

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



Seventieth meeting of the Standing Committee
Rosa Khutor, Sochi (Russian Federation), 1-5 October 2018

Species specific matters

Sturgeons and paddlefish (*Acipenseriformes* spp.)

DEFINITION OF COUNTRY OF ORIGIN OF CAVIAR:
REPORT OF THE WORKING GROUP

1. This document has been submitted by the Chair of the intersessional working group on Country of origin of caviar (Japan).*

Background

2. At the Standing Committee at its 69th meeting (SC69), the intersessional working group (WG) on country of origin of caviar was established with the following membership and mandate;

Membership:

Japan (Chair), Canada, China, Finland, France, Georgia, Germany, Italy, Poland, Russian Federation, Saudi Arabia, Spain, Ukraine, United Arab Emirates, and the United States of America; and Associazione Piscicoltori Italiani, Food and Agriculture Organization, International Caviar Importers Association, IWMC – World Conservation Trust, TRAFFIC, and World Wildlife Fund.

Mandate:

In support of the implementation of Decision 17.185,

- a) discuss the issue of definition of the country of origin of caviar, taking into consideration the draft definition proposed by the majority of the Standing Committee's working group on sturgeons and paddlefish, which reads "country of origin of caviar: country in which a registered processing plant harvests roe of *Acipenseriformes* species to process caviar", the recommendations adopted by the Animals Committee at its 29th meeting and the discussion at the 69th meeting of the Standing Committee on the proposed amendments in document SC69 Doc. 46.1; and
- b) develop recommendations, as appropriate, to report to the 70th meeting of the Standing Committee.

* *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.*

3. At the Animals Committee at its 29th meeting (AC29), while no consensus was reached with respect to the definition of “country of origin of caviar”, it recommended the following points¹ for consideration by the Standing Committee:
- i) It is clear that trade in caviar from aquaculture facilities has increased and is the major source of caviar in trade. There is a wide variety of specialised sturgeon aquaculture facilities and production methods that can encompass movement of fish at various life stages and mixing within the facilities. As such, there is a desire to create a practical approach to the caviar trade system in light of the current production systems.
 - ii) Resolution Conf. 12.3 (Rev. CoP17) on Permits and certificates provides a definition of “country of origin” to be applied to CITES permits. The proposed change in the definition of country of origin of caviar in Resolution Conf. 12.7 (Rev. CoP17) would need to be reflected in Resolution Conf. 12.3 (Rev.CoP17) as an exception to the current definition.
 - iii) Some concern was raised that the change in the definition of country of origin reflected in Decision 17.185 may be problematic for countries where roe is harvested from wild specimens and creates concerns with traceability. There was concern expressed that, in principle, this type of change could be applied to other complex production systems (such as in products derived from skins from multiple sources).
 - iv) However, others noted that the current system is unnecessarily cumbersome for aquaculture practices and that the conservation risks associated with the change in definition of country of origin are small.
 - v) It was noted that strict controls are needed on wild harvest to prevent laundering from wild sources into aquaculture such that one additional proposal was to include both the “country of origin of roe” and the “country of origin of caviar” in the universal labelling system. It was further noted that the proposed definition of “country of origin of roe” is equivalent to the current approach for the definition of “country of origin” in Resolution Conf. 12.3 (Rev. CoP17).
 - vi) There is agreement that strict controls are needed for wild caught specimens and to prevent laundering from wild populations. There is further agreement that a practical approach for trade in caviar from aquaculture production may be needed. There are mixed views regarding addressing the issues with a change to the definition of country of origin that would apply to both the labelling system and to the CITES permit; therefore, the Standing Committee might wish to consider if there are other possible solutions to address the above-mentioned issues in light of the recognized shift in source from wild to aquaculture.
4. At SC69, the discussion was made based on the document SC69 Doc. 46.1 which included proposals for amendments to Resolution Conf. 12.7 (Rev. CoP17) on Conservation of and trade in sturgeons and paddlefish. Parties noted that the proposed interpretation by the Secretariat, as provided in SC69 Doc. 46.1, did not sufficiently address the confusion on the issue, concluding that more work was needed. While supporting the revision of the labelling guidelines, another Party opposed the adoption of a new definition of ‘country of origin’ just for the case of caviar, highlighting that all parts and derivatives of every single sturgeon should be linked to the same country of origin.
5. From the discussions of AC29 and SC69, it seems that while Parties recognized the need to create a practical approach to the caviar trade system in light of the current production systems, there was concern on traceability and conservation of the species.

