Plant Annotations in the CITES Appendices

- An Illustrated Manual -











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Uwe Schippmann



Cover pictures: Top left: Roots of *Panax ginseng*

Top right: Cut roots of *Gastrodia elata*Bottom left: Capsules (*Hydrastis canadensis*)
Bottom right: Agarwood finished product

(All photos by Federal Agency for Nature Conservation)

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Disclaimer

The information in this publication is correct and complete to the best of our knowledge and is based on the CITES Appendices, valid from 2 January 2017. Legally binding is the effective version of the CITES Appendices I, II and III as published by the CITES Secretariat on www.cites.org.

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Preface

Understanding the CITES Appendices and the plant and animal species included in Appendices I, II and III is often difficult. A particular challenge is the implementation of the various Annotations which accompany many plant species.

To support implementation and enforcement of CITES plant listings we have prepared this booklet. This Manual is primarily directed to the CITES enforcement community, but, we hope, will also be of use to other stakeholders in the CITES family.

The Manual describes all Annotations and defines the terms used in the text of the Annotations. The most important part of the Manual, however, is the image based guide illustrating the commodities that are regulated by CITES and the commodities that are not regulated by CITES for the given species.

The aim of this booklet is to be a practical guide for the implementation of these Annotations and an improved understanding of the terms used in them. We have made considerable effort to summarize and illustrate the majority of commodities that can be found in international trade, including their transitional processing stages from raw material to finished product.

The current version of this Manual includes decisions taken by the Parties at CoP 17 in 2016 and SC 69 in November 2017.

We intend to update this Manual in the light of changes to the Appendices and improved understanding of trade and its commodities.

Proposals to include additional relevant commodities of CITES plants in the image section are highly welcome.

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Photos:

I would also like to thank those colleagues who have provided photos for the use in this handbook. Photo author credits are given on the bottom of the respectives pages. They are referenced by stating the author plus the line and position of photo from left (example: "2-3" identifies the 3rd photo from left in the 2nd line). All photos not referenced are credited to BfN. A full photo credit list is provided in the Annex.

Introduction

The majority of plant species listings included in the CITES Appendices II and III are accompanied by special footnotes called "Annotations". They are preceded by the "#" symbol. These Annotations define which commodities are covered by the listing or are excluded from it. A common understanding of these Annotations by enforcement officials and by exporting and importing companies is of legal as well as of conservation and economic importance.

(1) The # Annotations are an element in CITES which are only used in the Flora part of the Appendices. This goes back to Article I of the Convention text which defines the term "specimen" differently for animals and plants:

Article I

Definitions

For the purpose of the present Convention, unless the context otherwise requires: [...]

- (b) "Specimen" means:
- (i) any animal or plant, whether alive or dead;
- (ii) in the case of an animal: for species included in Appendices I and II, any readily recognizable part or derivative thereof; and for species included in Appendix III, any readily recognizable part or derivative thereof specified in Appendix III in relation to the species; and
- (iii) in the case of a plant: for species included in Appendix I, any readily recognizable part or derivative thereof; and for species included in **Appendices II and III**, any readily recognizable part or derivative thereof specified in Appendices II and III in relation to the species;

This Article deals with the question in which cases commodities or products can be exempt from CITES controls.

In other words, subparagraph (b) of Article I means the following:

- Any individual animal or plant, whether alive or dead, is regulated.
- For plant and animal species in Appendix I all parts or derivatives are always regulated and cannot be exempted.
- For animal species in Appendix II all parts or derivatives are always regulated and cannot be exempted.
- However, for plant species in Appendices II and III (as well as for animal species in Appendix III) it is possible to exempt certain commodities and products from the CITES listing. These parts and derivatives have to be specified in an Annotation to the listing. These Annotations are marked with "#", followed by a number.
- Regulated are only those parts or derivatives which are readily recognizable (cf. Res. Conf. 9.6 Rev. CoP16).

So in conclusion we can state: An Annotation is a note attached to certain species in the Appendices to indicate which parts or derivatives fall under the CITES listing.

(2) Other footnotes in the Appendices: In addition to the # Annotations, the Flora part of the Appendices also has footnotes without preceding "#" and also text

amendments. This adds up to some complexity as can be seen by the example given in Fig. 1.

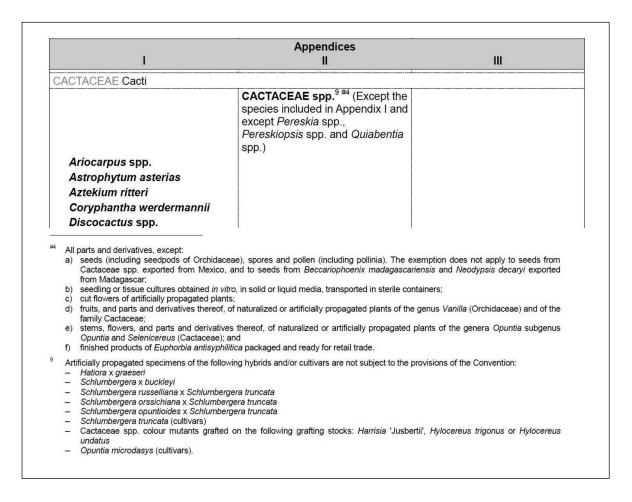


Fig. 1: The entry for "CACTACEAE spp." in Appendix II as an example for possible footnotes and Annotations.

- (3) "Parts and derivatives". When the CITES Convention makes provisions about the # Annotations (Art I, XVI, XXIII), the standard term used is "parts or derivatives". It is meant to circumscribe any specimen in trade which is not a whole live or dead specimen. "Parts and derivatives" is also used at the onset of six of the # Annotations (#1, #2, #4, #9, #14, #15). In plain language, the term "parts or derivative" corresponds with the term "product" or "commodity". These can range from raw plant material, to intermediate or semi-processed commodities or final products.
- (4) **General format of # Annotations**: In the existing Annotations two forms can be distinguished.
 - Some Annotations start with the statement that all parts and derivatives are controlled and then list the specific exemptions (#1, #2, #4, #9, #14, #15). In these cases, the commodities listed are those which are excluded from CITES control (exclusionary Annotation).

- Other Annotations simply state which commodities are controlled (#3, #5, #6, #7, #8, #10, #11, #12, #13, #16). In these cases all parts and derivatives not mentioned explicitly are excluded from CITES control (inclusionary Annotation).
- (5) **Plant species without Annotation**: The majority of plant species included in the CITES Appendices II and III are accompanied by one of the # Annotations. Of the Appendix II plant species, only those listed in table 1 are un-annotated. For these species all parts and derivatives are covered by the provisions of CITES. This is clarified in Resolution Conf. 11.21 (Rev. CoP16) on *Use of annotations in Appendices I and II*, which states: "...that, for plant species included in Appendix II, the absence of an annotation relating to that species shall indicate that all readily recognizable parts and derivatives are included".

Table 1: Species in Appendix II and III without # Annotation

Family	Species	Appendix	
Agavaceae	Nolina interrata	II	
	Yucca queretaroensis	11	
Anacardiaceae	Operculicarya decaryi		
	Operculicarya hyphaenoides	II	
	Operculicarya pachypus		
Asparagaceae	Beaucarnea spp.	11	
Cucurbitaceae	Zygosicyos pubescens	11	
	Zygosicyos tripartitus	II	
Leguminosae	Dipteryx panamensis	III	
	Pterocarpus erinaceus	II	
	Senna meridionalis	II	
Palmae	Lemurophoenix halleuxii		
	Marojejya darianii		
	Ravenea louvelii		
	Ravenea rivularis	II	
	Satranala decussilvae		
	Voanioala gerardii		
Passifloraceae	Adenia firingalavensis		
	Adenia olaboensis	II	
	Adenia subsessilifolia		
Pedaliceae	Uncarina grandidieri	11	
	Uncarina stellulifera	II	
Vitaceae	Cyphostemma elephantopus		
	Cyphostemma laza	II	
	Cyphostemma montagnacii		
Zingiberaceae	Siphonochilus aethiopicus	II	

(6) **Resolutions dealing with Annotations**: One CITES Resolution is specifically dedicated to provisions relating to Annotations: Res. Conf. 11.21 (Rev. CoP16) on "Use of annotations in Appendices I and II".

Other Resolutions which include specific paragraphs relating to Annotations are:

 Resolution Conf. 9.24 (Rev. CoP16) on "Criteria for amendment of Appendices I and II"

- Resolution Conf. 9.25 (Rev. CoP16) on "Inclusion of species in Appendix III"
- Resolution Conf. 5.20 (Rev. CoP16) on "Guidelines for the Secretariat when making recommendations in accordance with Article XV"
- Resolution Conf. 11.19 (Rev. CoP16) on "Identification Manual"

Annotation #1

- **#1** All parts and derivatives, except:
- a) seeds, spores and pollen (including pollinia);
- 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) fruits and parts and derivatives thereof, of artificially propagated plants of the genus *Vanilla*.

Species carrying this Annotation:

Appendix III:

Gnetum montanum (Nepal), Magnolia liliifera var. obovata (Nepal), Meconopsis regia (Nepal), Podocarpus neriifolius (Nepal), Tetracentron sinense (Nepal)

Explanation:

This Annotation is a residue of changes to the # Annotations at CoP 14 in 2007. At that time, the former Annotations #1, #4 and #8 were merged to what is now Annotation #4 in an attempt to streamline the Annotations.

Only after CoP 14 it became apparent that the former Annotation #1 could not be changed for the five species mentioned above. They were included in Appendix III by Nepal and only Nepal has the right to change the Annotation. Several attempts by the CITES Secretariat have failed to attain the acceptance of Nepal for this change. Therefore this Annotation is still formally valid.

