

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



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

Timber issues

*BULNESIA SARMIENTOI* (DECISION 15.96)

1. This document has been submitted by the interim Vice-Chair of the Plants Committee with the assistance of Argentina and the United Kingdom of Great Britain and Northern Ireland, at the request of the Chair of the Committee.
2. At its 15th meeting (CoP15, Doha, 2010), the Conference of the Parties amended Appendix II to include the species *Bulnesia sarmientoi*, following its adoption of the amendment proposal submitted by Argentina ([CoP15 Prop. 42](#)). The amendment entered into effect on 23 June 2010.
3. The species is listed with annotation #11 which designates the parts and derivatives included in Appendix II: "logs, sawn wood, veneer sheets, plywood, powder and extracts".
4. Additionally, to assist in the identification of specimens of the species in trade, the Conference adopted Decision 15.96 on *B. sarmientoi*, which establishes that:

*Trading range States and importing Parties, working with the Plants Committee, should:*

- a) *identify the best methods for the identification of essential oil and wood;*
  - b) *produce identification materials and guidance;*
  - c) *develop appropriate annotations for identification methods;*
  - d) *explore whether additional species need to be listed for identification and regulation of wood and oil; and*
  - e) *report on progress at the 16th meeting of the Conference of the Parties and, if necessary, prepare additional proposals for that meeting.*
5. On 24 August 2010, the Secretariat published Notification to the Parties [No. 2010/027](#) on *Information to be submitted for the 19th meeting of the Plants Committee and the 25th meeting of the Animals Committee*, paragraph d) of which specified the information that range States and importing Parties of *Aniba rosaeodora* and *Bulnesia sarmientoi* should submit by 15 January 2011 for consideration at PC19.

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\* *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.*

6. Additionally, the Secretariat published on 19 November 2010 Notification to the Parties No. 2010/036 on *Annotations for Aniba rosaeodora (Brazilian rosewood), Bulnesia sarmientoi (palo santo) and Euphorbia antisiphilitica (candelilla)*, in response to requests for clarification from representatives of the private sector on the scope of coverage of the annotations and how they should be interpreted. The Secretariat, noting that the Conference of the Parties had not defined some terms used in the annotations and seeking to provide guidance on implementation, indicated that it had used the following working definitions of certain terms used in the annotations:
- 'Essential oil' means a hydrophobic liquid obtained from natural plant material by distillation with water or steam. The essential oil is subsequently separated from the aqueous phase by physical means.
  - 'Extracts' means substances extracted from raw plant material, often by using a solvent such as ethanol or water.
  - 'Finished products' means specimens that have been prepared for end use and that require no further alteration to effect their purpose.
  - 'Packaged and ready for retail trade' means in a state fit for being sold directly to or used by the general public, and includes 'testers'.
7. With a view to obtaining additional information for the implementation of Decision 15.96 on *B. sarmientoi*, on 7 January 2011, the Scientific Authority of Mexico sent a questionnaire to the Management and Scientific Authorities of range States and exporting and importing Parties of the species (Argentina, Brazil, Bulgaria, Canada, China, France, Germany, Paraguay, the Plurinational State of Bolivia, the Russian Federation, Spain, Sri Lanka, the United States of America, Uruguay and Viet Nam), based on information provided in the amendment proposal adopted at CoP15.
8. The questions with respect to *B. sarmientoi* were:
- i. What do you think are the best practical methods (i.e. that can be used by border and Customs officers) to identify the essential oil and, if required, wood of the species in trade?
  - ii. Do you have identification materials for such trade? If so, please describe and, if possible, provide them.
  - iii. Do you consider that annotation #11 is adequate to regulate trade in logs, sawn wood, veneer sheets, powder and extracts of *Bulnesia sarmientoi*? If not, please explain why and provide suggestions for modifying it.
  - iv. Please indicate whether additional species need to be listed to support effective identification and regulation of wood and oil.

