

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



Twenty-second meeting of the Plants Committee
Tbilisi (Georgia), 19-23 October 2015

Interpretation and implementation of the Convention

Species trade and conservation

Proposals for possible consideration at CoP17

AMENDMENT OF THE ANNOTATION FOR APPENDIX-II ORCHIDS
TO EXEMPT FINISHED PRODUCTS PACKAGED AND READY FOR RETAIL TRADE,
WHICH CONTAIN COMPONENTS OF APPENDIX-II ORCHIDS

1. This document has been submitted by the Management Authority of Switzerland and Liechtenstein.*

Background

2. In recent years, trade in finished products for various purposes containing CITES-listed plant species has been the focus of discussions within CITES. For instance, analysis of the trade in finished products containing *Euphorbia antisyphilitica* have led to a proposal at CoP15 exempting finished products packed and ready for retail trade from CITES controls due to the non-existing impact of this trade on the natural populations.
3. Due to a change in the Swiss law on trade in protected species of Fauna and Flora (453 BGCITES), a change in CITES enforcement controls of finished products containing ingredients of plant species of CITES Appendix II was implemented.. This led to the seizure of several shipments of finished products containing ingredients of Orchidaceae spp.
4. While annotations for some CITES Appendix II species specifically except finished products packaged and ready for retail trade, there is no such annotation for Orchidaceae spp. Due to the absence of such annotation, all international commerce in finished products that contain any amount of Orchidaceae spp. are subject to CITES export, import, and re-export requirements.
5. The Management Authority of Switzerland subsequently commissioned a trade survey which is included as an Annex to this document. The terms of reference for this survey were as follows:

Compile and list:

- Commercially traded specimens of Orchidaceae spp (standardized common names, botanical names, and descriptions of the various crude and processed forms)

* *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.*

- Relevant codes or numbers (e.g. Harmonized System (HS) Tariff Codes, Chemical Abstracts Service (CAS) Registry Number, European Inventory of Existing Commercial Chemical Substances (EINECS) Number, Food and Extract Manufacturers Association (FEMA) Number, International Numbering System (INS) for Food Additives)
- Countries of origin of the raw material and/or processed forms
- Source of the specimens (wild harvested or artificially propagated)
- Selected finished products in the European market (with product composition details and company contact details)

6. This trade survey provided the following results:

- Thirty-nine (39) species of the Orchidaceae family were identified as possibly being present in European commerce in one form or another.
- For each species detailed information is provided, such as the English language standardized common names, Latin botanical names, regional names from countries of origin and detailed descriptions of the commercially traded forms of Orchidaceae plant parts that were identified as possibly present in European commerce in some form.
- For extract or oil ingredients, additional identifying codes or numbers were included, where available, such as the Harmonized System (HS) Tariff Code, Chemical Abstracts Service (CAS) Registry Number, European Community (EC) Number or European Inventory of Existing Commercial Chemical Substances (EINECS) Number, International Nomenclature of Cosmetic Ingredients (INCI) Name and/or International Nonproprietary Name (INN).
- For each entry, details on the native origin of the species were provided and where known also information on the countries that are processing and exporting the plant in some form or products that contain the plant.
- Where it could be determined, information on whether the material of commerce is obtained from artificial propagation, field cultivation or wild collection is included
- Examples of selected finished products available in European commerce are provided along with images of the packaged product and information about the product ingredients and contact details for the European marketer(s) of the product.

Due to the relatively short time frame for the review it was not feasible to contact companies directly to inquire about the actual sources of their raw materials whether from wild collection or cultivation. Effort was made however to locate published data on cultivation trials for each species in order to determine whether any of the commercial supply might originate from cultivated sources.

7. In considering annotations relating to medicinal plants the following guiding principles were adopted at CoP13 (document [CoP13 Doc. 58](#)):

- 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
- Controls should include only those commodities that dominate the trade and the demand for the wild resource.

8. The guiding principles identified in paragraph 7 are equally relevant to considering annotations for non-medicinal plants. These principles support annotating *Euphorbia antisyphilitica* to except finished products and can be applied to Orchidaceae spp. as well. Adoption of such annotation will prevent loss of livelihoods for collectors of this species who harvest Orchidaceae spp. in a manner in which the exporting range State determines to be non-detrimental to the species' survival.

9. Switzerland would like to recommend to the Plants Committee to set a working group on potential risks and/or benefits of an exemption for orchid components, particularly with regard to wild-collected

specimens, and the advisability of submitting a proposal to CoP17 to amend the annotation #4 paragraph f for Appendix-II orchids to include such an exemption.