It does, however, not play a role in implementation since trade in these five species is negligible. This Annotation is therefore not further discussed here.

Annotation #2

#2 All parts and derivatives except:

- a) seeds and pollen; and
- b) finished products packaged and ready for retail trade.

Species carrying this Annotation:

Appendix II:

Adonis vernalis, Guaiacum spp., Nardostachys grandiflora, Osyris lanceolata, Picrorhiza kurrooa, Podophyllum hexandrum, Rauvolfia serpentina, Taxus chinensis, Taxus cuspidata, Taxus fuana, Taxus sumatrana, Taxus wallichiana

Explanation:

- (1) This Annotation is connected to a number of species in both Appendix II and III. It has 2 intentions: Firstly it makes clear that seeds and pollen in trade are not controlled for these species (this exclusion is also found in other Annotations). Secondly it makes clear that finished products in retail trade in a state fit for being sold to or used by the general public are not controlled. To clarify which commodities or products indeed fulfil this criterion, a definition (see below) has been elaborated by the Plants Committee and was agreed to by CoP 16.
- (2) Please note that live and whole dead specimens (as specified in Article I of the Convention text; see box on page 7) are of course always controlled by CITES.

Definition of terms:

"part and derivative" See paragraph (3) on page 8.

"finished product packaged and ready for retail trade"

Products, shipped singly or in bulk, requiring no further processing, packaged, labelled for final use or the retail trade in a state fit for being sold to or used by the

general public.

"pollen" Mass of small grains containing sperm cells of a plant.

"seed" Reproductive part of a fruit. Produced by all higher

plants, consisting of an embryo and usually a seed-

coat, with endosperm.



Wood pieces of Guaiacum sp.



Root of Rauvolfia serpentina



Root of Nardostachys grandiflora



Wood chips of Guaiacum sp.



Cut root of Picrorhiza kurroa



Cut root of Podophyllum hexandrum



Cut root of Rauvolfia serpentina



Twigs & needles of Taxus wallichiana



Cut root of Nardostachys grandiflora



Solid extract of Guaiacum sp.



Oil in solid form (Guaiacum sp.)



Oil in drum (Guaiacum sp.)



Powdered root of Nardostachys grandiflora



Capsules (Nardostachys grandiflora)



Capsules (Picrorhiza kurroa)



Capsules (Rauvolfia serpentina)



Tablets (Rauvolfia serpentina)



Oil of Nardostachys grandiflora



Tincture (Picrorhiza kurroa)



Tonic (Picrorhiza kurroa)



Eau de Toilette (Osyris lanceolata)



Guitar picks made of Guaiacum sp.



Paclitaxel injection (Taxus sp.)



Paclitaxel injection (Taxus sp.)

Annotation #3

#3 Whole and sliced roots and parts of roots, excluding manufactured parts or derivatives, such as powders, pills, extracts, tonics, teas and confectionery.

Species carrying this Annotation:

Appendix II:

Panax ginseng, Panax quinquefolius

Explanation:

- (1) This Annotation is only used against the two species of *Panax* in Appendix II. The substance of this Annotation lies in its first part, stating that whole and sliced roots and parts of roots are controlled. All other commodities are <u>not</u> covered by CITES. This is explained in the second part of the Annotation text, after the first comma. Please note that the products listed after "such as" are examples only; this is not an inclusive enumeration.
- (2) Please note that this Annotation uses the term "manufactured". This captures products that have been manufactured but do not necessarily fit the more strict term and definition of "finished products packaged and ready for retail trade".
- (3) Please note that live and whole dead specimens (as specified in Article I of the Convention text; see box on page 7) are of course always controlled by CITES.

Definition of terms:

"confectionary" Class of products including candy and other sugar-based

sweets.

"extract"

Any substance obtained directly from plant material by

physical or chemical means regardless of the

manufacturing process. An extract may be solid (e.g. crystals, resin, fine or coarse particles), semisolid (e.g. gums, waxes) or liquid (e.g. solutions, tinctures, oil and

essential oils).

"manufactured" Made or produced by hand or machinery, especially on a

large scale.

"part" Any part of an animal or plant (e.g. skin, shell, root)

whether raw or processed in a simple way (e.g. preserved, polished, etc.). Parts are usually readily

identifiable.

"pill" Small round mass of solid medicine for swallowing whole.

"powder"

A dry, solid substance in the form of fine or coarse particles.

"root"

All underground organs or parts of a plant including bulbs, rhizomes, corms, caudices, and tubers.

Teal

Dried leaves of a plant used to prepare drink by soaking the in hot water.

Medicinal preparation that invigorates or strengthens.

"tonic"



Roots of Panax ginseng (W; RU)



Roots of Panax quinquefolius (W)



Roots of Panax quinquefolius (A)



Roots of Panax quinquefolius (A)



Cut roots of Panax quinquefolius (A)



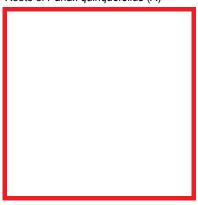
Roots of Panax quinquefolius (A)

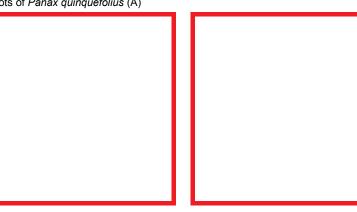


Roots of Panax quinquefolius (A)



Roots of Panax quinquefolius (A)







Annotation #4

#4 All parts and derivatives, except:

- a) seeds, (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from Beccariophoenix madagascariensis and Dypsis decaryi exported from Madagascar;
- b) seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- c) cut flowers of artificially propagated plants;
- d) fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;
- e) stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae); and
- f) finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade.

Species carrying this Annotation:

Appendix II:

Agave victoriae-reginae, Aloe spp., Anacampseros spp., Avonia spp., Beccariophoenix madagascariensis, Bowenia spp., CACTACEAE spp., Caryocar costaricense, Cibotium barometz, Cistanche deserticola, Cyathea spp., CYCADACEAE spp., Cyclamen spp., Dalbergia cochinchinensis (see # 15), Dicksonia spp., DIDIEREACEAE spp., Dionaea muscipula, Dioscorea deltoidea, Dypsis decaryi, Euphorbia spp., Fouquieria columnaris, Galanthus spp., Gonystylus spp., Hedychium philippinense, Lewisia serrata, Nepenthes spp., ORCHIDACEAE spp., Oreomunnea pterocarpa, Pachypodium spp., Platymiscium pleiostachyum, Prunus africana, Sarracenia spp., Sternbergia spp., Swietenia humilis, Tillandsia harrisii, Tillandsia kammii, Tillandsia xerographica, Welwitschia mirabilis, ZAMIACEAE spp.

Explanation:

- (1) This is the Annotation which is most frequently used in the CITES Appendices. And, as you can see, it is the most complex one. The subparagraphs (a) to (f) specify which commodities are excluded from controls.
- (2) While the first three subparagraphs (a) (c) apply to all of the taxa listed above, the latter three subparagraphs (d) (f) only apply to the plants mentioned in them. This means, e.g., that the finished product exemption "f)" only applies to *Euphorbia antisyphilitica*.

- (3) Care has also to be taken in subparagraph (a): Here, some commodities are not exempted: cacti seeds originating in Mexico are controlled and so are seed of some palm species from Madagascar.
- (4) Another source of confusion in the past in applying this Annotation relates to (d) and (e): Please note that in (d) the parts and derivatives are only exempt if they are produced from the fruits of *Vanilla* or the Cactaceae species, not from other parts of the plants. The situation is similar for subparagraph (e).
- (5) Annotation #4 also applies to specimens of the rosewood species *Dalbergia* cochinchinensis as specified in subparagraph (c) of Annotation #15 (see page 54).
- (6) Please note that live and whole dead specimens (as specified in Article I of the Convention text; see box on page 7) are of course always controlled by CITES.
- (7) This Annotation essentially covers all parts and derivatives in trade for a given species. Subparagraphs (a) through (f), although quite wordy, only exempt very specific commodities in trade. One can say that #4 comes close to an unannotated species of Appendix II which would imply that all parts and derivatives are covered by the provisions of CITES (see paragraph 5 of Introduction).

Definition of terms:

",artificially propagated"	Cultivated under controlled conditions and fulfilling
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the specifications of Resolution Conf. 11.11 (Rev. CoP15) (http://www.cites.org/eng/res/11/11-

11R15.php).

"cut flower" Flowers or flower buds, often with some stem and

leaf that have been cut from the plant bearing it.

"finished product

packaged and ready for

retail trade"

Products, shipped singly or in bulk, requiring no further processing, packaged, labelled for final use or the retail trade in a state fit for being sold to or

used by the general public.

"flower" Reproductive structure found in flowering plants,

often having showy or colourful parts.

"fruit" Seed-bearing organ of a plant.

"in vitro" Direct translation: "in glass"; meaning in an artificial

environment.

",naturalized" Non-native, introduced species that has become

established and reproduces freely.

"part and derivative" See paragraph (3) on page 8.

"pollen" Mass of small grains containing sperm cells of a

plant.

"pollinia" Mass of minute pollen grains held together by a

sticky substance.

"seed" Reproductive part of a fruit. Produced by all higher plants, consisting of an embryo and usually a seedcoat, with endosperm. "seedling or tissue Method for growing cells, tissues or seedlings on an culture" artificial nutrient medium. "seedpod" Plant structure that surrounds multiple seeds. Small grain capable of developing into a new "spore" individual. Main axis of a plant, bearing roots, leaves and/or "stem" flowers. "sterile" Free of living organisms like microorganisms or

bacteria.



