

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

Annotations

TREE SPECIES: ANNOTATIONS FOR SPECIES INCLUDED IN APPENDICES II AND III

1. This document has been submitted by the regional representative of North America as Chair of the working group on *Tree species: annotations for species included in Appendices II and III* (PC17 WG3).
2. The Conference of the Parties adopted Decision 14.148 directed to the Plants Committee as follows:
 - a) *The Plants Committee shall review and, if appropriate, draft amendments to the annotations to the tree species listed in Appendices II and III and/or shall 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 the articles that initially appear in international trade as exports from the range States and on 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. CoP14) and/or to amend the Appendices accordingly so that the Depositary Government may submit them on its behalf for consideration at the 15th meeting of the Conference of the Parties.*
3. A working group (WG3) was established at the 17th meeting of the Plants Committee (PC17) to undertake a review of tree annotations. The mandate of the working group is to:
 - a) *Prepare a list of tree species included in Appendices II and III with the corresponding annotations in effect;*
 - b) *Prepare definitions for the terms used in the annotations to facilitate their use and understanding, particularly of what is meant by "second processing";*
 - c) *Prepare a list of the articles that initially appear in international trade as exports from the range States, and of those which dominate the trade in and demand for the wild resource for every species concerned;*
 - d) *Take Customs codes into account;*

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- e) *Analyse current annotations and, if relevant, propose amendments to the annotations in effect to the Plants Committee; and*
 - f) *Prepare, if necessary, proposals to amend Resolution Conf. 10.13 (Rev. CoP14) and/or to amend the Appendices accordingly.*
4. The working group conducted preliminary work on this issue at PC17 and made four recommendations that, with some amendments, were adopted by the Plants Committee to assist the working group in obtaining additional information for its deliberations and guide its work intersessionally. These recommendations were that:
- a) *The PC should request that the Secretariat issue a Notification to range States for timber species listed in Appendices II and III and request information on whether existing annotations for those timber species appropriately focus on specimens that initially appear in trade from the range States, and on those specimens that dominate the trade in and demand for the wild resource.*
 - b) *The PC should request that the Secretariat correspond with relevant experts at FAO, ITTO and WCO to compile a list of definitions and corresponding harmonized tariff codes for both primary and secondary processed timber products.*
 - c) *The PC should request that the Secretariat compile a document containing a summary of the information provided by range States in response to the Notification as well as a compilation of the timber product definitions obtained through consultation with FAO, ITTO and WCO, and that these documents should be transmitted to the working group to continue its work by electronic means during the intersessional period until PC18.*
 - d) *The WG should present recommendations to PC18 on potential revisions to annotations for tree species listed in the Appendices as well as further definitions and harmonized tariff codes that would assist the Parties in implementing the revised annotations.*
5. In response to recommendation a), the Secretariat issued Notification to the Parties No. 2008/046. Only four Parties provided brief responses to the Notification, as follows:
- **Brazil:** advised that current annotations are sufficient and no other specimens need to be covered.
 - **Kuwait:** suggested an amendment to annotation #1 for agarwood (*Aquilaria* spp. and *Gyrinops* spp.).
 - **Mexico:** provided export data for *Swietenia macrophylla* and *Guaiacum sanctum* and tariff codes used for each.
 - **United Kingdom:** advised that none of its overseas territories export any Appendix-II or -III timber species, and they therefore had no comments.

[We note, relative to the response from Kuwait, that the Plants Committee had limited the scope of the working group's deliberations to consideration of tree species traded as timber, so while appreciated, this comment should be considered elsewhere and was provided to the Regional Representative of Oceania, who has overseen much of the work on agarwood.]

