CONVENCIÓN SOBRE EL COMERCIO INTERNACIONAL DE ESPECIES AMENAZADAS DE FAUNA Y FLORA SILVESTRES

Decimoctava reunión del Comité de Flora
Buenos Aires (Argentina), 17-21 de marzo de 2009

Anotaciones

ORQUÍDEAS: ANOTACIÓN PARA LAS ESPECIES INCLUIDAS EN EL APÉNDICE II

1. Este documento ha sido preparado por la Secretaría.

2. En su 14ª reunión (La Haya, 2007), la Conferencia de las Partes adoptó las siguientes decisiones:

   Dirigida a las Partes y al Comité de Flora

   14.133 *Los países de exportación e importación deberían formular recomendaciones y preparar materiales de identificación sobre nuevas exenciones posibles de híbridos reproducidos artificialmente de Orchidaceae spp. incluidas en el Apéndice II, teniendo en cuenta las capacidades de los países para aplicar y controlar efectivamente esas exenciones. Los resultados se remitirán al Comité de Flora, que procederá a su evaluación y adoptará las medidas pertinentes.*

   Dirigida al Comité de Flora

   14.134 *El Comité de Flora supervisará y evaluará los posibles problemas de conservación derivados de la aplicación de la anotación de las Orchidaceae spp. incluidas en el Apéndice II y presentará un informe al respecto en la 15ª reunión de la Conferencia de las Partes.*

3. En la Notificación a las Partes No. 2008/045, de 15 de julio de 2008, la Secretaría solicitó a los países de exportación e importación que remitiesen material de identificación e información técnica para los taxa que estuviesen exentos de los controles de la CITES o pudiesen estarlo en el futuro.

4. A fin de cumplir con la Decisión 14.134, en la precitada notificación se invitó a las Partes a responder a un cuestionario. Siete países así lo hicieron (Brasil, Canadá, Estados Unidos, Madagascar, Nueva Zelandia, Reino Unido de Gran Bretaña e Irlanda del Norte y Tailandia) y sus respuesta se adjuntan en el Anexo al presente documento, en el idioma en que fueron sometidas.

5. Se invita al Comité a analizar esas respuestas y a preparar su informe sobre esta cuestión para la 15ª reunión de la Conferencia de las Partes.

INFORMES DE LOS PAÍSES
(en el idioma en que fueron sometidos)

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Nueva Zelandia 10

Tailandia 11

Reino Unido de Gran Bretaña e Irlanda del Norte 13

Estados Unidos de América 15

Brazil

"Claudia Mello"
<claudia.mello@ibama.gov.br>
08/20/2008 09:27 PM

To <info@cites.org>
cc "Milena SOSA SCHMIDT" <Milena.Schmidt@cites.org>, <cr1clmum@uco.es>, <cmcmello@yahoo.com.br>, José Humberto <jose.chaves@ibama.gov.br>
bcc
Subject Respuestas a las notificaciones

Estimados señores,

Enviamos el adjunto las respuestas a las anotaciones 2008/045 y 2008/046.
Muchas gracias!

Saludos cordiales,

Claudia Maria Correia de Mello
IBAMA/DBFLO/CGREF
Coordenação de Proteção e Conservação Florestal

Coordenadora Respostas a CITES-Notificação.doc

Respuestas de Brasil

Notificación nº 2008/045

i) Como país de exportación no hemos encontrado ningún problema. Pues, nuestras exportaciones son principalmente de otros géneros de orquídeas que no están inclusos en la anotación. Todavía, cuando exportamos los géneros inclusos en la anotación, la cantidad es pequeña y así no se aplica la exención.

Notificación 2008/046

Las anotaciones para las especies maderables incluidas en los apendices I y II ya son efectivas, no necesitando cubrir ningún otro espécime.