Stem of Cistanche deserticola



Bark pieces of Prunus africana



Root of Gastrodia elata



Roots of Orchidaceae (salep)



Roots of Orchidaceae (salep)



Stem hairs of Cibotium barometz



Stem pieces of Cibotium barometz



Cut stem of Cistanche deserticola



Stem pieces ("spheres") of *Dendrobium* sp.



Stem pieces of *Dendrobium* sp.



Cut stem pieces of *Dendrobium* sp.



Sliced root of Gastrodia elata





Garden tools (Gonystylus sp.)



Mouldings (Gonystylus sp.)



Picture frames (Gonystylus sp.)



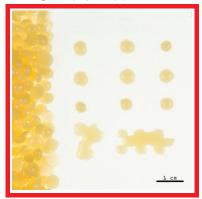
Flooring (Gonystylus sp.)



Plywood (Gonystylus sp.)



Wax blocks (Euphorbia antisyphilitica)



Wax pellets (Euphorbia antisyphilitica)



Extract (Dendrobium sp.)



Extract (Aloe ferox)



Extract (Dendrobium sp.)



Capsules (Aloe ferox)



Tablets (Bletilla striata)



Capsules (Cistanche deserticola)



Granules (Cistanche deserticola)



Tablets (Dionaea muscipula)



Capsules (Gastrodia elata)



Capsules (Gastrodia elata)



Capsules (Gastrodia elata)



Capsules (Prunus africana)



Tincture (Dionaea muscipula)



Ointment (Aloe ferox)



Creme (Prunus africana)



Shampoo (Prunus africana)



Fruit of Hylocereus sp. (pitaya)



Fruit of Opuntia sp.



Stem pads of Opuntia sp.



Pickled stem pads of Opuntia sp.



Fruit of Vanilla sp.



Artificially propagated cut flowers (orchids)



Artificially propagated cut flowers (orchids)



Orchids in sterile container



Orchids in sterile container



Orchids in sterile container



Orchids in sterile container



Wax pellets (Euphorbia antisyphilitica)



Annotation #5

#5 Logs, sawn wood and veneer sheets.

Species carrying this Annotation:

Appendix II:

Diospyros spp. (only populations of Madagascar are regulated), *Pericopsis elata,* Swietenia mahagoni

Appendix III:

Cedrela fissilis (Bolivia, Brazil), Cedrela lilloi (Bolivia, Brazil), Cedrela odorata (Bolivia, Brazil), Fraxinus mandshurica (Russian Federation), Pinus koraiensis (Russian Federation), Quercus mongolica (Russian Federation)

Explanation:

- (1) This Annotation was designed for species which are in trade for their timber. For this Annotation it is implicit that no other commodities than logs, sawn wood and veneer sheets are controlled under CITES. All other commodities are excluded from CITES control.
- (2) Problems in enforcement that have arisen around the interpretation of "sawn wood" are discussed under Annotation #6 on page 31.
- (3) Please note that live and whole dead specimens (as specified in Article I of the Convention text; see box on page 7) are of course always controlled by CITES.

Definition of terms:

"log" All wood in the rough, whether or not stripped of bark or

sapwood, or roughly squared, for processing, notably into sawn wood, pulpwood or veneer sheets (HS code 44.03).

"sawn wood" Wood simply sawn lengthwise or produced by a profile-

chipping process. Sawn wood normally exceeds 6 mm in

thickness. (HS code 44.06, HS code 44.07).

", veneer sheet" Thin layers or sheets of wood of uniform thickness, usually 6

mm or less, usually peeled or sliced, for use in making plywood, for veneering furniture, veneer containers, etc. (HS

code 44.08).

Examples of commodities in trade (red: covered, green: not covered by CITES):



The photos on this page to illustrate logs, sawn wood, and veneer are generic and not species-specific. Photo credits: 29-1-1, 29-1-2, 29-1-3, 29-2-1: D. Wolf; 2-2, 2-3, 3-1: ITTO; 4-1: João Medeiros, https://www.flickr.com/photos/cerrados/6104116081

Annotation #6

#6 Logs, sawn wood, veneer sheets and plywood.

Species carrying this Annotation:

Appendix II:

Dalbergia spp. originating and exported from Mexico (see # 15), Swietenia macrophylla

Explanation:

- (1) This Annotation was designed for species which are in trade for their timber. For this Annotations it is implicit that no other commodities than logs, sawn wood, veneer sheets, and plywood are controlled under CITES. All other commodities are excluded from CITES control.
- (2) Annotation #6 also applies to specimens of those species of the genus *Dalbergia* which originate and are exported from Mexico. This is included in subparagraph (d) of Annotation #15 (see page 54).
- (3) In the past, some discussions have arisen among CITES parties about the transition from sawn wood to semi-processed wood. While sawn wood requires CITES documentation under Annotation #6, semi-processed wood is exempt from CITES controls. Under the Harmonized System of Customs Classification it is clear that lumber that has been continuously shaped along any one of its edges, is no longer sawn wood. Therefore the specimen shown on page 33 is not controlled by CITES. However, some CITES parties were concerned that exporters were creating a molded or bevelled edge on their sawn wood in order to circumvent CITES controls. In some cases this has led to disagreement about whether a particular commodity qualifies as sawn wood.
- (4) Please note that live and whole dead specimens (as specified in Article I of the Convention text; see box on page 7) are of course always controlled by CITES.

Definition of terms

"log" All wood in the rough, whether or not stripped of bark or

sapwood, or roughly squared, for processing, notably into sawn wood, pulpwood or veneer sheets (HS code 44.03).

"plywood" Consisting of three or more sheets of wood glued and

pressed one on the other and generally disposed so that the

grains of successive layers are at an angle (HS code 44.12.13, HS code 44.12.14, and HS code 44.12.22).

"sawn wood" Wood simply sawn lengthwise or produced by a profile-

chipping process. Sawn wood normally exceeds 6 mm in

thickness. (HS code 44.06, HS code 44.07).

"veneer sheet"

Thin layers or sheets of wood of uniform thickness, usually 6 mm or less, usually peeled or sliced, for use in making plywood, for veneering furniture, veneer containers, etc. (HS code 44.08).

Examples of commodities in trade (red: covered, green: not covered by CITES):



The majority of photos on this page to illustrate logs, sawn wood, and veneer are generic and not species-specific.

Photo credits: 1-1, 1-2, 1-3, 2-1: D. Wolf; 2-2, 2-3, 3-1: ITTO; 3-2: Wiki Creative Commons; 4-1: Doug Brignole; 4-2: C. Waitkus, Thünen-Institut

Annotation #7

#7 Logs, wood chips, powder and extracts.

Species carrying this Annotation:

Appendix II:

Pterocarpus santalinus

Explanation:

- (1) This Annotation was designed and is used for only one species, Red Sanders, a species endemic to India which is both traded for its valuable timber but also for its use as a dye and medicinal plant. This is why the Annotations lists commodities from both of these market sectors.
- (2) The Annotations determines that no other commodities than logs, wood chips, powder and extracts are controlled under CITES. All other commodities are excluded from CITES control.
- (3) Please note that live and whole dead specimens (as specified in Article I of the Convention text; see box on page 7) are of course always controlled by CITES.

Definition of terms:

",extract" Any substance obtained directly from plant material by

physical or chemical means regardless of the manufacturing process. An extract may be solid (e.g. crystals, resin, fine or coarse particles), semisolid (e.g. gums, waxes) or liquid (e.g.

solutions, tinctures, oil and essential oils).

"log" All wood in the rough, whether or not stripped of bark or

sapwood, or roughly squared, for processing, notably into sawn wood, pulpwood or veneer sheets (HS code 44.03).

"powder" A dry, solid substance in the form of fine or coarse particles.

"wood chip" Wood that has been reduced to small pieces.

Examples of commodities in trade (red: covered, green: not covered by CITES):



Logs



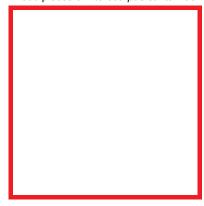


Wood pieces of Pterocarpus santalinus



Wood chips of Pterocarpus santalinus







Chopsticks (Pterocarpus santalinus)



Beads (Pterocarpus santalinus)



Body powder (Pterocarpus santalinus)



Incense containing Pterocarpus santalinus



Incense containing Pterocarpus santalinus



Incense containing Pterocarpus santalinus

The photos on this page to illustrate logs are generic and not species-specific. Photo credits: 1-1, 1-2: D. Wolf; 4-1, 4-2, 4-3: Czech Environmental Inspectorate

#8 Underground parts (i.e. roots, rhizomes): whole, parts and powdered.

Species carrying this Annotation:

Appendix II:

Hydrastis canadensis

Explanation:

- (1) This Annotation was designed and is used for only one species, Goldenseal, a species from North America which is in trade as a medicinal plant. The Annotation determines that no other commodities than the underground parts of the plant are controlled by CITES. In brackets it explains that roots and rhizomes are the two underground plant organs that this species develops.
- (2) Then the range of commodities controlled is further narrowed down by text after the colon: The underground parts are only controlled if they are traded as whole roots or rhizomes, if they are cut into pieces or if they are in powdered form. No other processing state of the underground parts is controlled.
- (3) Please note that live and whole dead specimens (as specified in Article I of the Convention text; see box on page 7) are of course always controlled by CITES.

Definition of terms:

"powdered" → "powder"	A dry, solid substance in the form of fine or coarse particles.
"powder"	A dry, solid substance in the form of fine or coarse particles.
"rhizome"	Underground stem, distinguished from root by its nodes, buds or scale-like leaves.
"root"	All underground organs or parts of a plant including bulbs, rhizomes, corms, caudices, and tubers
"underground part"	Any subterranean plant part, e.g. root, rhizome, bulb, tuber, corm or caudice.

