

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



Fifteenth meeting of the Plants Committee  
Geneva (Switzerland), 17-21 May 2005

IMPLEMENTATION OF THE ANNOTATION FOR ORCHIDACEAE SPP. INCLUDED IN APPENDIX II

1. This document has been prepared by the Management Authority of Switzerland.
2. At the 13th meeting of the Conference of the Parties (Bangkok, 2004), proposal Prop. 40 by Thailand and proposal Prop. 41 by Switzerland, both referring to artificially propagated orchid hybrids, were adopted as amended. The Conference of the Parties further adopted two decisions concerning the new exemptions for artificially propagated orchid hybrids. Decision 13.98 states that "all Parties should monitor the implementation of the annotation to Orchidaceae spp. included in Appendix II and report to the Plants Committee". Decision 13.99 states that the Plants Committee should report at the 14th meeting of the Conference of the Parties (CoP14) on the implementation of this annotation. After elections of new members of the two scientific committees at CoP13, the Plants Committee held an informal meeting. It was decided, among other, that Thailand and Switzerland, the proponents of Prop. 40 and Prop. 41 respectively, shall monitor the impact of the adopted exemptions and report to the Plants Committee before CoP14.
3. Consequently, the Management Authority of Switzerland, in consultation with the Management Authority of Thailand, drafted a questionnaire. The draft questionnaire is included in annex 1 to this document for consideration by the Committee.
4. It should be recalled that the Secretariat and several Parties expressed at CoP13 considerable concern about the complexity of the annotations to Orchidaceae spp. included in Appendix II.
5. Prop. 40, as amended, leads to an annotation that exempts artificially propagated, flowering or non-flowering plants of hybrids of the genera *Dendrobium*, *Cymbidium*, *Phalaenopsis* and *Vanda*. Because uniformity of shipments is the principal criterion for inspection, a minimum number of 20 specimens per shipment of the same hybrid is required. The prior exemption for non-flowering, artificially propagated *Phalaenopsis* hybrids, as adopted at CoP12 (Santiago, 2002), became redundant and was deleted. Prop. 41, as amended, leads to an annotation for the same hybrid taxa, although with a restriction to *phalaenopsis*- and *nobile*-types within the genus *Dendrobium*. The annotation exempts flowering and labelled specimens. Because identification is the principal criterion for inspection, no minimum number within a shipment is required.
6. As the proposals Prop. 40 and Prop. 41, were amended at CoP13 to largely cover the same taxa (with only a difference within *Dendrobium*), it would be desirable to merge them into a single annotation. This would allow to avoid parallel enumeration of taxa and also to streamline the wording. The first paragraph of a merged annotation would define the list of taxa concerned and this would allow to modify the scope of the exemption at a future meeting of the Conference of the Parties, i.e. to include or exclude taxa, without re-wording conditions a) to c). A draft version is included in Annex 2 to this document for consideration. The text would be reduced from 346 to 242 words (i.e. by c. 30%).

Draft questionnaire to Parties on behalf of the Plants Committee:  
Implementation of exemptions for certain artificially propagated orchid hybrids

**Information of producers and traders**

1. Has the Management Authority informed producers and traders about the new exemptions?
2. Has the Management Authority made information available for tourists (e.g. in airports)?
3. How was this information made available?
4. When did this information take place (prior to entry into force)?
5. How did producers and traders comment?

**Information of inspectors**

6. Has the Management Authority informed inspectors?
7. When did this information take place (prior to entry into force)?
8. How did the inspectors comment?

**Impact on enforcement and trade**

9. Do you observe an effect (positive or negative) on enforcement at the border?
10. Are seizure of tourists' purchases less frequent or more frequent due to the exemptions?
11. Are objections in commercial trade less frequent or more frequent due to the exemptions?
12. Are the exemptions causing specific, new enforcement problems?
13. Are there cases of fraud, i.e. false declarations that can be attributed to the exemptions?
14. Is there evidence of illegal trade in non-exempted hybrids or in artificially propagated botanical species that can be attributed to the exemptions?
15. Is there evidence of illegal trade in wild-collected orchids that can be attributed to the exemptions?
16. Do you observe an effect (positive or negative) on reporting of CITES trade (annual report)?
17. Do commercial traders make use of the exemptions?
18. Is there evidence for a shift in internationally traded hybrids towards exempted taxa?

**Taxa covered by the exemption**

19. Which proportion of international trade in orchid hybrids is approximately covered by the exemption for flowering / for non-flowering specimens (how useful is the present selection of hybrid taxa)?
20. Are there specific hybrid taxa that should additionally be covered by the exemption, but are presently not covered?

Any other comments. **No response will be interpreted as "no problems to report on"**.

To be returned until ... to ... on behalf of the Plants Committee.

Merged exemptions for artificially propagated orchid hybrids: Draft version for consideration at PC 15

Artificially propagated hybrids of the genera *Cymbidium*, *Phalaenopsis*, *Vanda* (interspecific hybrids within these genera and intergeneric hybrids) and *Dendrobium* [in the case of paragraph c) below, restricted to "*phalaenopsis*-" and "*nobile*-types"] are exempted from CITES, if:

- a) specimens are readily recognizable as artificially propagated and do not show any signs of having been collected in the wild such as mechanical damage or strong dehydration resulting from collection, irregular growth and heterogeneous size and shape within a taxon and shipment, algae or other epiphyllous organisms adhering to leaves, or damage by insects or other pests;
- b) when shipped in non-flowering state, the specimens must be traded in shipments consisting of individual containers (i.e. cartons, boxes or crates) each containing 20 or more plants of the same hybrid; the plants within each container must exhibit a high degree of uniformity and healthiness; and the shipment must be accompanied by documentation, such as an invoice, which clearly states the number of plants of each hybrid; and
- c) when shipped in flowering state, i.e. with at least one fully open flower per specimen, no minimum number is required, but specimens must be professionally processed for commercial retail sale, e.g. labelled with printed labels and packaged with printed packages; and labels or packages indicate the name of the hybrid and the country of final processing, and allow easy verification of their appropriate use.

Shipments and specimens that do not clearly qualify for exemption must be covered by valid CITES documents.