Canada

----- Forwarded by Jonathan BARZDO/UNEP/GVA/UNO on 30/10/2008 09:46 -----

"Caceres,Carolina [NCR]" <Carolina.Caceres@ec.gc.ca>

27/10/2008 20:42

To <Willem.wijnstekers@cites.org>, "Jonathan BARZDO" <Jonathan.BARZDO@cites.org>

cc "VanHavre,Basile [NCR]" <Basile.VanHavre@ec.gc.ca>, "Caceres,Carolina [NCR]" <Carolina.Caceres@ec.gc.ca>, "Taylor,Mary [NCR]" <Mary.Taylor@ec.gc.ca>

Subject CITES Notification 2008/045 Orchids: Annotations to species included in Appendix II

Please find enclosed Canada's comments responding to CITES Notification 2008/045 on Orchid annotations.

Best wishes,

Carolina Caceres

on behalf of Basile van Havre, Director, Population Conservation

Canadian Wildlife Service

<<Canada response to 2008_045 Orchids.pdf>>

Carolina Caceres

A/Manager/Gestionnaire par intérim
Species Assessment/ Évaluations des espèces
Canadian Wildlife Service / Service Canadien de la Faune
Ottawa, ON, K1A 0H3
Tel +1 819 953-1429

Fax +1 819 994-3684 Canada response to 2008_045 Orchids.pdf

Environment Canada Environnement Canada

Canadian Wildlife Service
Ottawa, ON
K1A 0H3

27 October 2008

Mr. Willem Wijnstekers
Secretary-General, CITES Secretariat
15, chemin des Anemones
CH-1219 CHATELAINE – Geneva
Switzerland

Dear Mr. Wijnstekers:

Canadian Response to CITES Notification 2008/045 *Orchids: Annotations for species included in Appendix II*

In response to CITES Notification 2008/045 concerning annotations of orchid species included in Appendix II, Canada is pleased to provide the following response.

In regards to questions under paragraph 2d):

i) It has generally been argued that exemptions may aid in facilitating illegal activity (e.g. the smuggling of non-exempt specimens within shipments of exempt specimens). However, there has been no known increase in illegal activity resulting from the implementation of the annotation for artificially propagated orchid hybrids in Canada.

ii) Although the exemption is implemented in Canada, use of the exemption is limited. This is likely because the shipping conditions required in the exemption do not necessarily reflect actual shipment characteristics. Specifically:

- Orchids are rarely shipped "labelled with printed labels and packaged with printed packages; and labels or packages indicates the name of the hybrid and the country of final processing". The added cost and time involved to label and prepare specimens as required under the exemption is too great; it is easier to apply for a CITES permit.
- *Phalaenopsis* and *Cymbidium* are often too large as mature plants to be packaged and shipped in the manner the exemption requires.
- The minimum number of plants to qualify for the exemption results in an unfair advantage to companies who trade in larger volumes compared to small nurseries which export fewer plants per shipment.
- Specimens are not always in flower.

Ecologo* Paper / Papier Ecologo*

Nurseries exporting shipments that would meet the specifications of the exemption have expressed concern that they would rather "be safe" and have a valid CITES permit to ensure there are no difficulties at the border of the exporting or importing country in regards to the shipment not being accompanied by a CITES permit should the border officials not being aware of the exemption and/or the importing country does not implement the exemption.

iv) The annotation allows us to focus efforts on trade in specimens potentially associated with a higher risk to the conservation of wild populations (i.e. non-hybrids). It may be worthwhile for the Plants Committee to consider a further exemption by annotation of artificially propagated human-made genera such as *Colomonara, Brassocattleya, Odontocidium,* etc. as they do not pose a risk to wild populations.

Please contact the CITES Scientific Authority at +1 (819) 953-1429 or cites-science@ec.gc.ca if you have any questions.

