

COMMISSION REGULATION (EC) No 407/2009

of 14 May 2009

amending Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein⁽¹⁾, and in particular Article 19(3) thereof,

Whereas:

- (1) Regulation (EC) No 338/97 lists animal and plant species in respect of which trade is restricted or controlled. Those lists incorporate the lists set out in the Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, hereinafter 'the CITES Convention'.
- (2) The following species have been added to Appendix III to the CITES Convention at the request of China: *Corallium elatius*, *Corallium japonicum*, *Corallium konjoi* and *Corallium secundum*.
- (3) The species *Crax daubentoni*, *Crax globulosa*, *Crax rubra*, *Ortalis vetula*, *Pauxi pauxi*, *Penelopina nigra*, *Arborophila campbelli*, *Arborophila charltonii*, *Lophura erythrophthalma*, *Lophura ignita*, *Semnornis ramphastinus*, *Bailloni bailloni*, *Pteroglossus castanotis*, *Ramphastos dicolorus* and *Selenidera maculirostris* – which are currently included in Annex B to the Annex to Regulation (EC) No 338/97 – are not subject to levels of international trade that might be incompatible with its survival but are included in Appendix III to the CITES Convention at the requests of Colombia, Costa Rica, Guatemala, Honduras, Malaysia and Argentina, and should therefore be transferred from Annex B to Annex C to the Annex to Regulation (EC) No 338/97.
- (4) The species *Phyllomedusa sauvagii*, *Leptodactylus laticeps*, *Limnectes macrodon*, *Rana shqiperica*, *Ranodon sibiricus*,

Bolitoglossa dofleini, *Cynops ensicauda*, *Echinotriton andersoni*, *Pachytriton labiatus*, *Paramesotriton* spp., *Salamandra algira* and *Tylototriton* spp. – which are currently not listed in the Annex to Regulation (EC) No 338/97 – are being imported into the Community in such numbers as to warrant monitoring. Those species should therefore be included in Annex D to the Annex to Regulation (EC) No 338/97.

- (5) At the 14th Conference of the Parties to CITES in June 2007 new nomenclatural references for animals were adopted. Some inconsistencies between the CITES Appendices and the scientific names in those nomenclatural references as regards the species *Asarcornis scutulata* and *Pezoporus occidentalis*, the families Rheobatrachidae and Phasianidae as well as the order Scandentia were discovered. Since those inconsistencies also appear in the Annex to Regulation (EC) No 338/97, it should be adapted accordingly.
- (6) In view of the extent of the amendments it is appropriate, for clarity purposes, to replace the Annex to Regulation (EC) No 338/97 in its entirety.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Trade in Wild Fauna and Flora established pursuant to Article 18 of Regulation (EC) No 338/97,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 338/97 is replaced by the text in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 61, 3.3.1997, p. 1.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 14 May 2009.

For the Commission
Stavros DIMAS
Member of the Commission

ANNEX

'ANNEX

Notes on interpretation of Annexes A, B, C and D

1. Species included in these Annexes A, B, C and D are referred to:
 - (a) by the name of the species; or
 - (b) as being all of the species included in a higher taxon or designated part thereof.
2. The abbreviation "spp." is used to denote all species of a higher taxon.
3. Other references to taxa higher than species are for the purposes of information or classification only.
4. Species printed in bold in Annex A are listed there in consistency with their protection as provided for by Council Directive 79/409/EEC ("Birds Directive") or Council Directive 92/43/EEC ("Habitats Directive").
5. The following abbreviations are used for plant taxa below the level of species:
 - (a) "ssp." is used to denote subspecies;
 - (b) "var(s)." is used to denote variety (varieties); and
 - (c) "fa" is used to denote forma.
6. The symbols "(I)", "(II)" and "(III)" placed against the name of a species or higher taxon refer to the Appendices of the Convention in which the species concerned are listed as indicated in notes 7 to 9. Where none of these annotations appears, the species concerned are not listed in the Appendices to the Convention.
7. (I) against the name of a species or higher taxon indicates that the species or higher taxon concerned is included in Appendix I to the Convention.
8. (II) against the name of a species or higher taxon indicates that the species or higher taxon concerned is included in Appendix II to the Convention.
9. (III) against the name of a species or higher taxon indicates that it is included in Appendix III to the Convention. In this case the country with respect to which the species or higher taxon is included in Appendix III is also indicated.
10. Hybrids may be specifically included in the Appendices but only if they form distinct and stable populations in the wild. Hybrid animals that have in their previous four generations of the lineage one or more specimens of species included in Annexes A or B shall be subject to the provisions of this Regulation just as if they were full species, even if the hybrid concerned is not specifically included in the Annexes.
11. When a species is included in Annex A, B or C, all parts and derivatives of the species are also included in the same Annex unless the species is annotated to indicate that only specific parts and derivatives are included. In accordance with Article 2(t) of this Regulation, the symbol "#" followed by a number placed against the name of a species or higher taxon included in Annex B or C designates parts or derivatives which are specified in relation thereto for the purposes of the Regulation as follows:
 - #1 Designates 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 Designates all parts and derivations, except:
 - (a) seeds and pollen; and
 - (b) finished products packaged and ready for retail trade.

