CONSIDERATION OF PROPOSALS FOR AMENDMENT OF APPENDICES I AND II

Other proposals

A. Proposal

To harmonize exemptions related to medicinal products by combining the current annotation #2 for *Podophyllum hexandrum* and *Rauvolfia serpentina* with annotation #8 for *Taxus wallichiana* in the Interpretation of the Appendices I and II, to read as follows:

#?? Designates all parts and derivatives, except:
- a) seeds and pollen;
- b) seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers;
- c) cut flowers of artificially propagated plants; and
- d) chemical derivatives and finished pharmaceutical products

B. Proponent

Swiss Confederation, on behalf of the Plants Committee.

C. Supporting Statement

Podophyllum hexandrum and *Rauvolfia serpentina* were included in Appendix II by the seventh meeting of the Conference of the Parties (1989, Lausanne), following the adoption of a proposal to that effect by India.

Both species were annotated as follows:

2 Designates all parts and derivatives, except:
- a) seeds and pollen;
- b) seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers;
- c) cut flowers of artificially propagated plants; and
- d) chemical derivatives

At the time this exemption was formulated in this manner, because it was recognized that extracts (e.g. extracted oils or similar products) could not be recognized in trade.

There are no other taxa with annotation #2 currently listed in the Appendices.

Taxus wallichiana was included in App. II by the ninth meeting of the Conference of the Parties (1994, Fort Lauderdale) following the adoption of a proposal to that effect by India.

At that time it was agreed to exclude 'end product medicines' which resulted in the following annotation being accepted:

#8 Designates all parts and derivatives, except:
- a) seeds and pollen;
- b) seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers;
- c) cut flowers of artificially propagated plants; and
- d) finished pharmaceutical products

The reasoning regarding the recognition of chemical derivatives, as used for # 2, was not applied to this exemption.

Apart from the medicinal products, the chemical products concerned are rather different, and certainly not easy to recognize when not labelled appropriately: for *Taxus wallichiana* it is taxol; for *Rauvolfia serpentina* it is the alkaloï d reserpine; and for *Podophyllum hexandrum* a resin.

At its ninth meeting (June 1999; Darwin, Australia) the Plants Committee discussed extensively the need to harmonize these annotations In its considerations the Committee also took note of the likelyhood of future inclusions of plant species in Appendix II because they are being traded for their medicinal properties. Because of that, it felt it important, in particular for enforcement purposes, to standardize their annotations to the maximum extend possible. It therefore agreed to propose to harmonize both annotations in a manner that would make them applicable to future listings as well.

When including a species in Appendix II, Parties should consider to make no exemptions at all (as is currently the case for *Prunus africana*), or to use a standard for formulating the exemptions, aimed at regulating trade in the interest of the conservation of the species. A good example of the latter option is the annotation to the species *Hydrastis canadensis, Nardostachys grandiflora, Panax quinquefolius* and *Picrorhiza kurrooa*. The annotations to these species were harmonized at the tenth meeting of the Conference of the Parties.

The Plants Committee also noted another aspect that needs to be taken into consideration when Parties are considering the inclusion of species, with specific exemptions, in Appendix II. When the species concerned is, in its distribution, restricted to one country only. The Parties should carefully consider which part or derivative is entering international trade. If this is only the pharmaceutical end products, and these are exempted from CITES controls, one might wonder how a Party can adequately implement the provisions of Article IV, paragraph 2 (b) of the Convention. In that case, either all parts and derivatives should be submitted to CITES controls, or the Party concerned should consider including the species in Appendix III.