Analysis of responses to Notification to the Parties No. 2010/027  
and to the questionnaire of the Scientific Authority of Mexico

9. Two Parties (Canada and the United States) responded to Notification to the Parties No. 2010/027, and five responded to the questionnaire circulated by the Scientific Authority of Mexico (Argentina, Brazil, China, Germany, the United Kingdom and the United States). The Annex to the present document includes a compilation of the responses received.

**i. With regard to methods for identifying the essential oil and wood:**

China suggests that identification materials should be prepared. The United Kingdom notes that identification of the wood based on macroscopic and microscopic features is unreliable and problematic, and that other means (assessing the level of oiliness of the wood surface, exposure to ultra-violet light and oxygen) are not feasible for implementation by enforcement officers. Consequently, the United Kingdom suggests further anatomical studies because there are anatomical features that can be used to differentiate this species from *B. arborea*, *Guaiaecum officinale* and *G. sanctum*. In any event, the United Kingdom points out that the two species of *Bulnesia* in trade have different ranges (which do not overlap), and thus knowing the country of origin (*B. arborea* is found in the Bolivarian Republic of Venezuela and Colombia) is sufficient to know which species it is.

For its part, Argentina notes that *B. sarmientoi* has a distinctive odour that is released upon scraping or cutting into the wood.

With regard to identification of the extracts, resins, paints, essential oils, soaps and fragrances, the United Kingdom states that it is possible to do this by gas chromatography (GCMS). Since, currently these tests have to be performed in the laboratory, notably by the fragrance industry, using these tests or making samples available to non-industry laboratories would assist in the development of identification materials for the trade. Argentina notes that, to date, there is no accurate information on the unequivocal identification of the essential oils of the species.

The United States relies on the packaging, marking or labelling of shipments to determine whether they contain specimens of CITES species, but states that it has not had enough experience in implementing the listing of *B. sarmientoi* to determine whether certain identification methods are superior to others.

**ii. With regard to identification materials:**

Both Germany and the United Kingdom believe that the proponent country (Argentina) should provide them. Argentina for its part says that, as far as identification of the wood is concerned, it is finalizing an identification sheet that will include details of different cuts.

Furthermore, China states that, in conjunction with ITTO (International Tropical Timber Organization) and the CITES Secretariat, it is developing an identification manual for certain tropical timber species, including *B. sarmientoi*, and that it will be completed by June 2011.

**iii. With regard to whether annotation #11 is adequate to regulate trade in specimens of *B. sarmientoi*:**

Argentina, China and Germany agree that annotation #11 is appropriate as it reflects the main products in trade. Argentina, however, mentions that there may be problems with the interpretation of the term 'extract', since it can have various meanings. It therefore suggests that an *ad hoc* working group be established at PC19 (comprising representatives from the range States, importers, and experts on the species in an advisory capacity) to define the scope of the terms used in annotation #11. The United Kingdom agrees that it is crucial to have access to the definitions of terms such as 'extract' and 'essential oil' as used by the fragrance and food flavouring industries. It also notes that the participation of the IFRA (International Fragrance Association) in PC19 will be helpful in this regard. Germany also suggests that the possibility of merging annotation #11 with others already in existence be discussed at PC19.

The United States believes that it is premature to state whether the annotation is appropriate or not, as it came into force only recently.

**iv. With regard to look-alike issues:**

Germany, the United Kingdom and the United States agree that *B. sarmientoi* and *B. arborea* are indistinguishable both at the microscopic and macroscopic levels, and that, therefore, *B. arborea* should be included in Appendix II for look-alike reasons. China says that it could have similarities with other *Bulnesia* species, but does not specify which ones. For its part, Argentina states that it is evaluating look-alike issues between *B. sarmientoi*, *Caesalpinia paraguarensis* and some species of the genus *Tabebuia*.

Finally, Canada, in response to Notification to the Parties No. 2010/027, states that similar species should be listed only if species-level identification of essential oil components using standardized methods proves impossible or operationally impractical.