Examples of commodities in trade (red: covered, green: not covered by CITES):



#9 All parts and derivatives except those bearing a label: "Produced from Hoodia spp. material obtained through controlled harvesting and production under the terms of an agreement with the relevant CITES Management Authority of [Botswana under agreement No. BW/xxxxxx] [Namibia under agreement No. NA/xxxxxx] [South Africa under agreement No. ZA/xxxxxx]".

Species carrying this Annotation:

Appendix II:

Hoodia spp.

Explanation:

(1) This Annotation was designed and is used only for the *Hoodia* species. It was crafted by the three major range states of these species, Botswana, Namibia and South Africa and was then adopted by the CITES CoP. Its purpose is to exclude certain products from CITES controls if they have been approved by these governments under a certification scheme and if they carry a label to that end.

However, since none of the countries have so far issued such labels, this possible exemption has yet to be implemented. This means that currently all parts and derivatives of *Hoodia* spp. are controlled by CITES.

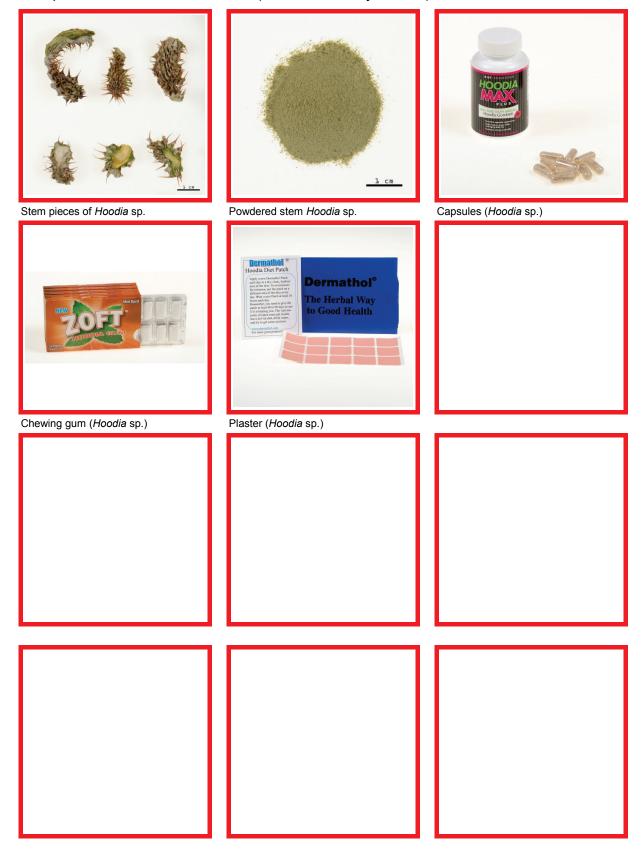
(2) Please note that live and whole dead specimens (as specified in Article I of the Convention text; see box on page 7) are of course always controlled by CITES.

Definition of terms:

",part and derivative" See paragraph (3) on page 8.

For this Annotation, commodities have not yet been exempted from CITES controls and therefore there are no pictures.

Examples of commodities in trade (red: covered by CITES):



#10 Logs, sawn wood, veneer sheets, including unfinished wood articles used for the fabrication of bows for stringed musical instruments.

Species carrying this Annotation:

Appendix II:

Caesalpinia echinata

Explanation:

- (1) This Annotation was designed and is used for only one species, Pao Brazil, a species endemic to Brazil which is in trade for its valuable timber. The Annotation determines that no other commodities than logs, sawn wood, veneer sheets are controlled under CITES. It then goes on to say that also "unfinished wood articles used for the fabrication of bows for stringed musical instruments" are controlled. This relates to the fact that the timber is mainly used for making high-end violin bows. Semi-processed blocks of this hardwood are in trade and are controlled by CITES under this Annotation. All other commodities are excluded from CITES control.
- (2) Please note that live and whole dead specimens (as specified in Article I of the Convention text; see box on page 7) are of course always controlled by CITES.

Definition of terms:

"log" All wood in the rough, whether or not stripped of bark or

sapwood, or roughly squared, for processing, notably into sawn wood, pulpwood or veneer sheets (HS code 44.03).

"sawn wood" Wood simply sawn lengthwise or produced by a profile-

chipping process. Sawn wood normally exceeds 6 mm in

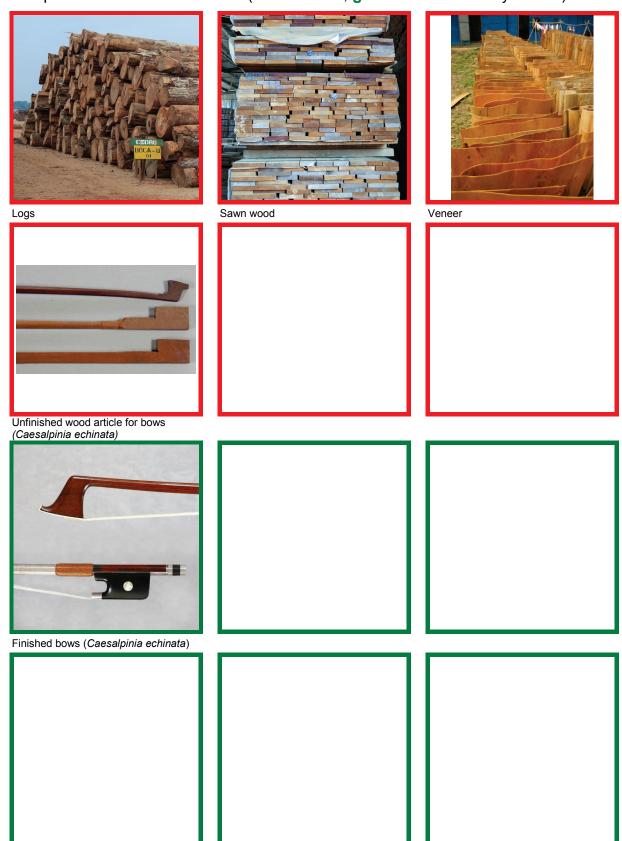
thickness. (HS code 44.06, HS code 44.07).

", "veneer sheet" Thin layers or sheets of wood of uniform thickness, usually 6

mm or less, usually peeled or sliced, for use in making plywood, for veneering furniture, veneer containers, etc. (HS

code 44.08).

Examples of commodities in trade (red: covered, green: not covered by CITES):



The photos on this page to illustrate logs, sawn wood, and veneer are generic and not species-specific. Photo credits: 1-1, 1-2: D. Wolf; 1-3: ITTO; 2-1, 3-1: R. Grünke

#11 Logs, sawn wood, veneer sheets, plywood, powder and extracts. Finished products containing such extracts as ingredients, including fragrances, are not considered to be covered by this annotation.

Species carrying this Annotation:

Appendix II:

Bulnesia sarmientoi

Explanation:

- (1) This Annotation was designed and is used for only one species, *Bulnesia* sarmientoi, a species from Latin America which is both traded for its timber but also for its use as a medicinal plant. This is why the Annotation lists commodities from both of these market sectors.
- (2) For this Annotations it is implicit that no other commodities than logs, sawn wood, veneer sheets, plywood, powder and extracts are controlled under CITES. All other commodities are excluded from CITES control.
- (3) Please note that live and whole dead specimens (as specified in Article I of the Convention; see box on page 7) are of course always controlled by CITES.

Definition of terms:

"extract" P	iny s	substance obtaine	d directly fro	m plan	t material	by pr	nysical or

chemical means regardless of the manufacturing process. An extract may be solid (e.g. crystals, resin, fine or coarse particles), semisolid (e.g. gums, waxes) or liquid (e.g. solutions, tinctures, oil

and essential oils).

"log" All wood in the rough, whether or not stripped of bark or sapwood,

or roughly squared, for processing, notably into sawn wood,

pulpwood or veneer sheets (HS code 44.03).

"plywood" Consisting of three or more sheets of wood glued and pressed one

on the other and generally disposed so that the grains of successive layers are at an angle (HS code 44.12.13, HS code 44.12.14, and

HS code 44.12.22).

"powder" A dry, solid substance in the form of fine or coarse particles.

"sawn wood" Wood simply sawn lengthwise or produced by a profile-chipping

process. Sawn wood normally exceeds 6 mm in thickness. (HS

code 44.06, HS code 44.07).

"veneer sheet" Thin layers or sheets of wood of uniform thickness, usually 6 mm or

less, usually peeled or sliced, for use in making plywood, for veneering furniture, veneer containers, etc. (HS code 44.08).

Examples of commodities in trade (red: covered, green: not covered by CITES):



The photos on this page to illustrate logs, sawn wood, veneer, and plywood are generic and not species-specific. Photo credits: 1-1, 1-2, 1-3, 2-1: D. Wolf; 2-2, 2-3, 3-1: ITTO; 3-2: Wiki Creative Commons; 4-2: C. Rutherford

#12 Logs, sawn wood, veneer sheets, plywood and extracts. Finished products containing such extracts as ingredients, including fragrances, are not considered to be covered by this annotation.

Species carrying this Annotation:

Appendix II:

Aniba rosaeodora

Explanation:

- (1) This Annotation was designed and is used for only one species, Brazilian Rosewood, a species endemic to Brazil which is mainly traded as high-quality oil used in the cosmetics sector.
- (2) For this Annotations it is implicit that no other commodities than logs, sawn wood, veneer sheets, plywood, and extracts are controlled under CITES. All other commodities are excluded from CITES control.
- (3) While #2, #4 and #14 use the phrase "finished product packaged and ready for retail trade", #12 refers to "finished products" only. This indicates that products containing such extracts need not be packaged and ready for retail trade to qualify as exempt.
- (4) Please note that live and whole dead specimens (as specified in Article I of the Convention text; see box on page 7) are of course always controlled by CITES.