- #3 Designates whole and sliced roots and parts of roots.
- #4 Designates all parts and derivatives, except:
- (a) seeds, except those from Mexican cacti originating in Mexico, and pollen;
 - (b) seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
 - (c) cut flowers of artificially propagated plants;
 - (d) fruits and parts and derivatives thereof of naturalised or artificially propagated plants; and
 - (e) separate stem joints (pads) and parts and derivatives thereof of naturalised or artificially propagated plants of the genus *Opuntia* subgenus *Opuntia*.
- #5 Designates logs, sawn wood and veneer sheets.
- #6 Designates logs, sawn wood, veneer sheets and plywood.
- #7 Designates logs, wood-chips, powder and extracts.
- #8 Designates underground parts (i.e. roots, rhizomes): whole, parts and powdered.
- #9 Designates all parts and derivatives, except those bearing a label "Produced from *Hoodia* spp. material obtained through controlled harvesting and production in collaboration with the CITES Management Authorities of Botswana/Namibia/South Africa under agreement No BW/NA/ZA xxxxxx"
- #10 Designates logs, sawn wood, veneer sheets, including unfinished wood articles used for the fabrication of bows for stringed musical instruments.
- #11 Designates logs, sawn wood, veneer sheets, plywood, powder and extracts
12. As none of the species or higher taxa of FLORA included in Annex A is annotated to the effect that its hybrids shall be treated in accordance with the provisions of Article 4.1 of the Regulation, this means that artificially propagated hybrids produced from one or more of these species or taxa may be traded with a certificate of artificial propagation, and that seeds and pollen (including pollinia), cut flowers, seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers of these hybrids are not subject to the provisions of the Regulation.
13. Urine, faeces and ambergris which are waste products and gained without the manipulation of the animal concerned are not subject to the provisions of the Regulation.
14. In respect of fauna species listed in Annex D, the provisions shall apply only to live specimens and whole, or substantially whole, dead specimens except for taxa which are annotated as follows to show that other parts and derivatives are also covered:
- § 1 Any whole, or substantially whole, skins, raw or tanned.
 - § 2 Any feathers or any skin or other part with feathers on it.
15. In respect of flora species listed in Annex D, the provisions shall apply only to live specimens except for taxa which are annotated as follows to show that other parts and derivatives are also covered:
- § 3 Dried and fresh plants, including, where appropriate; leaves, roots/rootstock, stems, seeds/spores, bark and fruits.
 - § 4 Logs, sawn wood and veneer sheets