Yours sincerely,

Basile van Havre
Director, Population Conservation
Canadian Wildlife Service

c.c. Carolina Caceres, CITES Scientific Authority
Mary Taylor, CITES Management Authority

Madagascar

----- Forwarded by David MORGAN/UNEP/GVA/UNO on 10/28/2008 04:04 PM -----

voninjatovo Randahy
<meeft_sgecites@yahoo.fr>

10/28/2008 02:58 PM

To david.morgan@cites.org
cc oliviavololoniaina@yahoo.fr
Subject Réponse à la notification n°2008/045 du15 Juillet 2008

Bonne réception
DVRN/SGFF

reponse à la notification.JPG PJ 1.JPG

REPOBLIKAN'I MADAGASIKARA
Tanindrazana – Fahafahana – Fandrosoana

MINISTERE DE L'ENVIRONNEMENT, DES FORETS ET DU TOURISME

SECRETARIAT GENERAL

DIRECTION GENERALE DE L'ENVIRONNEMENT, ET DES FORETS

DIRECTION DE LA VALORISATION DES RESSOURCES NATURELLES

N° 346 /08/MEFT/SG/DGEF/DVRN/SGFF

Antananarivo, le 28 OCT 2008

Le Directeur de la Valorisation Des Ressources Naturelles
Organe de Gestion CITES Madagascar

à

Monsieur David MORGAN
Secrétariat CITES GENEVE
David.morgan@cites.org

Objet : Réponse à la notification N°2008/045 du 15 Juillet 2008

Monsieur,

Faisant suite à la notification en objet relative à l' "annotation des espèces inscrites à l'Annexe II sur les orchidées",

J'ai l'honneur de vous transmettre la réponse de Madagascar suivant avis de l'Autorité Scientifique en pièce jointe.

Vous en souhaitant bonne réception, veuillez recevoir Monsieur, mes sincères salutations.

Pièce jointe :
- Avis Autorité Scientifique Flore

Copie à :
- DGEF

"Pour compte-rendu"

RAHARIMANIRAKA Lydie Norohanta
Ingenieur des Eaux et Forêts

Repoblikan'i Madagasikara
Tanindrazana-Fahafahana-Fandrosoana

Université d'Antananarivo
Faculté des Sciences
Département de Biologie et Ecologie Végétales
BP 906
Téléphone : 020 24 575 91
MADAGASCAR

Antananarivo, le 22 octobre 2008.

AUTORITE SCIENTIFIQUE FLORE CITES
Département de Biologie et Ecologie Végétales
Faculté des Sciences
Université d'Antananarivo

à

Madame le Directeur de la Valorisation
Des Ressources Naturelles
Organe de Gestion de la CITES
Nanisana Antananarivo

N° : 030-08/UNIV/DBEV/SPFl/CITES

Objet : Réponse à la notification n°2008/045.

Réf. : VL n° 325/MEFT/SG/DGEF/DVRN/SGFF

Madame,

En réponse à la notification n°2008/045 portant annotation aux espèces d'Orchidées inscrites à l'Annexe II, envoyée par le Secrétariat de Genève, nous pouvons dire, d'une part, que nous n'avons pas encore reçu de demande de dérogation pour les hybrides du fait qu'ils ne sont pas encore exportés. En revanche, l'année dernière, certains opérateurs malgaches ont eu quelques problèmes avec la douane malgache quant au rapatriement des plantules *in vitro* d'orchidées malgaches qu'ils avaient multipliées à l'étranger. Nous remercions l'Organe de Gestion de faire une annotation ou un arrêté concernant ce genre de rapatriement étant donnée que la multiplication *in vitro* des espèces d'orchidées malgaches par les opérateurs a été encouragée.

D'autre part, nous recommandons la préparation d'une guide illustrée d'identification des espèces sauvages, parents potentiels des hybrides, dans le but de distinguer dans le futur les cultivars hybrides des parents sauvages. En outre, une demande de financement a déjà été sollicitée auprès de la GTZ en vue de la « Conception des fiches d'identification de quelques espèces d'orchidées endémiques et commercialisées malgaches ». Cette demande est encore sans réponse jusqu'à ce jour.

Vous souhaitant bonne réception.