Definition of terms:

"extract" Any substance obtained directly from plant material

by physical or chemical means regardless of the manufacturing process. An extract may be solid (e.g. crystals, resin, fine or coarse particles), semisolid (e.g. gums, waxes) or liquid (e.g. solutions, tinctures, oil and essential oils).

"fragrance" Compound that has a smell or an odour.

"log" All wood in the rough, whether or not stripped of

bark or sapwood, or roughly squared, for

processing, notably into sawn wood, pulpwood or

veneer sheets (HS code 44.03).

"plywood" Consisting of three or more sheets of wood glued

and pressed one on the other and generally

disposed so that the grains of successive layers are at an angle (HS code 44.12.13, HS code 44.12.14,

and HS code 44.12.22).

"sawn wood" Wood simply sawn lengthwise or produced by a

profile-chipping process. Sawn wood normally exceeds 6 mm in thickness. (HS code 44.06, HS

code 44.07).

"veneer sheet" Thin layers or sheets of wood of uniform thickness,

usually 6 mm or less, usually peeled or sliced, for use in making plywood, for veneering furniture,

veneer containers, etc. (HS code 44.08).

Examples of commodities in trade (red: covered, green: not covered by CITES):



The photos on this page to illustrate logs, sawn wood, veneer, and plywood are generic and not species-specific. Photo credits: 1-1, 1-2: D. Wolf; 1-3: ITTO; 2-1: Wiki Creative Commons; 2-2: C. Magaldi; 2-3, 4-2: C. Rutherford

Annotation #13

#13 The kernel (also known as 'endosperm', 'pulp' or 'copra') and any derivative thereof.

Species carrying this Annotation:

Appendix III:

Lodoicea maldivica (Seychelles)

Explanation:

- (1) This Annotation was designed and is used for only one species, Coco de Mer, a palm species endemic to some islands of the Seychelles. This species has been included in Appendix III upon request of the government of the Seychelles.
- (2) This palm species is famous for producing the largest and heaviest seeds of the plant kingdom. The hard outer shells of the fruits are in trade as a curio. Also traded is the endosperm, i.e. the tissue inside of the fruit which is used for cosmetics and medicinal purposes.
- (3) The Annotations determines that beyond live and whole dead specimens, the only commodities controlled by CITES are the "kernel" and its derivatives. In brackets several other names for the kernel are given. By including the phrase "and any derivative thereof", the Annotation makes clear that only products derived from the kernel are controlled by CITES. It is hence clear that the outer hard shell of the fruit is not covered by CITES, only the kernel is controlled.
- (4) We interpret the phrase "and any derivate thereof" as to include all finished products of the regulated specimens in the controls of CITES.
- (5) Please note that live and whole dead specimens (as specified in Article I of the Convention text; see box on page 7) are of course always controlled by CITES.

Definition of terms:

",derivative" Any processed part of an animal or plant (e.g. medicine,

perfume, etc.).

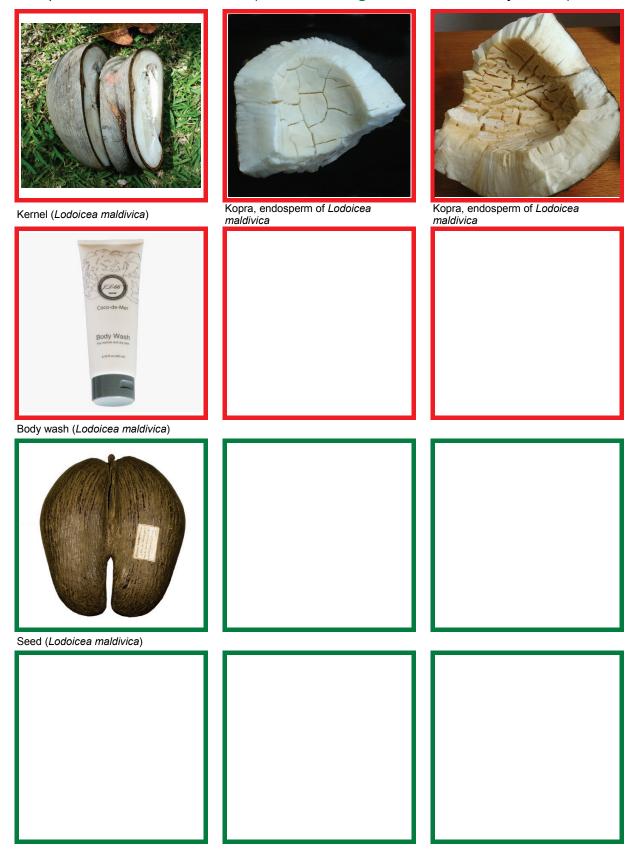
"endosperm" Starchy or oil rich material produced inside the plant seed

which nourishes the embryo.

"kernel" The nutritive tissue of a seed.

"", "pulp" Inner, soft or juicy part of a fruit or vegetable.

Examples of commodities in trade (red: covered, green: not covered by CITES):



#14 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) fruits; d) leaves; e) exhausted agarwood powder, including compressed powder in all shapes; and f) finished products packaged and ready for retail trade, this exemption does not apply to wood chips, beads, prayer beads and carvings.

Species carrying this Annotation:

Appendix II:

Aquilaria spp., Gyrinops spp.

Explanation:

- (1) This is another complex Annotation which is divided in a number of subparagraphs specifying which commodities are excluded from CITES controls. This Annotation has been elaborated specifically for the 'agarwood' trade. A number of tree species from the plant genera *Aquilaria* and *Gyrinops* produce a special type of hardwood called 'agarwood' which is a valuable raw material for the cosmetics and fragrances sector.
- (2) Subparagraphs (a) and (b) are the same as in Annotation #4. Subparagraphs (c) and (d) exclude fruits and leaves of these species from CITES controls.
- (3) Subparagraph (e) excludes "exhausted agarwood powder". This is the residue of powdered wood after the extraction of agarwood oil. Powder before extraction is therefore under CITES control. It is, however, difficult to distinguish the two states. Colour and smell of the powder have been claimed to be distinguishing characters but identification material is yet to be produced.

The exhausted powder is sometimes compressed and molded and turned into figurines; these are also excluded from controls.

- (4) Subparagraph (f) excludes finished products packaged and ready for retail trade from CITES controls. This applies to the significant trade in perfumery products. However, some finished products are not exempted: Beads, prayer beads and carvings do need CITES permits. They are produced from high-value agarwood.
- (5) "Up to 1 kg of woodchips, 24 ml of oil and two sets of beads or prayer beads (or two necklaces or bracelets) per person" are exempt from controls as personal effects (Res. Conf. 13.7. Rev. CoP 17).
- (6) Please note that live and whole dead specimens (as specified in Article I of the Convention text; see box on page 7) are of course always controlled by CITES.

Definition of terms:

"artificially propagated" Cultivated under controlled conditions and fulfilling

the specifications of Resolution Conf. 11.11 (Rev. CoP15) (http://www.cites.org/eng/res/11/11-

11R15.php).

"bead" Small, usually round piece of material pierced for

stringing.

"carving" Sculpture created by removing wood in order to

create a desired shape.

"compressed powder" Wood powder compressed into various compact

shapes by pressure and maintained by chemical or

natural binder.

"cut flower" Flowers or flower buds, often with some stem and

leaf that have been cut from the plant bearing it.

"exhausted powder" Wood powder from which the fragrant oil or other

content has been exhausted or nearly exhausted

through chemical or physical methods.

"finished product packaged and ready for

retail trade"

Products, shipped singly or in bulk, requiring no further processing, packaged, labelled for final use or the retail trade in a state fit for being sold to or

used by the general public.

"flower" Reproductive structure found in flowering plants,

often having showy or colourful parts.

"fruit" Seed-bearing organ of a plant.

"in vitro" Direct translation: "in glass"; meaning in an artificial

environment.

"leaf" Chlorophyll-bearing lateral outgrowth from the stem

of a plant.

"part and derivative" See paragraph (3) on page 8.

"pollen" Mass of small grains containing sperm cells of a

plant.

"pollinia" Mass of minute pollen grains held together by a

sticky substance.

"prayer bead" String of beads used in counting prayers.

"seed" Reproductive part of a fruit. Produced by all higher

plants, consisting of an embryo and usually a seed-

coat, with endosperm.

"seedling or tissue

culture"

Method for growing cells, tissues or seedlings on an

artificial nutrient medium.

"seedpod" Plant structure that surrounds multiple seeds.

"spore" Small grain capable of developing into a new

individual.

"stem" Main axis of a plant, bearing roots, leaves and/or

flowers.

"sterile" Free of living organisms like microorganisms or

bacteria.

"wood chips" Wood that has been reduced to small pieces.

Examples of commodities in trade (red: covered by CITES):



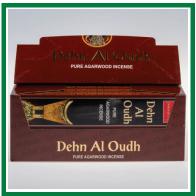
Examples of commodities in trade (green: not covered by CITES):



Finished product packed and ready for retail trade



Finished product packed and ready for retail trade



Finished product packed and ready for retail trade



Finished product packed and ready for retail trade



Finished product packed and ready for retail trade



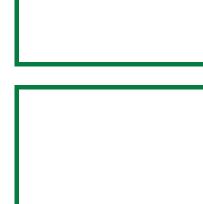
Finished product packed and ready for retail trade



Compressed powder



Compressed powder







#15 All parts and derivatives are included, except:

- a) leaves, flowers, pollen, fruit, and seeds;
- b) non-commercial exports of a maximum total weight of 10 kg per shipment;
- c) parts and derivatives of *Dalbergia cochinchinensis* which are covered by Annotation #4;
- d) parts and derivatives of *Dalbergia* spp. originating and exported from Mexico which are covered by Annotation #6.

