

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

Forty-sixth meeting of the Standing Committee
Geneva (Switzerland), 12-15 March 2002

Interpretation and Implementation of the Convention

TRADE IN TIME-SENSITIVE RESEARCH SAMPLES

1. At its 45th meeting, the Standing Committee agreed to establish a working group to work with the Secretariat in developing a draft resolution on the subject of trade in time-sensitive biological samples for consideration at the 46th meeting. The members of the working group were China, Colombia, Germany, Mexico, Switzerland, the United Republic of Tanzania and the United States of America.
2. The work of the group has focused on the development of a draft resolution and other options covering three distinct areas requiring attention, as identified by the group, i.e.:
 - a) the definition of time-sensitive biological samples that should be regulated by the Convention and the need to identify types of samples that may be considered as not subject to the provisions of the Convention;
 - b) the need to provide guidance to Scientific Authorities to expedite the making of non-detriment findings in certain instances, or to make generic non-detriment findings for certain types of samples; and
 - c) the need to assess the feasibility of, and develop guidelines where appropriate for, the issuance and use of partially-completed permits, the multiple use of permits, and a labelling system for samples to expedite the trade in time-sensitive biological samples.
3. The working group concluded that further work is needed regarding the last area of investigation because of the complexity of the issue, and that it is not yet in a position to propose an appropriate text for consideration by the Standing Committee. Consensus could not be reached on the range of items that should be considered as not subject to the provisions of the Convention or on the inclusion or exclusion of references to cell lines or tissue cultures in various aspects of the recommendations given below. The Secretariat, based on opinions expressed by the working group, but recognizing also that consensus has not been reached on every issue, therefore recommends as follows:
 - a) that the Standing Committee request the Depositary Government to prepare a proposal for consideration at the 12th meeting of the Conference of the Parties to amend the interpretation section of the Appendices to note that the following types of specimens are not covered by the Convention: i) synthetically derived DNA that does not contain any part of the original template; ii) metabolic excretions such as urine and faeces; and iii) synthetically produced medicines and other pharmaceutical products such as vaccines that do not contain any part of the original genetic material from which they are derived. The Secretariat proposes that a new annotation be formulated, applicable to all CITES-listed species, based on the precedent established through Annotation °607

which notes that fossils of the Cnidaria are not subject to the provisions of the Convention. A possible formulation of such an annotation is provided in Annex 1, which incorporates the substance of Annotation °607 (which should therefore be deleted) and extends it to all fossils of CITES-listed species;

- b) that the Secretariat, with advice from the working group, prepare a draft resolution to provide guidance to Scientific Authorities concerning the making of non-detriment findings for trade in the time-sensitive biological samples identified by the Animals Committee [see document SC45 Doc. 10 (Rev. 1)], (see Annex 2 for a possible formulation of a draft resolution); and
- c) that the Secretariat, with advice from the working group, develop, for consideration at the 12th meeting of the Conference of the Parties, a document describing options concerning, and appropriate circumstances for the use of, partially-completed permits and/or multiple-use permits, and a labelling system for samples. This document should also present proposals to amend Resolution Conf. 10.2 (Rev.) as appropriate, in order to provide guidelines for the use of such permits and labels. The Standing Committee is therefore requested to extend the mandate of the working group to continue to work with the Secretariat to prepare a text that the Secretariat will submit for consideration at the 12th meeting of the Conference of the Parties.

Proposed annotation

The following are not subject to the provisions of the Convention:

- a) synthetically derived DNA that does not contain any part of the original template;
- b) metabolic excretions such as urine and faeces;
- c) synthetically produced medicines and other pharmaceutical products such as vaccines that do not contain any part of the original genetic material from which they are derived; and
- d) fossils.

Proposed draft resolution

Guidance to Scientific Authorities concerning non-detriment findings
for time-sensitive biological samples

RECOGNIZING that the trade in many biological samples, because of their special nature, or because of the special purpose of such trade which may be forensic, diagnostic, therapeutic or for conservation management, requires expedited processing of permits and certificates to allow for the timely movement of shipments;

RECALLING that in accordance with Article VIII, paragraph 3, of the Convention, Parties are required to ensure that specimens shall pass through any formalities required for trade with a minimum of delay;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that, when processing applications for the export of biological samples of a species included in Appendix I or II, Scientific Authorities consider that the export of biological samples of the type and size and for the use specified in the annex to this Resolution, would not be detrimental to the survival of that species, when biological samples are urgently required:

- a) in the interest of the individual animal;
- b) in the interest of the species concerned or other species listed in the Appendices;
- c) for judicial or law enforcement purposes;
- d) for the control of transferable diseases between species listed in the Appendices; and/or
- e) for diagnostic or identification purposes.

ANNEX

Types of biological samples and their use

Type of sample	Typical size of sample	Use of sample
blood liquid	drops or 5 ml of whole blood in a tube with anticoagulant; may deteriorate in 36 hours	haematology and standard biochemical tests to diagnose disease; taxonomic research; biomedical research
blood dry (smear)	a drop of blood spread on a microscope slide, usually fixed with chemical fixative	blood counts and screening for disease parasites
blood clotted (serum)	5 ml of blood in tube with or without a blood clot	serology and detection of antibodies for evidence of disease; biomedical research
tissues fixed	5 mm ³ pieces of tissues in a fixative	histology and electron microscopy to detect signs of disease; taxonomic research; biomedical research
tissues fresh (excluding ova, sperm and embryos)	5 mm ³ pieces of tissues, sometimes frozen	microbiology and toxicology to detect organisms and poisons; taxonomic research; biomedical research
swabs	tiny pieces of tissue in a tube on a swab	growing bacteria, fungi, etc. to diagnose disease
hair, skin, feathers, scales	small, sometimes tiny pieces of skin surface in a tube (up to 10 ml in volume) with or without fixative	genetic and forensic tests and detection of parasites and pathogens and other tests
cell lines and tissue cultures	no limitation of sample size	cell lines are artificial products cultured either as primary or continuous cell lines that are used extensively in testing the production of vaccines or other medical products and taxonomic research (e.g. chromosome studies and extraction of DNA)

DNA	small amounts of blood (up to 5 ml), hair, feather follicle, muscle and organ tissue (e.g. liver, heart, etc.), purified DNA, etc.	sex determination; identification; forensic investigations; taxonomic research; biomedical research
secretions, (saliva, venom, milk)	1-5 ml in vials	phylogenetic research, production of anti-venom, biomedical research