Conclusions

10. Regarding the responses to the questionnaire and to Notification No. 2010/027 (see the Annex):

- i. *Bulnesia sarmientoi* is traded in the form of wood and essential oil. One exporting country states that the wood is easy to identify, while the importers believe otherwise. With regard to the oil, the

respondents agree that, for the time being, it is difficult to distinguish between oils from different species without having access to a laboratory;

- ii. It is clearly necessary to produce identification materials and exporters and importers are working on this;
- iii. There is agreement among exporters and importers as to the need for a definition of 'extracts' and other terms used in annotation #11; and
- iv. Some importing countries agree that there are look-alike problems with *Bulnesia arborea*. For its part, Argentina states that it is reviewing look-alike problems with *Caesalpinia paraguarensis* and some species of the genus *Tabebuia*.

#### Recommendations to the Plants Committee

11. The Plants Committee is invited to:

- a) Take note of the responses to Notification No. 2010/027 and the questionnaire circulated by the Scientific Authority of Mexico (see the Annex);
- b) Take note of the fact that in Decision 15.96, subparagraphs a) and d) erroneously refer to essential oil, whereas annotation #11 does not include essential oil, but only powder and extracts; and
- c) Form a working group, with participation by exporters and importers of *Bulnesia sarmientoi* as well as experts on the species, in order to discuss paragraphs a), b), c) and d) of Decision 15.96 (questions i-iv of the questionnaire) and decide on the steps to be taken.

RESPONSES TO THE QUESTIONNAIRE SENT OUT BY THE SCIENTIFIC AUTHORITY OF MEXICO  
PURSUANT TO DECISION 15.96

**Mandate of Decision 15.96**

- a) Identify the best methods or potential methods for the identification of essential oil and, if required, wood.

**Question i:** What do you think are the best practical methods (i.e. that can be used by border and customs officers) to identify the essential oil and, if required, wood of the species in trade? Explain why.

**United States:** The United States currently relies primarily on the packaging, markings, or labeling of shipments to determine whether they contain this CITES-regulated species. We have not had enough experience implementing this listing to determine whether any particular methods of identification are superior to others.

**Germany:** In trade as wood and as extract.

**China:** An identification manual.

**United Kingdom:** *Bulnesia sarmientoi* is in trade as wood and as an essential oil that comes in various forms including liquid or a glutinous, sticky mass. Identification of wood samples of *Bulnesia* species using macroscopic and microscopic characteristics is seen as unreliable and problematic. Despite some differences in the macroscopic characteristics of *B. sarmientoi* and *B. arborea* (e.g. level of oiliness of the wood surface and the fact that *B. arborea* goes a greenish-black colour after prolonged exposure to UV light and oxygen), identification by enforcement officers in the field using these characteristics is unlikely. Making available more samples to wood anatomists could overcome this problem as there are some useful characteristics to distinguish between *B. sarmientoi* and *B. arborea* and look-alike species of *Guaiacum* (*G. officinale* and *G. sanctum*). However, the two species of *Bulnesia* in trade do not have an overlapping distribution (*B. arborea* is found in Colombia and Venezuela), so if the provenance of a specimen is known, separation is possible and checking paperwork could be part of a practical method to identify high-risk samples to be sent for identification. Identification of extracts would have to be done in a lab. Identification of products such as resins, paints, extracts, essential oils, soaps and fragrances may be possible using gas chromatography mass spectrum (GCMS) tests, particularly within the fragrance industry as they will have their own specifications and samples to test against. Using these tests or making samples available to non-industry labs would help in the development of tests to identify material in trade.

**Argentina:** In the case of oils, there is at present no accurate information for the unequivocal identification of the essential oils of the species. With regard to timber, Argentina is finalizing an identification sheet which will include details of various cuts of wood. The species is easy to identify after some simple training. Note that a characteristic of the species is the smell released upon scraping or cutting into the wood.

- b) Produce identification material and guidance.

**Question ii:** Do you have identification materials for such trade? If so, please describe and, if possible, provide them.

**United States:** The United States does not have any identification materials for such trade.

**Germany:** No; should be provided by proponent country.

**China:** China's CITES Management Authority is developing an identification manual for some CITES-listed tropical timber species (including *Bulnesia sarmientoi*) together with ITTO and the CITES Secretariat, and the manual will be finished in June 2011.