LE CHEF DE DEPARTEMENT
ET PAR DELEGATION

V.N. JEANNODA

RECEIVED 22 OCT 2008

N° 902/SGFF
23 OCT. 2008

New Zealand

wjackson@doc.govt.nz
07/24/2008 03:15 AM

To milena.schmidt@cites.org
cc
bcc
Subject Response from NZ re Notif 2008/045 (Orchid annotations)

Hello Milena,

I hope this message finds you well and having an excellent summer in Geneva! This is very exciting - my first message to you as the CITES Management Authority of NZ! Unfortunately I don't have much to report. As far as I can find out, we have not had any problems with implementing the annotation to Orchidaceae spp. in Appendix II. This is the information from the CITES officer who deals with the two orchid exporters that we have not had any issues here in NZ. The only issues that I think we have vis-à-vis orchid trade involves orchids that are included in traditional Asian medicine (but this is a bigger issue!).

I hope this is helpful. Let me know if you would like more information.

Kind regards as always,
Wendy

CITES Management Authority
Department of Conservation / Te Papa Atawhai
18-32 Manners Street
PO Box 10-420
Wellington, New Zealand
Tel: +64 (0)4 471 0726 (ext. 8106)
Direct line: +64 (0)4 471 3106

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This e-mail (and attachments) is confidential and may be legally privileged.

Thailand

International Trade of Plants
under Conventions Sub-division
Plant Varieties Protection Division,
Department of Agriculture
Paholyothin Rd., Chatuchak,
Bangkok, 10900, Thailand.

No. AC 0904.04/207

ACTION COPY
03. Nov. 2008
REPLY FILE

29 October B.E. 2551 (2008)

CITES Secrétariat
International Environment House,
15, Chemin des Anemones,
CH-1219 Chatelaine, Geneva,
SWITZERLAND.

Dear Sir,

Subject: Orchids: annotation for species included in Appendix II

Referring to Notification to Parties no.2008/045 dated Geneva, 15 July 2008, paragraph 2 d) to monitor and assess possible conservation problems arising from the implementation of the annotation to Orchidaceae spp. in Appendix II.

We are please to submit our Thailand responds the question on the problems arising from the implementation of the annotation to Orchidaceae spp. in Appendix II as following on the attached page 2.

Thank you very much for your kind cooperation.

Sincerely yours,

(Mr. Manit Jaichagun)
Chief, International Trade of Plants under
Conventions Sub-division
(CITES MA of Thailand for Plants)

Plant Varieties Protection Division,
Tel. 662-9405687 Fax 662-9405687

Thailand responds the question on the problems arising from the implementation of the annotation to Orchidaceae spp. in Appendix II

1. Have you encountered any problems concerning the exemption annotation of Orchidaceae spp. included in Appendix II as exporting or importing country or for both?

Thailand is exporting country of orchid hybrids.
Yes, we have some encountered problems.

2. Please describe the problems that have been arising.
Even through the exemption annotation of Orchidaceae spp. included in Appendix II came into force by many years but some parties are not effective.

Since, Thai orchid exporters have some encountered problems with their customers. Some customer importing country, they are uncertain on CITES permits requirement for their shipment of orchid hybrids with regarding to the exemption annotation of Orchidaceae spp. in Appendix II. They are still ask exporter to applied the CITES permits for their shipment.

3. What is your recommendation to resolve the problems?
Considering that all parties should amended their national law to implement and comply with the exemptions annotation of Orchidaceae spp. in Appendix II.

To capacity building the competent authority involve the said subject.

4. Do you observe positive effects or do you have any other comments?

Positive effects
- Reduction the CITES Management Authority paper works on issuance permit for the orchid hybrids.

United Kingdom

"Hughes, Stacey (WSC)" <Stacey.Hughes@defra.gsi.gov.uk>
10/28/2008 03:54 PM

To <milena.schmidt@cites.org>, <cr1clmum@uco.es>
cc "Beaufort, Lynn (WSC)" <Lynn.Beaufort@defra.gsi.gov.uk>, "Salmon, Trevor (WSC)" <Trevor.Salmon@defra.gsi.gov.uk>, "Noel McGough"
bcc
Subject UK Response to Notification 2008/045 on orchids

Dear Milena and Margarita,
Please see attached UK response to the above Notification. Many thanks to Noel for his contribution towards our reply.