Species carrying this Annotation:

Appendix II:

Dalbergia spp., Guibourtia demeusei, Guibourtia pellegriniana, Guibourtia tessmannii

Explanation:

- (1) This complex Annotation is divided into a number of subparagraphs specifying (a, b) which commodities are excluded from CITES controls and specifying (c, d) in which cases or for which species respectively other Annotations apply.
- (2) This Annotation means that with the exception of the species *Dalbergia* cochinchinensis and *Dalbergia* species originating and exported from Mexico the provisions of CITES apply to all products containing *Dalbergia* wood, or wood of the three listed *Guibourtia* species, except for non-commercial exports of a maximum total weight of 10 kg per shipment.
- (3) Subparagraph (a) exempts leaves, pollen, fruits, and seeds of these species from CITES controls [similar to subparagraphs (a), (c) and (d) of Annotation #14]. In addition, flowers are also excluded from CITES controls.
- (4) Subparagraph (b) excludes "non-commercial exports of a maximum total weight of 10 kg per shipment". The main intention of this subparagraph is to exclude specimens like non-commercial musical instruments as well as of souvenirs like carvings from CITES controls.

The term "non-commercial" describes export of specimens which will likely not result in economic benefit. This includes personal use and belongings, private gifts, scientific and educational purposes. The cross-border movement of items such as musical instruments can be considered as non-commercial for purposes including personal use, paid or unpaid performance, display (e.g. on a temporary exhibition), competition, or repair. However, cross-border movement for the purpose of trade shows and trade fairs are considered commercial transactions.

Examples for transactions to be considered "non-commercial" have been defined by the 69th meeting of the Standing Committee²¹.

The term "exports" in this subparagraph is intended to apply to both exports and re-exports. This has been clarified, at least in the case of *Dalbergia*, by the proposing parties at CoP 17²².

The Annotation itself does not specify whether the exemption of 10 kg applies to the total weight of the shipment or the weight of the wood of the species within the shipment. The 69th meeting of the Standing Committee has decided²³ that the 10 kg weight limit refers to the weight of the portion of the shipment made of wood of the species concerned. This means in practice that any shipment weighing more than 10 kg, but which contains an overall weight of wood of the species concerned of less than 10 kg, is exempted from CITES documentation requirements if it is traded for non-commercial purposes. In other words, the 10 kg limit is to be assessed against the weight of *Dalbergia* or *Guibourtia* parts contained in the shipment, rather than against the total weight of the shipment.

The 69th meeting of the Standing Committee has also decided that the provisions of subparagraph (b) will apply to each instrument in a collective shipment of e.g. orchestra instruments, such that only those instruments in this collective shipment containing 10 kg or more of the *Dalbergia* spp. or *Guibourtia* spp. wood are CITES regulated.

Check with your Management Authority to verify interpretation in your country.

- (5) Subparagraph (c) exempts *D. cochinchinensis* from this Annotation. This species is instead covered by Annotation # 4 (see page 20 ff.). The extremely high price for this timber in combination with the trade pressure lead the CITES Parties to decide that subparagraph (b) is not reasonable for this species.
- (6) Subparagraph (d) exempts any specimens of those *Dalbergia* from this Annotation which are exported from Mexico and also "originate" in Mexico. "Originate" means they have grown and were harvested in Mexico²⁴. For these cases Annotation # 6 is in place (see page 31 ff.).
- (7) Please note that *Dalbergia nigra* is listed in Appendix I of CITES and that Annotation #15 does <u>not</u> apply to this species. Therefore, all parts and derivatives are covered by the provisions of CITES.

But more species than these 13 may fall under #15(d): (i) In the proposal it is further stated: "A total of 20 species of the genus *Dalbergia* are distributed in Mexico, 15 of them usable as timber...". (ii) In addition, #15(d) would also be applicable to non-native but established forestry species in Mexico.

²¹ Notification No. 2017/078 - https://cites.org/sites/default/files/notif/E-Notif-2017-078.pdf

²² CoP17 Plen. Rec. 5 (Rev. 1): "The United States of America stated that they understood that "exports" in sub-paragraph b) of the annotation related to Prop. 55 referred to initial exports and any subsequent qualifying re-exports, adding that they wished this to be noted in the record of the session. Brazil and Guatemala confirmed that they had intended that the term "exports" should have that meaning." https://cites.org/sites/default/files/eng/cop/17/Plen/E-CoP17-Plen-Rec-05-R1.pdf

²³ Notification No. 2017/078 - https://cites.org/sites/default/files/notif/E-Notif-2017-078.pdf

²⁴ A list of species for which #15(d) applies does not exist. However, in proposal 54 presented to CoP17 (https://cites.org/sites/default/files/eng/cop/17/prop/060216/E-CoP17-Prop-54.pdf) Mexico lists 13 Dalbergia species which are in trade: Dalbergia calderonii, D. calycina, D. congestiflora, D. cubilquitzensis, D. glomerata, D. longepedunculata, D. luteola, D. melanocardium, D. modesta, D. paloescrito, D. rhachiflexa, D. ruddae, and D. tucurensis.

(7) Please note that live and whole dead specimens (as specified in Article I of the Convention text; see box on page 7) are of course always controlled by CITES.

Definition of terms:

"flower" Reproductive structure found in flowering plants,

often having showy or colourful parts.

"fruit" Seed-bearing organ of a plant.

"leaf" Chlorophyll-bearing lateral outgrowth from the stem

of a plant.

"non-commercial" Any activity that is not commercial and includes, but

is not limited to personal use. "Commercial" means related to an activity that is reasonably likely to result in economic use, gain, or benefit, including,

but not limited to, profit.

"originating from

Mexico"

Specimens have grown and were harvested in

Mexico.

",part and derivative" See paragraph (3) on page 8.

"pollen" Mass of small grains containing sperm cells of a

plant.

"shipment" Any CITES specimen in international trade whether

for commercial or noncommercial use, including any

personal item.

"seed" Reproductive part of a fruit. Produced by all higher

plants, consisting of an embryo and usually a seed-

coat, with endosperm.

Important notice

Subparagraph (b) of #15 says that "non-commercial exports of a maximum total weight of 10 kg per shipment" are exempt from CITES controls.

It has to be kept in mind that some commodities in the red-framed picture section on the following pages will be exempt from CITES control in case they are traded for non-commercial purposes and have a total weight of the controlled wood of under 10kg.

Examples of commodities in trade (red: covered by CITES):



Sawn wood (Dalbergia stevensonii)



Logs (Dalbergia melanoxylon)



Carving (Dalbergia melanoxylon)



Carving (Dalbergia melanoxylon)



Furniture (Dalbergia sissoo)



Furniture (Dalbergia sissoo)



Furniture (Dalbergia sissoo)



Furniture (Dalbergia odorifera)



Carving (Dalbergia melanoxylon)



Box (Dalbergia melanoxylon)



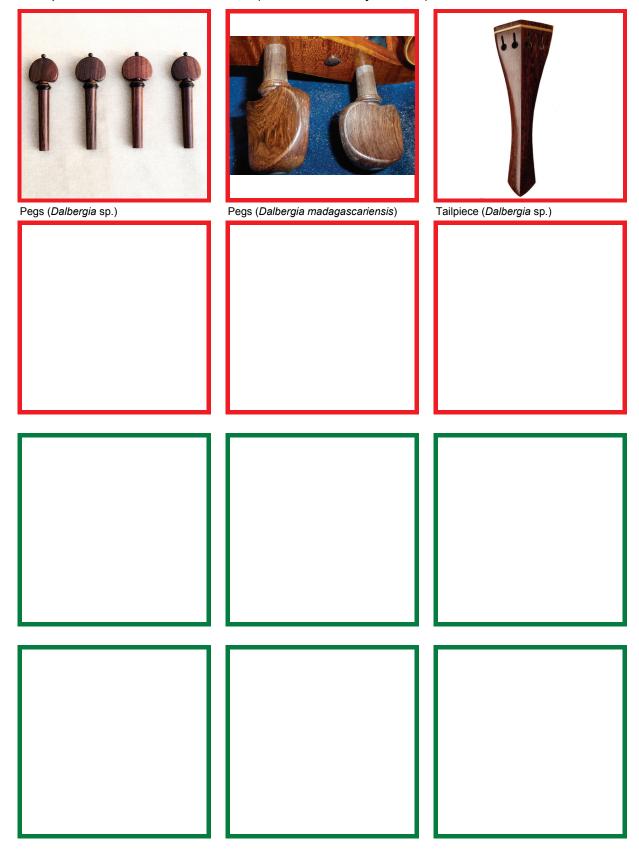
Bowl (Dalbergia melanoxylon)



Clarinet billet (Dalbergia melanoxylon)

Photo credits: 1-1: H. Schmitz-Kretschmer; 1-2: D. Wolf, D. Wolf; 2-1: U. Schippmann; 2-2, 2-3, 3-1: home24; 3-2: D. Wolf; 3-3, 4-1: U. Schippmann; 4-2: D. Wolf; 4-3: U. Schippmann

Examples of commodities in trade (red: covered by CITES):



#16 Seeds, fruits, oil and live plants

Species carrying this Annotation:

Appendix II:

Adansonia grandidieri

Explanation:

- (1) This Annotation was designed and is used for only one species, *Adansonia grandidieri*, a baobab species endemic to Madagascar. The Annotation determines that seeds, fruits and oil are the only parts and derivatives of this species which are subject to CITES controls.
- (2) The Annotation which was proposed to and accepted by the Parties at CoP17 also specifies "live plants". Only after the CoP it became apparent that mentioning "live plants" in the Annotation is technically wrong: In accordance with Article I, paragraph (b), subparagraph (i) of the Convention, the term "specimen" includes "any animal or plant, whether alive or dead". Therefore, in all circumstances, live plants are always covered by the provisions of the Convention and cannot be excluded.