Discussion

6. The WG noted that there are existing complex production systems of caviar in which sturgeons and paddlefish are raised in various facilities, being traded internationally along with different life stages, as shown in the Appendix, and thus shared the view that it would be practically difficult to apply the current definition of “country of origin”² to caviar.

¹ *Underlines are added by the author.*

² *“The country of origin is the country in which the specimens were taken from the wild, bred in captivity or artificially propagated, except in the case of plant specimens that cease to qualify for an exemption from the provisions of CITES.” (Resolution Conf. 12.3 (Rev. CoP17), Annex 2)*

7. In order to address the situation, the WG considered a possibility of having a new and separate definition of “country of origin of caviar” and “country of origin of roe”. Some WG members expressed their support to having a new definition, including that proposed by the majority of the Standing Committee’s working group on sturgeons and paddlefish. Others were against, due to potential negative outcomes, including a loss of traceability or laundering of wild-caught or illegally sourced specimens as legal or captive-bred specimens, as well as the possibility to open the same discussion of other CITES-listed species, which would not be manageable.
8. Since it seemed difficult to reach a consensus to have a new definition of “country of origin of caviar” and “country of origin of roe”, the WG further considered the option of, while maintaining the current definition, to have a clear and common interpretation on how to apply the existing definition to caviar. The following two points were specifically raised;

a) *Should a caviar be regarded as “new specimen” or “part or derivative of sturgeon and paddlefish”?*

Some members were of the view that caviar should be regarded as “new specimen,” but others were not, since, according to their opinions, unfertilized eggs should be considered as a part of the female because the physical removal of unfertilized eggs from a female cannot be considered as the same of the birth of a new live specimen.

b) *If sturgeons and paddlefish are sturgeons and paddlefish are raised in various facilities, being traded internationally along with different life stages, in which country the sturgeons should be regarded as being bred in captivity (e.g. the country where the sturgeons were bred in captivity for the longest duration, the last country where the sturgeons were bred in captivity, the country where “at least two-thirds of the life cycles” were spent, etc.)?*

A member proposed the following interpretation: “Harvested roe from captive-bred sturgeons (*Acipenseriformes* spp.) which were kept in aquaculture/breeding operation for a certain time (i.e. six month – a minimum period to be further discussed) is regarded as “bred in captivity”, whereby the ‘country of origin’ of the roe and therefrom produced caviar is the country in which the registered processing plant harvested the roe”. Another member insisted that the country of origin of specimens could only be the country where they were physically born, and that the period of time spent in other countries could not affect it.

Recommendation

9. The WG recommends that the Standing Committee acknowledge the different opinions expressed by the member of the working group and take note of this report.
10. The Standing Committee is invited to propose to CoP18 the adoption of a decision according to which the Standing Committee would be invited to continue the discussion on country of origin of caviar e.g. dealing with in other possible cross-cutting WGs and acquiring the advice of the Animal Committee on whether or not a caviar should be regarded as “new specimen” or “part or derivative of sturgeon and paddlefish”, etc.

**Examples for the frequent movement of sturgeon specimens
(non-exclusive) to produce caviar**

1. Eggs (roes) are taken from female fish in country A
2. Fertilized eggs or fingerlings are sold to country B
3. Country B is raising fish up to sexual determination test for 3 years; after that, females are sold to country C
4. Country C is partially raising the fish close to the spooning period, and sells the fish to country D
5. Country D raised the fish (one year or less) to the final stage, and then takes unfertilized eggs (roes) to be processed in a caviar processing plant in the same country
6. The registered aquaculture operation in country D gets sturgeon fish (close to the spooning period) also from country E, F and others; all sturgeon fish will be kept together for a period of a certain time. Owing to economic reasons (also to guarantee the same quality of caviar), it is not possible to keep the different country-origins separated; consequently, there are more than one country-origins for the processed caviar.