6. Mexico's response indicated that they have used HS code 4409, from the Harmonized System of the World Customs Organization, for some shipments of *S. macrophylla*. This is not one of the codes identified in Resolution Conf. 10.13 (Rev. CoP14) as pertaining to the parts and derivatives (i.e., logs, sawn wood, veneer sheets and plywood) included in the listing of this species in Appendix II. Mexico was contacted regarding the use of this code to determine the types of specimens to which it had been applied and whether CITES export permits or re-export certificates had been required for such shipments. Because this inquiry was sent only in early January 2009, no reply was received before the deadline for submission of documents. However, this may indicate additional types of specimens that should be considered for inclusion in the listing and possibly requiring amendment of the annotation, if they qualify as "specimens that initially appear in trade from the range States, and on those specimens that dominate the trade in and demand for the wild resource" as in paragraph a) above.
7. Annex I contains a list of tree species listed in Appendices II and III with their corresponding annotations. The annotations currently used include:

- #1 *All parts and derivatives, except:*
 - a) *seeds, spores and pollen (including pollinia);*
 - b) *seedling or tissue cultures contained in vitro, in solid or liquid media, transported in sterile containers;*
 - c) *cut flowers of artificially propagated plants; and*
 - d) *fruits and parts and derivatives thereof of artificially propagated plants of the genus Vanilla.*

- #2 *All parts and derivatives, except:*
 - a) *seeds and pollen; and*
 - b) *finished products packaged and ready for retail trade.*

- #5 *Logs, sawn wood and veneer sheets.*

- #6 *Logs, sawn wood, veneer sheets and plywood.*

- #7 *Logs, wood-chips, powder and extracts.*

- #10 *Logs, sawn wood, veneer sheets, including unfinished wood articles used for the fabrication of bows for stringed musical instruments.*

- #11 *Logs, sawn wood, veneer sheets, plywood, powder and extracts.*

Agreed definitions for terms describing most of the wood products covered by the annotations, including logs, sawn wood, veneer sheets and plywood, with their associated tariff codes, are contained in Resolution Conf. 10.13 (Rev. CoP14). In annotation #10, "unfinished wood articles used for the fabrication of bows for stringed musical instruments" is fairly clear and does not appear to need further definition. Most of the remaining terms in these annotations are specimens common to both timber and non-timber species and do not describe wood products. Wood chips can be defined by referring to the UNECE/FAO/ITTO/Eurostat Joint Forest Sector Questionnaire: "Wood that has been reduced to small pieces and is suitable for pulping, for particle board and/or fibreboard production, for use as a fuel, or for other purposes. It excludes wood chips made directly in the forest from roundwood (i.e., already counted as "pulpwood, round and split"). It is reported in cubic metres solid volume excluding bark." (See <http://www.fao.org/forestry/media/7800/1/0/>.) According to a list of commodities with their associated tariff codes, provided to the Secretariat in a letter from the World Customs Organization in January 2009, wood chips are assigned the tariff code HS 4401. The Plants Committee should consider whether specimens described as "finished products packaged and ready for retail trade," which was intended to refer to medicinal plant products, can or should be applied to timber products for species that are used for both purposes and are listed with Annotation #2.

8. Also referring to the definitions for the UNECE/FAO/ITTO/Eurostat Joint Forest Sector Questionnaire, "secondary processed wood products" includes a variety of commodities; examples are listed in Annex 2 with their descriptions. These include a broad spectrum of wood products not captured in most of the current annotations of timber species included in Appendices II and III. (Annotation #1 includes all wood products, as does Annotation #2, with the exception of the exclusion noted above). Additional wood products that may or may not qualify as "secondary processed" also remain excluded from most of the current annotations. Examples are listed in Annex 3 with their descriptions.

9. The working group was faced with a paucity of information from range countries regarding other types of specimens that "initially appear in trade from the range States, and...that dominate the trade in and demand for the wild resource" and the sufficiency of the current annotations for controlling trade in those specimens. As noted, some of the information provided illustrates possible inconsistent use of the definitions and associated tariff codes provided in Resolution Conf. 10.13 (Rev. CoP14). Therefore, the working group was unable during the intersessional period to determine which additional types of specimens should be considered for inclusion in the listings of timber species in Appendices II and III through amendment of the current annotations.

10. The working group concluded that any further work in this area will require an examination of recent trade in these species, which should include information on trade in specimens of these species that are excluded from listings that include Annotations #2, #5, #6, #7 and #11. The working group recommends that the Plants Committee seek a Decision from the Conference of the Parties at CoP15 to continue this work. The Decision should direct the Secretariat to commission a trade study, subject to available funding, to be conducted in cooperation with the International Tropical Timber Organization. The results of this study should be transmitted to the Plants Committee in time to inform discussions regarding whether there

is a need to amend the annotations to the listings of timber species, and if so, the results of the study would serve as a basis for proposals for such amendments at CoP16.