To include "live plants" in Annotation #16 is therefore misleading: Firstly, it can be understood, contrary to the text of the Convention, that whole dead plants are not covered by the provisions of the Convention for this taxon. Secondly, it means or at least may be interpreted as meaning that for other plant taxa listed in Appendices II and III live plants are not so covered. Both interpretations are wrong.

(3) Live and whole dead specimens (as specified in Article I of the Convention text; see box on page 7) are of course always controlled by CITES.

Definition of terms:

"fruit" Seed-bearing organ of a plant.

"oil" Any chemical substance that is viscous liquid at

room temperature, insoluble in water and soluble in

other oils.

"seed" Reproductive part of a fruit. Produced by all higher

plants, consisting of an embryo and usually a seed-

coat, with endosperm.

Examples of commodities in trade (red: covered by CITES):



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Annexes

Photo credits

<u>Explanation</u>: Author credits are referenced to photos by stating page, line and position of photo from left.

Example: "14-2-3" identifies the 3rd photo from left in the 2nd line of page 14

#2

13-1-1: BfN; 13-1-2: BfN; 13-1-3: BfN; 13-2-1: BfN; 13-2-2: BfN; 13-2-3: BfN; 13-3-1: BfN; 13-3-2: BfN; 13-3-3: BfN; 13-4-1: BfN; 13-4-2: M. Groves; 13-4-3: UK Border Force; 14-1-1: BfN; 14-1-2: BfN; 14-1-3: BfN; 14-2-1: BfN; 14-2-2: BfN; 14-2-3: BfN; 14-3-1: BfN; 14-3-2: BfN; 14-3-3: BfN; 14-4-1: BfN; 14-4-2: Jiangsu Yew Pharmaceutical Co.; 14-4-3: Tri-Lion Pharmaceutical Co. Harbin;

#3

17-1-1: BfN; 17-1-2: BfN; 17-1-3: BfN; 17-2-1: BfN; 17-2-2: BfN; 17-2-3: BfN; 17-3-1: BfN; 17-3-2: BfN; 18-1-1: BfN; 18-1-2: BfN; 18-1-3: BfN; 18-2-1: BfN;

#4

22-1-1: BfN; 22-1-2: BfN; 22-1-3: BfN; 22-2-1: BfN; 22-2-2: BfN; 22-2-3: BfN; 22-3-1: BfN; 22-3-2: BfN; 22-3-3: U. Euler, BfN; 22-4-1: BfN; 22-4-2: BfN; 22-4-3: BfN; 23-1-1: BfN; 23-1-2: BfN; 23-1-3: BfN; 23-2-1: BfN; 23-2-2: BfN; 23-2-3: BfN; 23-3-1: BfN; 23-3-2: BfN; 23-3-3: BfN; 23-4-1: BfN; 23-4-2: RGB Kew; 23-4-3: RGB Kew; 24-1-1: RGB Kew; 24-1-2: RGB Kew; 24-1-3: RGB Kew; 24-2-1: M. Groves; 24-2-2: RGB Kew; 24-2-3: BfN; 24-3-1: BfN; 24-3-2: BfN; 24-3-3: BfN; 24-4-1: BfN; 24-4-2: BfN; 24-4-3: BfN; 25-1-1: BfN; 25-1-2: BfN; 25-1-3: BfN; 25-2-1: BfN; 25-2-2: BfN; 25-3-1: BfN; 25-3-2: BfN; 25-3-3: BfN; 25-4-1: BfN; 25-4-2: BfN; 6-1-1: BfN; 26-1-2: BfN; 26-1-3: A. Rios, Conabio; 26-2-1: U. Schippmann; 26-2-2: BfN; 26-2-3: M. Groves; 26-4-2: M. Groves; 26-4-3: BfN; 27-1-1: BfN; 27-1-2: BfN; 27-1-3: BfN; 27-2-1: U. Schippmann;

#5

29-1-1: D. Wolf; 29-1-2: D. Wolf; 29-1-3: D. Wolf; 29-2-1: D. Wolf; 29-2-2: ITTO; 29-3-1: ITTO; 29-4-1: João Medeiros, https://www.flickr.com/photos/cerrados/6104116081 (viewed 14 March 2017);

#6

32-1-1: D. Wolf; 32-1-2: D. Wolf; 32-1-3: D. Wolf; 32-2-1: D. Wolf; 32-2-2: ITTO; 32-3-1: ITTO; 32-3-2: Wiki Creative Commons; 32-4-1: Doug Brignole; 32-4-2: C. Waitkus, Thünen-Institut;

#7

34-1-1: D. Wolf; 34-1-2: D. Wolf; 34-1-3: BfN; 34-2-1: BfN; 34-3-1: BfN; 34-3-2: BfN; 34-3-3: BfN; 34-4-1: Czech Environmental Inspectorate; 34-4-2: Czech Environmental Inspectorate; 34-4-3: Czech Environmental Inspectorate;

#8

36-1-1: BfN; 36-1-2: BfN; 36-1-3: BfN; 36-3-1: BfN; 36-3-2: BfN; 36-3-3: BfN;

#9

38-1-1: BfN; 38-1-2: BfN; 38-1-3: BfN; 38-2-1: BfN; 38-2-2: BfN;

#10

40-1-1: D. Wolf; 40-1-2: D. Wolf; 40-1-3: ITTO; 40-2-1: R. Grünke; 40-3-1: R. Grünke;

#11

42-1-1: D. Wolf; 42-1-2: D. Wolf; 42-1-3: D. Wolf; 42-2-1: D. Wolf; 42-2-2: ITTO; 42-3-1: ITTO; 42-3-1: ITTO; 42-3-2: Wiki Creative Commons; 42-3-3: BfN; 42-4-1: BfN; 42-4-2: C. Rutherford;

#12

45-1-1: D. Wolf; 45-1-2: D. Wolf; 45-1-3: ITTO; 45-2-1: Wiki Creative Commons; 45-2-2: C. Magaldi; 45-2-3: C. Rutherford; 45-3-1: BfN; 45-4-1: BfN; 45-4-2: C. Rutherford;

#13

47-1-1: M. Gisiger, Edelweiss Tours; 47-1-2: R. Fanchette, CITES Seychelles; 47-1-3: R. Fanchette, CITES Seychelles; 47-2-1: BfN; 47-3-1: Wiki Creative Commons;

#14

51-1-1: BfN; 51-1-2: BfN; 51-1-3: BfN; 51-2-1: BfN; 51-2-2: BfN; 51-2-3: BfN; 52-1-1: BfN; 52-1-2: BfN; 52-1-3: BfN; 52-2-1: BfN; 52-2-2: BfN; 52-3-1: BfN; 52-3-2: BfN; 52-3-3: BfN; 52-3-

#15

56-1-1: H. Schmitz-Kretschmer; 56-1-2: D. Wolf; 56-1-3: D. Wolf; 56-2-1: U. Schippmann; 56-2-2: home24; 56-2-3: home24; 56-3-1: home24; 56-3-2: D. Wolf; 56-3-3: U. Schippmann; 56-4-1: U. Schippmann; 56-4-2: D. Wolf; 56-4-3: U. Schippmann; 57-1-1: U. Schippmann; 57-1-2: H. Schmitz-Kretschmer; 57-1-3: H. Schmitz-Kretschmer;

#16

59-1-1: Rafael Medina, https://www.flickr.com/photos/copepodo/4954249972/ (viewed 30 May 2017); 59-1-2: S. Andriatsaralaza; 59-1-3: H. Ravaomanalina; 59-2-1: O. Razanamaro; 59-2-2: H. Ravaomanalina; 59-2-3: M. Rarinirina;

Current # Annotations

- **#1** All parts and derivatives, except:
 - a) seeds, spores and pollen (including pollinia);
 - 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) fruits and parts and derivatives thereof, of artificially propagated plants of the genus *Vanilla*.
- **#2** All parts and derivatives except:
 - a) seeds and pollen; and
 - b) finished products packaged and ready for retail trade.
- **#3** Whole and sliced roots and parts of roots, excluding manufactured parts or derivatives, such as powders, pills, extracts, tonics, teas and confectionery.
- **#4** All parts and derivatives, except:
 - a) seeds, (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix* madagascariensis and *Dypsis decaryi* exported from Madagascar;
 - b) seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
 - c) cut flowers of artificially propagated plants;
 - d) fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae:
 - e) stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae); and
 - f) finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade.
- **#5** Logs, sawn wood and veneer sheets.
- **#6** Logs, sawn wood, veneer sheets and plywood.
- **#7** Logs, wood chips, powder and extracts.
- **#8** Underground parts (i.e. roots, rhizomes): whole, parts and powdered.
- #9 All parts and derivatives except those bearing a label: "Produced from Hoodia spp. material obtained through controlled harvesting and production under the terms of an agreement with the relevant CITES Management Authority of [Botswana under agreement No. BW/xxxxxx] [Namibia under agreement No. NA/xxxxxx] [South Africa under agreement No. ZA/xxxxxx]".
- **#10** Logs, sawn wood, veneer sheets, including unfinished wood articles used for the fabrication of bows for stringed musical instruments.