	Annex A	Annex B	Annex C	Common name
MESOGASTROPODA				
Strombidae				Conches
		<i>Strombus gigas</i> (II)		Queen conch
STYLOMMATOPHORA				
Achatinellidae				Agate snails, oahu tree snails
	<i>Achatinella</i> spp. (I)			Little agate shells
Camaenidae				Green tree snail
		<i>Papustyla pulcherrima</i> (II)		Manus green tree snail
CNIDARIA (CORALS, FIRE CORALS, SEA ANEMONES)				
ANTHOZOA				Corals, sea anemones
ANTIPATHARIA				
		ANTIPATHARIA spp. (II)		Black corals
GORGONACEAE				
Coralliidae			<i>Corallium elatius</i> (III China)	
			<i>Corallium japonicum</i> (III China)	
			<i>Corallium konjoi</i> (III China)	
			<i>Corallium secundum</i> (III China)	
HELIOPORACEA				
Helioporidae				Blue coral
		Helioporidae spp. (II) (Includes only the species <i>Heliopora coerulea</i> (?))		Blue coral
SCLERACTINIA				
		SCLERACTINIA spp. (II) (?)		Stony corals
STOLONIFERA				
Tubiporidae				Organpipe corals
		Tubiporidae spp. (II) (?)		Organpipe corals
HYDROZOA				Sea ferns, fire corals, stinging medusas
MILLEPORINA				
Milleporidae				Wello fire corals
		Milleporidae spp. (II) (?)		Wello fire corals
STYLASTERINA				
Stylasteridae				Lace corals
		Stylasteridae spp. (II) (?)		Lace corals
FLORA				
AGAVACEAE				Agaves
	<i>Agave parviflora</i> (I)			Santa Cruz striped agave
		<i>Agave victoriae-reginae</i> (II) #1		Queen Victoria agave
		<i>Nolina interrata</i> (II)		Dehesa bear-grass

	Annex A	Annex B	Annex C	Common name
AMARYLLIDACEAE		<i>Galanthus</i> spp. (II) #1 <i>Sternbergia</i> spp. (II) #1		Amaryllids Snowdrops Sternbergias
APOCYNACEAE	<i>Pachypodium ambongense</i> (I) <i>Pachypodium baronii</i> (I) <i>Pachypodium decaryi</i> (I)	<i>Hoodia</i> spp. (II) #9 <i>Pachypodium</i> spp. (II) (Except for the species included in Annex A) #1 <i>Rauwolfia serpentina</i> (II) #2		Dogbanes Hoodia Elephant trunks Snake-root devil-pepper
ARALIACEAE		<i>Panax ginseng</i> (II) (Only the population of the Russian Federation; no other population is included in the Annexes to this Regulation) #3 <i>Panax quinquefolius</i> (II) #3		Aralias Asian ginseng American ginseng
ARAUCARIACEAE	<i>Araucaria araucana</i> (I)			Araucarias Monkey-puzzle tree
BERBERIDACEAE		<i>Podophyllum hexandrum</i> (II) #2		Barberries Himalayan may-apple
BROMELIACEAE		<i>Tillandsia harrisii</i> (II) #1 <i>Tillandsia kammii</i> (II) #1 <i>Tillandsia kautskyi</i> (II) #1 <i>Tillandsia mauryana</i> (II) #1 <i>Tillandsia sprengeliana</i> (II) #1 <i>Tillandsia sucrei</i> (II) #1 <i>Tillandsia xerographica</i> (II) #1		Air plants, bromelias Harris' tillandsia Kamm's tillandsia Kautsky's tillandsia Maury's tillandsia Sprengel's tillandsia Sucre tillandsia Xerographic tillandsia
CACTACEAE	<i>Ariocarpus</i> spp. (I) <i>Astrophytum asterias</i> (I) <i>Aztekium ritteri</i> (I) <i>Coryphantha werdermannii</i> (I) <i>Discocactus</i> spp. (I) <i>Echinocereus ferreirianus</i> ssp. <i>lindsayi</i> (I)	CACTACEAE spp. (II) (Except for the species included in Annex A and <i>Pereskia</i> spp., <i>Pereskiaopsis</i> spp. and <i>Quiabentia</i> spp.) ⁽⁸⁾ #4		Cacti Cacti Living rock cacti Star cactus Aztec cactus Jobali pincushion cactus Discocacti Lindsay's hedgehog cacti

