

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



Nineteenth meeting of the Plants Committee
Geneva (Switzerland), 18-21 April 2011

Annotations

TREE SPECIES: ANNOTATIONS FOR SPECIES INCLUDED IN APPENDICES II AND III
[DECISION 14.149, 15.35 AND 14.148 (REV.COP15)]

1. This document has been submitted by the interim Vice-chair and the observer from Canada at request of the interim Chair of the Plants Committee .

Background

2. At CoP15 (Doha, 2010) The Conference of the Parties adopted Decision 14.148 (Rev. CoP15), relating to annotations for tree species included in Appendices II and III:

Directed to the Plants Committee

- a) *Based on the results of the trade study, the Plants Committee shall review the annotations for tree species listed in Appendices II and III and, if appropriate, draft amendments to the annotations and 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 articles that initially appear in international trade as exports from range States and 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. CoP15) and/or to amend the Appendices accordingly so that the Depositary Government may submit them on its behalf for consideration at the 16th meeting of the Conference of the Parties.*
3. The trade study referenced in Decision 14.148 (Rev. CoP15) is to be commissioned by the Secretariat, as indicated in Decision 15.35. The purpose the study is to review trade in timber species listed in Appendices II and III, to determine the types of specimens that initially appear in international trade or are exported from range States and regarding those specimens which dominate the trade in and demand for the wild resource.

* 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.

4. While the Plants Committee's responses to Decision 14.148 (Rev. CoP15) will ultimately be informed by the findings of the trade study, at this time the Plants Committee may wish to consider general issues that relate to tree annotations, wood products in trade, and strategic approaches to the drafting and review of annotations. In this document we note a number of considerations that might contribute to this process.
5. Given the adaptable nature of the production process for timber products, capturing a stable and comprehensive list of specimens that initially appear in trade is likely to prove challenging. The process by which wood products are created is highly variable, with an almost unlimited number of transformation points possible in the production chain from raw log to finished product. While reviewing the current tree annotations, an adaptive approach to the many types of wood products with potential to be referenced might prove helpful.
6. The focus of Decision 14.148 (Rev. CoP15) is on those articles that initially appear in international trade as exports, and which dominate the trade in and demand for the wild resource. In practice, a challenge in effectively annotating wood articles has been determining an effective approach to capturing secondary processed wood products such as window frames, doors and furniture, that are derived from and may closely resemble primary products including logs, sawn wood, plywood and veneer. As a rule, such products are not subject to CITES provisions or considered part of demand for the wild resource. However, to develop effective amendments for tree annotations as directed in paragraph c) of Decision 14.148 (Rev. CoP15), it may be helpful to assume that secondary wood products are as likely to appear initially in international trade as are primary forms.
7. In implementing CITES regulations, it is assumed that effective trade tracking and reporting increases in difficulty as parts and derivatives become the subject of controls. It has however, become increasingly possible to circumvent CITES annotations by placing wood products in international trade that are, or are identified as minimally more processed than the primary products captured in CITES annotations. This has conservation implications and suggests that achieving an objective of practical but enforceable annotations may not be possible if the focus is exclusively on primary specimens and derivatives.
8. It may be useful to examine experience gained to date from the implementation of the Appendix II listing for *Gonytulus* spp. (CoP13, Bangkok 2004), an example of a high-volume commercial timber species listed with Annotation #1, so as to include virtually all readily recognizable parts and derivatives comprised of wood. The annotation was specifically supported by Indonesia, on the understanding that as 90% of its *Gonytulus* spp. exports were semi-processed wood products, attempts to differentiate between types of wood products in an annotation would prove unworkable [see CoP13 Inf.56]. Experience with *Gonytulus* may suggest it is not necessarily practical to focus annotations on articles that initially appear in trade.
9. With regard to definition of wood products using harmonized system (HS) codes, it may be helpful to seek guidance from the World Customs Organization as to the precise application and interpretation of codes that describe secondary processed wood products. Particularly helpful would be guidance on the extent to which a primary processed wood product must be physically altered to qualify as a secondary processed wood product for which an alternative HS code exists. Interpretation of the responsibility of exporters or importers to accurately classify and declare goods when using the HS system would also be useful.
10. Annex I of this document presents the list of 23 species and 4 genus of trees included in Appendices II and III with their corresponding annotations.
11. There are currently eight annotations that relate to timber species included in the CITES appendixes. These annotations are as follows:

#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.
 - #12 Logs, sawn wood, veneer sheets, plywood and essential oil (excluding finished products packaged and ready for retail trade).
11. Decision 14.148 (Rev. CoP15) paragraph (a) directs the Plants Committee to prepare clear definitions for terms used in annotations. Document PC 18 Doc. 11.6 previously noted that 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 already contained in Resolution Conf. 10.13 (Rev. CoP15) and are included in the current CITES glossary.
12. Many of the remaining terms in the annotations are specimens common to both timber and non-timber species and do not describe wood products. The remaining undefined term, "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 was reported in cubic metres solid volume excluding bark" and that wood chips are assigned the tariff code HS 4401 (See <http://www.fao.org/forestry/media/7800/1/0/>).
13. Document PC 18 Doc. 11.6 also provided an overview of definitions from the UNECE/FAO/ITTO/Eurostat Joint Forest Sector Questionnaire, for "secondary processed wood products". The definition includes a variety of commodities; These examples are listed in Annex 2 of this document, with their descriptions. They include a broad spectrum of wood products not captured in most of the current annotations of timber species included in Appendices II and III.
13. Examples of additional wood products that may or may not qualify as "secondary processed" and that remain excluded from most of the current annotations are listed in Annex 3 with their descriptions.

Recommendations to Plants Committee

15. The Plants Committee may wish to:
- a) take note of annexes 1, 2 and 3.
 - b) consider whether specimens described as "finished products packaged and ready for retail trade," (intended to refer to medicinal plant products), can or should be applied to timber products for species that are used for both purposes and listed with Annotation #2, or can or should be excluded from timber products of *Aniba rosaeodora* listed with Annotation #12.
 - c) consider addressing the increasing component of Appendix II and Appendix III tree annotations that reference non-fibre wood products, including essential oil and extracts. It may, for example, be possible to adopt specific HS code definitions for such products as "Essential oil" (HS 3301) "Gums, resins, and other vegetable saps and extracts" (HS 1301) and "Powders" (HS 3304) and to include these definitions in Resolution conf. 10.13 (Rev. CoP15).
 - d) assess, based on elements presented in this document, the need to amend current annotations relating to tree species.

**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> ^{#4}	Ajo, Costus	II	timber, medicinal	01/07/75
JUGLANDACEAE				
<i>Oreomunnea pterocarpa</i> ^{#4}	Gavilan	II	timber	01/07/75
LAURACEAE				
<i>Aniba rosaeodora</i> ^{#12}	Pau-rosa	II	timber medicinal	23/06/10
LEGUMINOSAE				
<i>Caesalpinia echinata</i> ^{#10}	Brasileto	II	timber	13/09/07
<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>Pericopsis elata</i> ^{#5}	Afromosia	II	timber	11/06/92
<i>Platymiscium pleiostachyum</i> ^{#4}	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> ^{#4}	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 nerifolius</i> ^{#1}	Black pine podocarp	III (Nepal)	timber	16/11/75
ROSACEAE				
<i>Prunus africana</i> ^{#4}	African cherry	II	timber, medicinal	16/02/95

Species	Common name	CITES Appendix	Uses	Date of first listing on CITES*
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. ^{#4}	Agarwood	II	medicinal, wood chips, timber(?)	12/01/05
<i>Gonystylus</i> spp. ^{#4}	Ramin	II	timber	06/08/01
<i>Gyrinops</i> spp. ^{#4}	Agarwood	II	medicinal, wood chips, timber(?)	12/01/05
ZYGOPHYLLACEAE				
<i>Bulnesia sarmientoi</i> ^{#11}	Palo santo	II (Argentina)	Timber, medicinal	23/06/10
<i>Guaiacum</i> spp. ^{#2}	Lignum-vitae	II	medicinal, timber	13/02/03

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 coopers' 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.

[†] 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.