

Proposal 37: Additional information provided by the Management Authorities of Botswana, Namibia and South Africa

Proposal 37 refers to the inclusion of *Hoodia* spp in Appendix II with an annotation that reads as follows:

Designates all parts and derivatives except those bearing the label “Produced from *Hoodia* spp. material obtained through controlled harvesting and production in collaboration with the CITES Management Authorities of BW/NA/ZA xxxxxx”.

1. Why is this unusual annotated listing proposed?

- a) *Hoodia* is a highly valuable plant genus of the family Apocynaceae (alternatively Asclepidaceae) endemic to the arid zone of southern Africa. Traditional knowledge of the San people of this region, and subsequently other indigenous people, was used to develop a highly efficient appetite suppressant, free of known side effects, with a high international market demand (in a time when obesity in people, especially in the so-called developed world, has reached pandemic proportions).
- b) Illegal harvesting has occurred in some of the range States, as well as illegal exports or attempted illegal exports.
- c) All species are vulnerable to over harvesting and are threatened by illegal collection, principally after the discovery of appetite suppressant properties in this genus by people other than the indigenous people of southern Africa.
- d) As with other medicinal plants, challenges remain concerning the regulation of trade and the form in which such trade may take place. Anything but whole plants or stems would effectively not be recognizable. It is arguable even if split and dried stems would be recognizable to the average customs officer. This is not the form of trade preferred by either the range States or the companies concerned.
- e) The three countries are in negotiation with major pharmaceutical companies to create an innovative system of controlled and sustainable harvesting, potential enrichment planting, and as much local processing as possible.
- f) The proponent States wish to acknowledge and support such cooperation by exempting only trade resulting from such cooperation from Art. IV (see below in paragraph 4) through a labeling system. Such systems have thus far only been used for animal species.
- g) The proposal will encourage value addition in range States.
- h) The proposal will enable the use of a CITES App. II listing to give marketing advantage to sustainably produced material and products, and due recognition for the role of indigenous people in the origin and production of the items traded.
- i) Although a novel approach for CITES, this proposal offers an opportunity for CITES to make an impact in, and assist range States with the generally problematic areas of equitable trade in valuable medicinal plant species.

2. What forms of trade are occurring at present?

- a) Illegal exports of raw or partially processed material from range States in allegedly large quantities (e.g. shipments in excess of 1,000kg);
- b) Exports of finished consumer products produced in the proponent States (primarily whole plant extracts or herbal teas), produced from authorized harvesting (South Africa only) or authorized cultivation trials (South Africa only). The quantity of this trade is not known[, because trade in finished products or the monitoring of such trade is not regulated by South Africa];

- c) Trade in other specimens of *Hoodia* spp from any other range State or any other Party, in any form, including ornamental plants, or parts and products derived from artificially propagated or cultivated specimens. The quantity of this trade is not known precisely, but is allegedly limited.

3. What forms of trade are likely to occur after inclusion in Appendix II?

- a) Exports of raw, unprocessed or partially processed parts or derivatives exported for the purpose of processing or additional processing in the country of import;
- b) Exports of consumer products produced in the proponent States (primarily whole plant extracts or herbal teas), and/or b) finished consumer products containing fractions of whole plant extracts or the active ingredient only produced in a country of import, and likewise packaged in quantities appropriate for personal use; and/or
- c) To a much lesser extent to a) and b), exports of any other specimens of *Hoodia* spp from any other range State or any other Party, in any form, including ornamental plants, or parts and products derived from artificially propagated or cultivated specimens, *but noting that commercial-scale cultivation outside range States is at an early stage, and principally for ornamental purposes, and principally of grafted specimens that are unlikely to survive or become prolific for more than a few years without specialized care.*

4. Which items will be labeled?

Only finished consumer products will be labeled i.e. consumer products packaged in quantities customary for personal use in pharmaceutical, health care or nutritional supplement products. These would comprise:

- a) finished consumer products produced in the proponent States (likely to be primarily whole plant extracts or herbal teas), and/or
- b) finished consumer products containing fractions of whole plant extracts or the active ingredient only produced in a country of import, and likewise packaged in quantities appropriate for personal use.

5. Which specimens will require App. II permits?

- a) All raw, unprocessed or partially processed parts or derivatives exported by any range State for the purpose of processing or additional processing in the country of import; and
- b) All raw, unprocessed, partially processed or processed parts or derivatives exported or re-exported and not included in any agreement between the Governments of Botswana, Namibia or South Africa and any other appropriate body (e.g. pharmaceutical company).

6. Which specimens will not require App. II permits?

- a) finished consumer products labeled to indicate that such items were produced under agreement with the Governments of Botswana, Namibia or South Africa, and/or
- b) artificially propagated specimens or their parts or derivatives (but for such specimens a certificate of artificial propagation would be required in accordance with Art. VII paragraph 5 (“Where a Management Authority of the State of export is satisfied that any specimen of an animal species was bred in captivity or any specimen of a plant species was artificially propagated, or is a part of such an animal or plant or was derived therefrom, a certificate by that Management Authority to that effect shall be accepted in lieu of any of the permits or certificates required under the provisions of Article III, IV or V).

7. How will the labels be applied?

Labels (for finished pharmaceutical or health products produced under agreement with the Governments of Botswana, Namibia or South Africa) will be incorporated in printed packaging or customary product labels, and must similarly appear on secondary packaging (and the requirements for such will be specified in the agreement with the company concerned).

Note: Although not specified in the annotation, companies trading under agreement with the Government(s) of [Botswana,] Namibia [or South Africa] will be required to refer in labels and customer or marketing information to the role of indigenous people in the origin and production of the products traded, and the support for sustainable conservation management that the company provides concerning the protection of populations in the wild and community-based natural resource management programmes in the country/ies of origin.

8. What about trade in ornamental plants, grown from seed or artificially propagated (primarily in Europe)?

The proponents were only recently made aware that a trade in artificially propagated plants is possibly developing within Europe, of a genus otherwise renowned for being extremely difficult to cultivate by non-specialists. Certificates for artificially propagated specimens (or their parts or derivatives) can be issued in accordance with Art. VII paragraph 5. However, Switzerland, who raised this issue

9. How can the CoP be sure that this novel form of Appendix II-listing of a medicinal plant species is effective?

The Plants Committee should be directed to monitor the consequences of this listing in collaboration with the proponents and to advise the proponents of its conclusions at the last PC meeting before the deadline for submitting proposals to the 15th meeting of the CoP.