LIST OF TREE SPECIES INCLUDED IN APPENDICES II AND III
THAT ARE OR MAY BE USED AS TIMBER

Species	Common name	CITES Appendix	Uses	Date of first listing on CITES*
CARYOCARACEAE				
<i>Caryocar costaricense</i> ^{#1}	Ajo, Costus	II	timber, medicinal	01/07/75
JUGLANDACEAE				
<i>Oreomunnea pterocarpa</i> ^{#1}	Gavilan	II	timber	01/07/75
LEGUMINOSAE				
<i>Dalbergia retusa</i> ^{#5}	Rosewood	III (Guatemala) ⁺	timber	12/02/08
<i>Dalbergia stevensonii</i> ^{#5}	Rosewood	III (Guatemala) ⁺	timber	12/02/08
<i>Dipteryx panamensis</i>	Almendro	III (Costa Rica, Nicaragua)	timber	13/02/03 (Costa Rica) 13/09/07 (Nicaragua)
<i>Caesalpinia echinata</i> ^{#10}	Brasileto	II	timber	13/09/07
<i>Pericopsis elata</i> ^{#5}	Afromosia	II	timber	11/06/92
<i>Platymiscium pleiostachyum</i> ^{#1}	Cristobal	II	timber	01/07/75
<i>Pterocarpus santalinus</i> ^{#7}	Red sandalwood	II	timber, medicinal	16/02/95
MAGNOLIACEAE				
<i>Magnolia liliifera</i> var. <i>obovata</i> ^{#1}		III (Nepal)	timber	16/11/75
MELIACEAE				
<i>Swietenia humilis</i> ^{#1}	Mahogany	II	timber	01/07/75
<i>Swietenia macrophylla</i> ^{#6} (Populations of the Neotropics)	Mahogany	II	timber	16/11/95
<i>Swietenia mahagoni</i> ^{#5}	Mahogany	II	timber	11/06/92
<i>Cedrela odorata</i> ^{#5}	Spanish cedar	III (Colombia, Guatemala, Peru)	timber	12/06/01
PODOCARPACEAE				
<i>Podocarpus neriifolius</i> ^{#1}	Black pine podocarp	III (Nepal)	timber	16/11/75
ROSACEAE				
<i>Prunus africana</i> ^{#1}	African cherry	II	timber, medicinal	16/02/95
TAXACEAE				
<i>Taxus chinensis</i> ^{#2}	Chinese yew	II	medicinal, timber(?)	12/01/05
<i>Taxus cuspidata</i> ^{9 #2}	Japanese yew	II	medicinal, timber(?)	12/01/05
<i>Taxus fuana</i> ^{#2}	Chinese yew	II	medicinal, timber(?)	12/01/05
<i>Taxus sumatrana</i> ^{#2}	Chinese yew	II	medicinal, timber(?)	12/01/05
<i>Taxus wallichiana</i> ^{#2}	Himalayan yew	II	medicinal, timber(?)	16/02/95
THYMELAEACEAE				
<i>Aquilaria</i> spp. ^{#1}	Agarwood	II	medicinal, wood chips,	12/01/05

Species	Common name	CITES Appendix	Uses	Date of first listing on CITES*
			timber(?)	
<i>Gonystylus</i> spp. ^{#1}	Ramin	II	timber	06/08/01
<i>Gyrinops</i> spp. ^{#1}	Agarwood	II	medicinal, wood chips, timber(?)	12/01/05
ZYGOPHYLLACEAE				
<i>Guaiacum</i> spp. ^{#2}	Lignum-vitae	II	medicinal, timber	13/02/03
<i>Bulnesia sarmientoi</i> ^{#11}	Palo santo	III (Argentina)	timber	12/02/08

SECONDARY PROCESSED WOOD PRODUCTS[†]

Further processed sawn wood (HS codes 4407 and 4409[‡])

Wood sawn or chipped lengthwise (including strips and friezes for parquet flooring, not assembled) **and** continuously shaped (tongued, grooved, rebated, V-jointed, beaded, moulded, rounded or the like) along any of its edges or faces, whether or not planed, sanded or finger jointed. **It excludes** sawn or chipped wood with further treatment of edges and/or faces other than planing, or sanding.