**United Kingdom:** No. Assistance from the proponent country and industry is crucial.

**Argentina:** In addition to the identification sheet referred to, we will be sending wood samples to the principal importing Parties.

c) Identify appropriate annotations to complement the proposed identification methods.

**Question iii:** Do you consider that the current annotation #11 is adequate to regulate trade in logs, sawn wood, plywood, powder and extracts of *Bulnesia sarmientoi*? If not, please explain why and provide suggestions for modifying it.

**United States:** Since the listing has only been in effect since June 23, 2010, we believe it is premature to state whether annotation #11 is adequate to regulate the commodities in trade. However, given the lack of clarity regarding intermediate products containing extracts of *Bulnesia sarmientoi*, in May 2010, the U.S. Management Authority informed U.S. importers and re-exporters of *Bulnesia sarmientoi* of how the United States planned to interpret the annotation once the listing became effective. After subsequent communications with the CITES Secretariat, other Party countries, and industry, and taking into account the Secretariat's interpretation in CITES Notification to the Parties No. 2010/036 of the scope of coverage of annotation #11, the United States is reviewing its current interpretation of the annotation to determine if it should be revised. Because the United States is an importing country of *Bulnesia sarmientoi*, the U.S. Management and Scientific Authorities are currently working with other Federal agencies, range countries, the CITES Secretariat, and industry to explore this issue in preparation for the upcoming meeting of the Plants Committee. We look forward to working with the range countries and others to refine methodologies and guidance that will facilitate the implementation of this listing.

**Germany:** The annotation seems to reflect the current commodities in trade well enough. Additionally it should be discussed in the PC whether this annotation can be merged/streamlined with other existing annotations.

**China:** Yes, annotation #11 plus relevant interpretations of Notification No. 2010/036 is adequate.

**United Kingdom:** Partially. Good access to definitions and industry links are crucial to the success of this listing and annotation. As the terms 'extract' and 'essential oils' (both products in trade and as accepted by the fragrance and food flavourings industries) mean different products produced by very different methods by just having 'extract' in the annotation this may cause confusion and not cover all commodities in trade. Again the IFRA will attend the PC in Geneva and may be able to offer more help.

**Argentina:** We believe that the annotation is appropriate, bearing in mind that Argentina interprets the term 'extract' broadly (e.g. we include *inter alia*, acetates and essential oils). Consequently, and since there is no consensus at this point, we propose that the scope of the term 'extract' be discussed at the next meeting of the Plants Committee. If it should be necessary, we propose the creation of an *ad hoc* working group to define the scope of these terms, comprising representatives of the range States, importing countries and experts in an advisory capacity.

d) Explore whether additional species need to be listed to support effective identification and regulation of wood and oil.

**Question iv:** Please indicate whether additional species need to be listed to support effective identification and regulation of wood and oil of *Bulnesia sarmientoi*.

**United States:** *Bulnesia arborea* (native to Colombia and Venezuela) is reported to be almost indistinguishable from *Bulnesia sarmientoi*, including its wood and oil, which are in trade.

**Germany:** Another species in trade for the same purposes is *Bulnesia arborea*. *B. sarmientoi* and *B. arborea* are almost indistinguishable at the macroscopic and microscopic level. *B. arborea* needs to be included in Appendix II on look-alike grounds.

**China:** Some similar species in genus *Bulnesia* need to be listed.

**United Kingdom:** Another species in trade is *Bulnesia arborea*, which should be included in Appendix II as it is utilized in a similar way to *B. sarmientoi* and difficulties exist in distinguishing the two species (look-alike issue).

**Argentina:** An evaluation is under way of 'guayacan' (*Caesalpinia paraguarensis*) and some species of

'lapacho' (*Tabebuia* spp.), given the similar characteristics that these woods have.

**Canada:** Listing closely-related plant species known to be included in essential oils will inevitably increase regulatory burden on Parties and should be pursued only if species-level identification of essential oil components by standard proves impossible or operationally impractical.