If you have any queries, please don't hesitate to contact me.

Kind regards

Stacey Hughes
UK CITES Management Authority

<<UK response to Notifn 2008-045 - App II orchid annotation.doc>>

Stacey Hughes I CITES & International Species Policy Team I Defra I WSC3, Zone 1/07c, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6EB I tel: +44 (0)117 372 8685 I fax: +44 (0)117 372 8373 I Help save paper - do you need to print this email?

Department for Environment, Food and Rural Affairs (Defra)

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UK response to Notifn 2008-045 - App II orchid annotation.doc

UK RESPONSE TO NOTIFICATION 2008/045: ORCHID ANNOTATION FOR SPECIES INCLUDED IN APPENDIX II

We have no identification material or technical information to submit in respect of paragraph 2(a) of the Notification (in addition to the CITES and Plants Guides previously provided to and distributed by the Secretariat).

In response to the questions in Para 2 (d):

i) Have you encountered any problems concerning the exemption annotation of Orchidaceae spp. included in Appendix II as exporting or importing country or for both?

No, other than -

ii) Please describe the problems that have been arising.

Traders still find the exemptions complex and sometimes request permits for exempt material as they are worried that consignments may not fully match the details of the exemptions, or that globally there may be different interpretations of the exemptions. They ask for permits as a 'fail safe' option.

iii) What is your recommendation to resolve the problems?

We would fully support a process which continues the exemptions of artificially propagated orchid hybrids which is as simple as possible and easy to interpret by all stakeholders. Simplicity and utility should be key. We have no evidence of illegal trade due to the exemptions or any case attempting to smuggle material using the exemptions.

iv) Do you observe positive effects or do you have any other comments?

There has been a positive response from the trade as they see evidence of CITES trying to address one of the orchid trade's long-term concerns. It remains vital that we continue to try to remove from CITES the control of material which has no links with wild plants and the regulation of which causes a burden on CITES Parties - without any conservation benefit. The limited resources available to CITES should be better targeted.

UK CITES Management Authority
28 October 2008

United States

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240

IN REPLY REFER TO:
FWS/DMA/PLA 7-07

OCT 31 2008

Ms. Milena Sosa Schmidt, Scientific Officer
CITES Secretariat
15, chemin des Anémones
CH 1219 CHATELAINE-Genève
Switzerland

ACTION/mi. la-COPY
03 Nov. 2008
REPLY . . . FILE

VIA FACSIMILE: +(4122) 797 3417

Dear Ms. Schmidt:

This letter responds to paragraphs d) and e) of Notification to the Parties No. 2008/045 of July 15, 2008. We have consulted with our colleagues in the U.S. Department of Agriculture, Animal and Plant Health Inspection Service (USDA/APHIS), the agency responsible for inspection and clearance of live CITES-listed plants entering the United States, in preparing this response.

With regard to the information requested in paragraph d), the U.S. plant inspection authorities have noted that most imports covered under the annotation for Orchidaceae spp. are large and demonstrate characteristics of artificial propagation, such that this exemption has not caused implementation problems for the United States. They do note, however, that some Management Authorities continue to issue CITES permits for shipments that would be covered under the exemption. We believe that it might be useful to explore whether this is a result of some countries requiring exporters to continue obtaining permits for this exempted material or if exporters are concerned that importing Parties might not recognize the exemption.

With regard to the information requested in paragraph e) of the Notification, we believe that it would be helpful to more clearly define the term 'hybrid' in the context of Annotation 7. It is not clear whether the term refers to interspecific hybrids, intergeneric hybrids, or both. The United States recommends that the annotation be applied only to interspecific and intergeneric hybrids, where both parents are derived only from the exempted genera in the annotation.

TAKE PRIDE IN AMERICA

If you have questions regarding the information we have provided, please feel free to contact me at 703-358-2095 or via email: roddy_gabel@fws.gov.

Sincerely,

for Robert R. Gabel, Chief
Division of Management Authority

Cc: Sra. M. Clemente, Chair of the Plants Committee