Wooden wrapping and packaging material (HS codes 4415 and 4416)

Packing cases, boxes, crates, drums and similar packings, of wood; cable-drums of wood; pallets, box pallets and other load boards, of wood; pallet collars of wood. Casks, barrels, vats, tubs and other cooper's products and parts thereof, of wood, including staves.

Builder's joinery and carpentry of wood (HS code 4418)

Including windows and doors and coverings thereof as well as cellular wood panels, assembled parquet panels, shingles and shakes.

Wooden furniture (HS codes 4420, 9401 and 9403)

Seats with wooden frames as wooden camping and garden seats etc. and parts thereof. **except:** seats convertible into beds, swivel seats, medical seats. Wooden furniture other than seats as of a kind used in offices, in the kitchen, bedrooms and elsewhere, as well as parts of all these.

Prefabricated buildings preponderantly made of wood (HS code 9406)

E.g.: Log cabins, houses prefabricated from particle board.

[†] Based on UNECE/FAO/ITTO/Eurostat Joint Forest Sector Questionnaire (see <http://www.fao.org/forestry/media/7800/1/0/>.)

[‡] HS codes based on letter of 9 January 2009 to the CITES Secretariat from the World Customs Organization.

EXAMPLES OF WOOD PRODUCTS NOT QUALIFYING AS SECONDARY PROCESSED
WOOD PRODUCTS BUT NOT INCLUDED IN MOST CURRENT ANNOTATIONS
OF TIMBER SPECIES INCLUDED IN APPENDICES II AND III[†]

Pulpwood, round and split (HS code 4403[‡])

Roundwood that will be used for the production of pulp, particleboard or fibreboard. **It includes:** roundwood (with or without bark) that will be used for these purposes in its round form or as splitwood or wood chips made directly (i.e., in the forest) from roundwood. **It is reported in** cubic metres solid volume underbark (i.e., excluding bark).

Other industrial roundwood (HS code 4403)

Industrial roundwood (wood in the rough) other than sawlogs, veneer logs and/or pulpwood. **It includes** roundwood that will be used for poles, piling, posts, fencing, pitprops tanning, distillation and match blocks, etc. **It is reported in** cubic metres solid volume underbark (i.e., excluding bark).

Chips and particles (HS code 4401)

Wood that has been reduced to small pieces and is suitable for pulping, for particle board and/or fibreboard production, for use as a fuel, or for other purposes. **It excludes** wood chips made directly in the forest from roundwood (i.e., already counted as pulpwood, round and split). **It is reported in** cubic metres solid volume excluding bark.

Wood residues (HS code 4401)

The volume of roundwood that is left over after the production of forest products in the forest processing industry (i.e., forest processing residues) and that has not been reduced to chips or particles. **It includes** sawmill rejects, slabs, edgings and trimmings, veneer log cores, veneer rejects, sawdust, residues from carpentry and joinery production, etc. **It excludes** wood chips made either directly in the forest from roundwood or made from residues (i.e., already counted as pulpwood, round and split or wood chips and particles). **It is reported in** cubic metres solid volume excluding bark.

Particle board (including oriented strandboard (OSB) (HS code 4410)

A panel manufactured from small pieces of wood or other ligno-cellulosic materials (e.g. chips, flakes, splinters, strands, shreds, shives, etc.) bonded together by the use of an organic binder together with one or more of the following agents: heat, pressure, humidity, a catalyst, etc. The particle board category is an aggregate category. **It includes** oriented strandboard (OSB), waferboard and flaxboard. **It excludes** wood wool and other particle boards bonded together with inorganic binders. **It is reported in** cubic metres solid volume.

Oriented strandboard (OSB) (HS code 4410)

A structural board in which layers of narrow wafers are layered alternately at right angles in order to give the board greater elastomechanical properties. The wafers, which resemble small pieces of veneer, are coated with e.g. waterproof phenolic resin glue, interleaved together in mats and then bonded together under heat and pressure. The resulting product is a solid, uniform building panel having high strength and water resistance. **It includes** waferboard. **It is reported in** cubic metres solid volume.

[†] Excludes wood fuel, charcoal, and wood pulp and products made thereof, such as fibreboard, insulating board, hardboard, and paper.

[‡] HS codes based on letter of 9 January 2009 to the CITES Secretariat from the World Customs Organization.