

CONSIDERATION OF PROPOSALS FOR AMENDMENT OF APPENDICES I AND II

Proposals resulting from reviews by the Animals and Plants Committees

A. Proposal

To amend explanation of the current annotation #3 to *Panax quinquefolius* in section 11 of the Interpretation of the Appendices I and II to read:
'Designates roots and specimens recognizable as being parts of roots'.

B. Proponent

Swiss Confederation at the request of the Plants Committee.

C. Supporting Statement

1. Taxonomy

1.1 Class Angiospermae

1.2 Order Araliales

1.3 Family Araliaceae

1.4 Genus and species *Panax quinquefolius*

1.5 Synonyms None

1.6 Common name Ginseng

2. Justification

The proposal to include *Panax quinquefolius* in Appendix II of CITES was adopted at the fifth meeting of the Conference of the Parties. In the supporting statement the proponent, the United States of America, specifically indicated the following:

'It is the intention of this proposal to regulate the whole root and parts thereof that are readily recognizable, and to exempt from regulation small particles, fragments, and derivatives of roots and the final products thereof. Regulated materials includes whole root, basically intact root, and root cut into chunks or slices that are readily recognizable by display of epidermal surface of reasonable expanse. Non-regulated material includes minor pieces such as root hairs (fibres), extreme root tip and root apex, ground or powdered root, and extract, as well as processed products such as tablets, pills, capsules, tea, tonic, candy, face cream, shampoo, and tobacco.'

Following the adoption of the proposal, the species was annotated with the following text:

'Designates roots and readily recognizable parts thereof'

However, with the increased attention given in many countries to the control of medicines that may contain parts and derivatives of animals and plants included in the CITES appendices, the words 'readily recognizable parts thereof' in the current annotation is creating some confusion. On various occasions this has been interpreted in the sense of the definition of 'readily recognizable part and derivative' as provided in Resolution Conf. 9.6. Large consignments of tonics, pills and capsules have been seized because they were considered to be subject to the provisions of the Convention.

In order to avoid shipments of non-regulated parts and derivatives of *Panax quinquefolius* being seized in future because they are not accompanied by CITES documents, the Plants Committee recommends that the current annotation be amended to more correctly reflect the original intentions of the proponent.