

The creation of Transborder Binational Operating Manuals [*Manuales Operativos Binacionales Transfronterizos* (MOBT)] is planned in the near future to control legal and illegal trade with Guatemala

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<sup>1</sup> Dirección General de Vida Silvestre de la Secretaría de Medio Ambiente y Recursos Naturales-SEMARNAT (Management Authority).

<sup>2</sup> Procuraduría Federal de Protección al Ambiente de la SEMARNAT (Enforcement Authority).

and Belize. These manuals will facilitate the application of CITES in the region and, as a result, the implementation of bilateral agreements between competent authorities in Belize, Guatemala and Mexico.

## **UNITED STATES**

Outreach efforts: Scientific Authority staff participated in the 2008 American Public Garden Association meeting, where plant conservation and CITES issues, such as exemptions for herbarium specimens, were addressed. Additionally, U.S. Scientific Authority staff is working with Botanic Gardens Conservation International-North America to develop U.S.-CITES outreach material aimed at botanic gardens and herbaria in the United States.

Capacity-building efforts by the U.S. Forest Service: The U.S. Forest Service continued capacity building efforts in Central America and S.E. Asia, including efforts to improve management of the bigleaf mahogany, explore technologies for timber identification and improve forest governance.

Contact with specialists and/or NGOs

## **CANADA**

The Canadian Scientific Authority has worked closely with provincial and territorial Management and Scientific Authorities, Canadian Forest Service, Canada Border Services Agency, Canadian Food Inspection Agency, Agriculture and Agri-food Canada, TRAFFIC North America, Ontario Ginseng Growers Association, Saskatchewan Herb & Spice Association, Canadian Orchid Congress, Canadian Botanical Association, and Ontario Ministry of Agriculture, Food, & Rural Affairs.

## **UNITED STATES**

The United States had numerous contacts with specialists and NGOs during the reporting period, including: American Herbal Products Association, American Orchid Society, American Public Garden Association, Botanic Gardens Conservation International-North America, Botanical Society of America, Center for Plant Conservation, Index Herbariorum, International Pernambuco Conservation Initiative, International Tropical Timber Organization, International Wood Products Association, NatureServe, North American Pollinator Protection Campaign, Orchid Digest Corporation, Plant Conservation Alliance, State Natural Heritage Programs, and various other U.S. horticultural specialists.

### 5. Implementation difficulties encountered in your country

## **CANADA**

American ginseng (*Panax quinquefolius*): Canada continues to contend with the challenge regarding non-detriment findings and the identification of woods-grown/wild-simulated ginseng in comparison to wild specimens of this species. An easy and effective method to differentiate between artificially propagated ginseng grown using cultivation techniques of varying intensity and wild ginseng is necessary. The Canadian Scientific Authority is working with the provincial governments concerning this issue.

## **MEXICO**

Retail trade in cacti: Mexico is interested in implementing a labelling system for artificially-reproduced cacti that are traded internationally, and it seeks the advice of Parties on security measures.

Customs tariffs: PROFEPA has detected problems in the use of Customs tariffs by private individuals. Combined with an irregular systematization of information, this leads to normative gaps and to an inadequate implementation of public policies. The Management and Enforcement Authorities are working collaboratively to address the first of these problems. As for the second, PROFEPA has started systematizing, analysing and assessing the information held in institutional subsystems.

### 6. Other topics related to CITES

## **MEXICO**

Bigleaf mahogany (*Swietenia macrophylla*): Mexico chairs the Bigleaf Mahogany Working Group (BMWG) of the Plants Committee, through Mr Francisco García, Director General of the Management of Lands and

Forests of the Ministry of the Environment and Natural resources [*Secretaría de Medio Ambiente y Recursos Naturales* (SEMARNAT)].

The CITES Secretariat, the International Tropical Timber Organization (ITTO) and the BMWG Chair organized the fourth meeting of the BMWG as well as the first Latin-American workshop on the CITES-ITTO project to ensure that international trade in CITES-listed timber species is consistent with their conservation and sustainable use. These events were held in Cancún, Quintana Roo, Mexico, from 13 to 15 November 2008, and were attended by 37 people from Belize, Brazil, Costa Rica, Ecuador, Guatemala, Mexico, Nicaragua, Peru, Spain and the United States, or representing the European Economic Community and other international organizations (ITTO, CITES, SCTP). Based on the results of these meetings, the WG Chair drafted a regional strategy that will be submitted to the Plants Committee at the present meeting.

## **UNITED STATES**

U.S. efforts related to Peruvian mahogany: During the reporting period, the U.S. Management Authority continued to remain in close contact with Peru regarding its implementation of the Appendix-II listing of bigleaf mahogany (*Swietenia macrophylla*). For 2008, Peru established a voluntary bigleaf mahogany export quota of 3,475.5483 cubic meters. We closely monitored the volume of bigleaf mahogany imported into the United States from Peru during 2008, and provided Peru with periodic reports on those imports, which, as of the time this report was compiled, totalled 2,788 cubic meters. The United States provides this information to Peru on a regular basis to assist it in monitoring exports and managing its quota.