#11 Logs, sawn wood, veneer sheets, plywood, powder and extracts. Finished products containing such extracts as ingredients, including fragrances, are not considered to be covered by this annotation.

- **#12** Logs, sawn wood, veneer sheets, plywood and extracts. Finished products containing such extracts as ingredients, including fragrances, are not considered to be covered by this annotation
- **#13** The kernel (also known as 'endosperm', 'pulp' or 'copra') and any derivative thereof.
- **#14** 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) fruits;
 - d) leaves;
 - e) exhausted agarwood powder, including compressed powder in all shapes; and
 - f) finished products packaged and ready for retail trade, this exemption does not apply to wood chips, beads, prayer beads and carvings.
- **#15** All parts and derivatives except:
 - a) leaves, flowers, pollen, fruit, and seeds;
 - b) non-commercial exports of a maximum total weight of 10 kg per shipment;
 - c) parts and derivatives of *Dalbergia cochinchinensis* which are covered by Annotation #4;
 - d) parts and derivatives of *Dalbergia* spp. originating and exported from Mexico which are covered by Annotation #6.
- #16 Seeds, fruits, oil and live plants

Annotations and their CITES plant taxa

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#1		
G	Gnetum montanum	III
٨	Magnolia liliifera var. obovata	III
٨	Meconopsis regia	III
F	Podocarpus neriifolius	III
7	etracentron sinense	III
#2		
A	Adonis vernalis	II
C	Guaiacum spp.	II
٨	lardostachys grandiflora	II
	Osyris lanceolata	II
F	Picrorhiza kurrooa	II
F	Podophyllum hexandrum	II
F	Rauvolfia serpentina	II
7	āxus chinensis	II
7	axus cuspidata	II
7	āxus fuana	II
7	āxus sumatrana	II
7	āxus wallichiana	II
#3		
F	Panax ginseng	II
F	Panax quinquefolius	II
#4		
A	Agave victoriae-reginae	II
A	Moe spp.	II
A	<i>Anacampseros</i> spp.	II
A	Avonia spp.	II
E	Beccariophoenix madagascariensis	II
E	Bowenia spp.	II
C	CACTACEAE spp.	II
C	Caryocar costaricense	II
C	Cibotium barometz	II
C	Cistanche deserticola	II
C	Cyathea spp.	II
C	CYCADACEAE spp.	II
C	Cyclamen spp.	II

Dalbergia cochinchinensis	II
Dicksonia spp.	II
DIDIEREACEAE spp.	II
Dionaea muscipula	II
Dioscorea deltoidea	II
Dypsis decaryi	II
Euphorbia spp.	II
Fouquieria columnaris	II
Galanthus spp.	Ш
Gonystylus spp.	Ш
Hedychium philippinense	II
Lewisia serrata	П
Nepenthes spp.	II
ORCHIDACEAE spp.	II
Oreomunnea pterocarpa	II
Pachypodium spp.	П
Platymiscium pleiostachyum	II
Prunus africana	П
Sarracenia spp.	II
Sternbergia spp.	II
Swietenia humilis	II
Tillandsia harrisii	П
Tillandsia kammii	П
Tillandsia xerographica	П
Welwitschia mirabilis	II
ZAMIACEAE spp.	II
Cedrela fissilis	Ш
Cedrela lilloi	Ш
Cedrela odorata	Ш
Diospyros spp.	II
Fraxinus mandshurica	Ш
Pericopsis elata	II
Pinus koraiensis	Ш
Quercus mongolica	Ш
Swietenia mahagoni	II

#5

#6		
	Dalbergia spp. (originating and exported from Mexico) Swietenia macrophylla	II II
#7	Ptorocornus contolinus	П
#8	Pterocarpus santalinus	11
#9	Hydrastis canadensis	II
-	Hoodia spp.	П
#10	Caesalpinia echinata	II
#11		
#12	Bulnesia sarmientoi	II
#13	Aniba rosaeodora	II
#13	Lodoicea maldivica	П
#14		
	Aquilaria spp.	Ш
	Gyrinops spp.	Ш
#15		
	Dalbergia spp. [except Dalbergia cochinchinensis (#4) and specimens originating and exported from Mexico (#6)]	П
	Guibourtia demeusei	
	Guibourtia pellegriniana	 II
	Guibourtia tessmannii	II.
#16		
	Adansonia grandidieri	П

Terms used in CITES Annotations

#2	#3	#4	#5	#6	#7	#8	#9	#10	#11	#12	#13	#14	#15	#16
		#4		•								#14		
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Definitions of Terms used in the CITES Appendices

Term	Sou	Definition
"artificially propagated"		Cultivated under controlled conditions and fulfilling the specifications of Resolution Conf. 11.11 (Rev. CoP15) (http://www.cites.org/eng/res/11/11-11R15.php).
"bead"		Small, usually round piece of material pierced for stringing.
"carving"		Sculpture created by removing wood in order to create a desired shape.
"compressed powder"		Wood powder compressed into various compact shapes by pressure and maintained by chemical or natural binder.
"confectionary"		Class of products including candy and other sugar-based sweets.
"cut flower"		Flowers or flower buds, often with some stem and leaf that have been cut from the plant bearing it.
"derivative"	1	Any processed part of an animal or plant (e.g. medicine, perfume, watch strap).
"endosperm"		Starchy or oil rich material produced inside the plant seed which nourishes the embryo.
"exhausted powder		Wood powder from which the fragrant oil or other content has been exhausted or nearly exhausted through chemical or physical methods.
"extract"	2	Any substance obtained directly from plant material by physical or chemical means regardless of the manufacturing process. An extract may be solid (e.g. crystals, resin, fine or coarse particles), semisolid (e.g. gums, waxes) or liquid (e.g. solutions, tinctures, oil and essential oils).
"finished product packaged and ready for retail trade"	2	Products, shipped singly or in bulk, requiring no further processing, packaged, labelled for final use or the retail trade in a state fit for being sold to or used by the general public.
"flower"		Reproductive structure found in flowering plants, often having showy or colourful parts.
"fragrance"		Compound that has a smell or an odour.
"fruit"		Seed-bearing organ of a plant.
"in vitro"		Direct translation: "in glass"; meaning in an artificial environment.
"kernel"		The nutritive tissue of a seed.
"leaf"		Chlorophyll-bearing lateral outgrowth from the stem of a plant.
"live plant"		
"log"	3	All wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, for processing, notably into sawn wood, pulpwood or veneer sheets (HS code 44.031).
"manufactured"		Made or produced by hand or machinery, especially on a large scale.
"naturalized"		Non-native, introduced species that has become established and reproduces freely.
"non-commercial"	4	Any activity that is not commercial and includes, but is not limited to personal use. "Commercial" means related to an activity that is reasonably likely to result in economic use, gain, or benefit, including, but not limited to, profit. Examples for transactions to be considered "non-commercial" are given in Notification 2017/078

Term	Sou	Definition
"oil"		Any chemical substance that is viscous liquid at room temperature, insoluble in water and soluble in other oils.
"part and derivative"		See paragraph 3 of Introduction on page 8.
"part"	1	[as used in #3]: Any part of an animal or plant (e.g. skin, shell, root) whether raw or processed in a simple way (e.g. preserved, polished, etc.). Parts are usually readily identifiable.
"pill"		Small round mass of solid medicine for swallowing whole.
"plywood"	3	Consisting of three or more sheets of wood glued and pressed one on the other and generally disposed so that the grains of successive layers are at an angle (HS code 44.12.13, HS code 44.12.14, and HS code 44.12.22).
"pollen"		Mass of small grains containing sperm cells of a plant.
"pollinia"		Mass of pollen grains held together by a sticky substance.
"powder"	2	A dry, solid substance in the form of fine or coarse particles.
"prayer bead"		String of beads used in counting prayers.
"pulp"		Inner, soft or juicy part of a fruit or vegetable.
"rhizome"		Underground stem, distinguished from root by its nodes, buds or scale-like leaves.
"root"		Underground portion of a plant. It is usually branching and does not bear leaves or buds.
"sawn wood"	3	Wood simply sawn lengthwise or produced by a profile-chipping process. Sawn wood normally exceeds 6 mm in thickness (HS code 44.06, HS code 44.07).
"shipment"	4	Any CITES specimen in international trade whether for commercial or noncommercial use, including any personal item.
"seed"		Reproductive part of a fruit. Produced by all higher plants, consisting of an embryo and usually a seed-coat, with endosperm.
"seedling or tissue culture"		Method for growing cells, tissues or seedlings on an artificial nutrient medium.
"seedpod"		Plant structure that surrounds multiple seeds.
"spore"		Small grain capable of developing into a new individual.
"stem"		Main axis of a plant, bearing roots, leaves and/or flowers.
"sterile"		Free of living organisms like microorganisms or bacteria.
"tea"		Dried leaves of a plant used to prepare drink by soaking the in hot water.
"tonic"		Medicinal preparation that invigorates or strengthens.
"underground part"		Any subterranean plant part, e.g. root, rhizome, bulb, tuber, corm or caudice.
"veneer sheet"	3	Thin layers or sheets of wood of uniform thickness, usually 6 mm or less, usually peeled or sliced, for use in making plywood, for veneering furniture, veneer containers, etc. (HS code 44.08).
"wood chip"	2	Wood that has been reduced to small pieces.

Sources:

- 1 Definition included in CITES Glossary
- 2 Definition included in CITES Appendices, Interpretation
- 3 Definition included in CITES Resolution
- 4 U.S. Code of Federal Regulations 50 Revised as of October 2009, Part 23.5

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