United States-Peru Trade Promotion Agreement: The United States and Peru concluded the Peru Trade Promotion Agreement (PTPA), which commits both Parties to effectively enforce their domestic environmental laws and adopt, maintain, and implement laws, regulations, and all other measures to fulfil obligations under seven Multilateral Environmental Agreements, one of which is CITES. The Environment Chapter of the PTPA includes an Annex on Forest Sector Governance that seeks to address the environmental and economic consequences of illegal logging and associated trade. The PTPA has been ratified by both Peru and the United States and is expected to enter into force in the near future.

Ramin implementation activities: The U.S. Management Authority continued to work with the U.S. Department of Agriculture, Animal and Plant Health Inspection Service (APHIS) and the U.S. Department of Homeland Security, Customs and Border Protection to ensure that the United States is fully implementing the Appendix-II listing of ramin (*Gonystylus* spp.). The CITES Management Authority in Sarawak, Malaysia, continued its practice of informing the U.S. Management Authority when it issues a CITES export permit for a shipment of ramin from Sarawak destined for the United States. We share this information with the appropriate agencies in the United States to ensure that those ramin shipments are properly inspected and cleared upon arrival at U.S. ports of entry.

U.S. Cooperation with Indonesia: The United States and Indonesia continue to work together in the context of a Memorandum of Understanding (MOU) on Combating Illegal Logging and Associated Trade. Through the MOU the two Parties are exchanging information related to trade in timber and other forest products, and cooperating for the purpose of enforcing or assisting in the enforcement of their respective laws and regulations affecting trade in timber and other forest products. Information exchange and enhanced cooperation related to ramin (*Gonystylus* spp.) is an important element of the activities under the MOU.

Expanded Cooperation between CITES and ITTO: The United States continues to support ITTO's expanded program of work to enhance the capacity of members to implement CITES listings for timber species. The current work includes support to enhance CITES implementation for listed taxa, including *Gonystylus* spp., *Aquilaria* spp., *Pericopsis elata*, *Swietenia macrophylla*, and *Cedrela odorata*.

U.S. Participation in the European Regional CITES Plants Meeting: At the invitation of the European Regional Representative to the Plants Committee, the U.S. Management Authority attended the European Regional CITES Plants Meeting, held October 7-9, 2008, in Lampedusa, Italy. Thirty one delegates, representing 12 European countries, the CITES Secretariat, the European Commission, and the United States participated in the meeting. It provided an opportunity to present information on U.S. efforts to combat illegal logging, recent amendments to the U.S. Lacey Act to more broadly address trade in illegal plants and plant products to the United States, and the status of implementation of the U.S.-Peru Trade Promotion Agreement and specifically, the Forest Sector Annex to the Agreement. The meeting also provide a chance to exchange information with our European colleagues on CITES issues of shared concern such as illegal trafficking in South American cacti and advances in timber identification techniques. Participants thought that the meeting provided for useful collaboration between the European regional and the United States and hoped to include such collaboration in future meetings.

Fourth meeting of the Mahogany Working Group and Workshop on International Trade in CITES-listed Species: The U.S. Management Authority participated in the Fourth meeting of the Mahogany Working Group and Workshop on International Trade in CITES-listed Species, held November 13-15, 2008, in Cancún, Mexico. Participants included representatives from most of the bigleaf mahogany range States, the United States, the European Commission, and representative from the International Tropical Timber Organization (ITTO). The first part of the meeting included sessions on the ITTO-CITES project on ensuring international trade in CITES-listed timber species is consistent with their sustainable management and conservation, and proposals under this initiative for carrying out work in the Latin American region. The remainder of the meeting addressed forest management for mahogany, making non-detriment findings for mahogany, and progress in implementing the CoP14 decisions related to bigleaf mahogany and other Latin American timber species. The United States gave presentations on U.S. trade in bigleaf mahogany, *Cedrela odorata*, and *Dalbergia* spp., as well as recent amendments to the U.S. Lacey Act. The United States also chaired a session on progress on timber issues leading into CoP15.

Amendments to the Lacey Act: The Lacey Act, first enacted in 1900, is the United States' oldest wildlife protection statute. It has made and continues to make it illegal to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any wildlife specimen taken or traded in violation of the conservation laws of a U.S. State, or foreign conservation law. However, until 2008, the Act only applied to plants that were U.S. native species and in its application to those plants was limited.

On May 22, 2008, the U.S. Congress adopted significant amendments to the Lacey Act expanding its protection to a broader range of plants, including foreign plant and timber species. Now, in addition to its application to wildlife, the Act makes it unlawful to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any plant specimen (with some limited exceptions) taken or traded in violation of foreign law or the laws or regulations of a U.S. State. The Act also now makes it unlawful to submit any false record of any covered plant and to import any covered plant or plant product without a declaration indicating the genus and species, quantity, value, and country or origin of the covered plant material.

The U.S. Government is currently in the process of implementing of the new Lacey Act amendments, including developing a phase-in approach to the declaration requirement, and is providing national and international outreach on the amendments.

7. Work to be done until the next meeting of the Plants Committee, and other Issues

**CANADA**

Enforcement

- Illegal imports of personal quantities of products said to contain *Hoodia* spp. have decreased considerably during 2008 but *Hoodia* is still considered a main species involved in plant related seizures. Illegal imports are primarily mail order or internet orders of personal quantities of product, imported without permits.
- Plant related seizures in Canada also largely involve American ginseng (*Panax quinquefolius*) and occasionally orchids and wood products (lumber, flooring, and dowels).
- Commercial quantities of medicinal plants, illegally imported through the mail, are regularly intercepted by Officers on the Pacific coast. These shipments are typically the result of orders placed over the internet. Frequently, these packages contain commercial quantities of *Prunus africana* and *Saussuria lappa*.
- In 2008 Canada intercepted a large shipment of *Pericopsis elata* floorboards that were imported into Canada with an incorrect permit.

**MEXICO**

Global Strategy for Plants Conservation (GSPC) of the Convention on Biological Diversity (CBD): At its 17th meeting, the Plants Committee established a working group (PC17 WG12) to work intersessionally on the implementation of Decision 14.15 on CBD's GSPC. As Chair of the Group, Mexico has prepared a document for the present meeting (document PC18 Doc. 7.2). This document describes different ways in which CITES contributes to the GSPC, recommendations for the future and a draft questionnaire to be sent to the GSPC's focal points in the Parties to CBD.

At the national level, Mexico has set up a Coordinating Committee to prepare the Mexican Strategy for the Conservation of Flora [*Estrategia Mexicana para la Conservación Vegetal (EMCV)*], based on the GSPC's objectives and targets. The Scientific Authority is part of this Coordinating Committee and has participated in all its meetings to define the Mexican targets, together with their indicators, and to identify people in charge and timelines.

The EMCV's objectives are: increasing and integrating knowledge of Mexican plant species to ensure their conservation and sustainable use, as well as a just and fair sharing of their exploitation, and promoting education and raising social awareness. The EMCV will be finalized in 2009, and it will be widely disseminated to involve the largest possible number of players and sectors. The document comprising the Strategy objectives and targets is available on the CONABIO website ([www.conabio.gob.mx](http://www.conabio.gob.mx)).

Exchange of herbarium specimens: Further to the results of working group WG1 at PC17, the Plants Committee established an intersessional group (PC17 WG14), co-chaired by Mexico (Patricia Dávila) and the Netherlands (Jan de Koning), to assess the situation currently faced by biological collections in the international non-commercial management, loan, donation and exchange of specimens of CITES-listed species between scientists or scientific institutions, in compliance with Resolution Conf. 11.15 (Rev. CoP12) on *Non-commercial loan, donation or exchange of museum and herbarium specimens*.

A questionnaire was sent to various herbaria and to the CITES Scientific Authorities, and the results of this survey are presented in document PC17 Doc. 12.

International expert workshop on non-detriment findings (NDFs): Further to Decisions 14.49-14.51, an International Committee chaired by the Mexican Scientific Authority organized an international workshop of experts on NDFs in Cancún, Quintana Roo, from 17 to 22 November 2008. Four working groups were established at this workshop: Group 1: trees, Group 2: Perennials; Group 3: Succulents and cycads, and Group 4: Geophytes and epiphytes. Over 100 experts from more than 35 countries participated in the workshop and reviewed around 30 plant case studies that had been prepared in advance of the workshop.

Mexico has prepared two documents, one summarizing the general results of the workshop (PC18 Doc. 14.1), and another containing the full reports of the four working groups on plants (PC18 Doc. 14.2).

Directory of CITES experts in Mexico: At the beginning of 2009, CONABIO will publish on its website ([www.conabio.gob.mx](http://www.conabio.gob.mx)) the Directory of experts who work as advisors to the CITES Scientific Authority of Mexico.

CITES species sheets: The Scientific Authority continues with its revision and validation of over 170 sheets on Mexican plant species included in CITES Appendices I and II. These sheets contain information on biology, threats, management and risk status. They will be published on the CONABIO website.

## **UNITED STATES**

CITES Plant Rescue Center Program: In 1978, the U.S. Management Authority established the CITES Plant Rescue Center Program to care for live CITES-listed plants legally abandoned or forfeited to the U.S. Government due to non-compliance with CITES. We administer this program in cooperation with APHIS, the U.S. inspection agency for live CITES-listed plants entering the United States. Currently, 80 institutions cooperate as volunteer plant rescue centres in the United States. All of the cooperating rescue centres are public botanical gardens, arboreta, zoological parks, or research institutions.

During 2008, APHIS confiscated 139 shipments of live plant material in violation of CITES. Of these 139 shipments, 134 were assigned to cooperating plant rescue centres. The assigned shipments contained a total of 1,811 plants (1,314 orchids, 247 cacti, 128 pitcher plants, 80 Venus flytraps, 25 monkey-puzzle trees, and 17 specimens of other taxa), 26 seeds (22 cycad seeds and 4 cacti seeds), and an additional 35 grams of cacti seeds.