	Annex A	Annex B	Annex C	Common name
	<i>Echinocereus schmollii</i> (I)			Lamb's-tail cactus
	<i>Escobaria minima</i> (I)			Nelle's cactus
	<i>Escobaria sneedii</i> (I)			Sneed's pincushion cactus
	<i>Mammillaria pectinifera</i> (I)			Conchilique
	<i>Mammillaria solisoides</i> (I)			Pitayita
	<i>Melocactus conoideus</i> (I)			Conelike Turk's-cap cactus
	<i>Melocactus deinacanthus</i> (I)			Wonderfully-bristled Turk's cap cactus
	<i>Melocactus glaucescens</i> (I)			Woolly waxy-stemmed Turk's-cap cactus
	<i>Melocactus paucispinus</i> (I)			Few-spined Turk's-cap cactus
	<i>Obregonia denegrii</i> (I)			Artichoke cactus
	<i>Pachycereus militaris</i> (I)			Grenadier's cap
	<i>Pediocactus bradyi</i> (I)			Brady's pincushion cactus
	<i>Pediocactus knowltonii</i> (I)			Knowlton's cactus
	<i>Pediocactus paradinei</i> (I)			Houserock valley cactus
	<i>Pediocactus peeblesianus</i> (I)			Peebles's Navajo cactus
	<i>Pediocactus sileri</i> (I)			Siler's pincushion cactus
	<i>Pelecyphora</i> spp. (I)			Pine cane cactus
	<i>Sclerocactus brevihamatus</i> ssp. <i>tobuschii</i> (I)			Tobusch fishhook cactus
	<i>Sclerocactus erectocentrus</i> (I)			Needle-spined pineapple cactus
	<i>Sclerocactus glaucus</i> (I)			Uinta Basin hookless cactus
	<i>Sclerocactus mariposensis</i> (I)			Mariposa cactus
	<i>Sclerocactus mesae-verdae</i> (I)			Mesa Verde cactus
	<i>Sclerocactus nyensis</i> (I)			Tonopah fishhook cactus
	<i>Sclerocactus papyracanthus</i> (I)			Gramma-grass cactus
	<i>Sclerocactus pubispinus</i> (I)			Great-Basin fishhook cactus
	<i>Sclerocactus wrightiae</i> (I)			Wright's fishhook cactus
	<i>Strombocactus</i> spp. (I)			Peyote
	<i>Turbincarpus</i> spp. (I)			Turbincarps
	<i>Uebelmannia</i> spp. (I)			Uebelmann cacti
CARYOCARACEAE		<i>Caryocar costaricense</i> (II) #1		Ajos Ajillo
COMPOSITAE (ASTERACEAE)	<i>Saussurea costus</i> (I) (also known as <i>S. lappa</i> or <i>Aucklandia costus</i>)			Asters, daisies, costus Costus
CRASSULACEAE		<i>Dudleya stolonifera</i> (II) <i>Dudleya traskiae</i> (II)		Dudleyas, crassulas Laguna beach dudleya Santa Barbara Island dudleya
CUPRESSACEAE	<i>Fitzroya cupressoides</i> (I) <i>Pilgerodendron uviferum</i> (I)			Cypresses Alerce Pilgerodendron

	Annex A	Annex B	Annex C	Common name
CYATHEACEAE		<i>Cyathea</i> spp. (II) #1		Tree ferns Tree ferns
CYCADACEAE		CYCADACEAE spp. (II) (Except for the species included in Annex A) #1		Cycads Cycads
	<i>Cycas beddomei</i> (I)			Beddome's cycad
DICKSONIACEAE		<i>Cibotium barometz</i> (II) #1 <i>Dicksonia</i> spp. (II) (Only the populations of the Americas; no other popu- lations are included in the Annexes to this Regulation: includes <i>Dicksonia</i> <i>berteriana</i> , <i>D. externa</i> , <i>D. sellowiana</i> and <i>D. stuebelii</i>) #1		Tree ferns Tree ferns
DIDIEREACEAE		DIDIEREACEAE spp. (II) #1		Didiereas Alluaudias, didiereas
DIOSCOREACEAE		<i>Dioscorea deltoidea</i> (II) #1		Yams Elephant's foot
DROSERACEAE		<i>Dionaea muscipula</i> (II) #1		Sundews Venus fly-trap
EUPHORBIACEAE		<i>Euphorbia</i> spp. (II) (Except for the species included in Annex A; succulent species only; artificially propagated specimens of cultivars of <i>Euphorbia trigona</i> , artificially propagated, crested, fan- shaped or colour mutants of <i>Euphorbia lactea</i> , when grafted on artificially propagated root stock of <i>Euphorbia nerifolia</i> and arti- ficially propagated specimens of cultivars of <i>Euphorbia</i> "Mili" when they are traded in shipments of 100 or more plants and readily recognisable as arti- ficially propagated specimens, are not subject to the provisions of this Regulation) #1		Spurges Euphorbias
	<i>Euphorbia ambovombensis</i> (I)			
	<i>Euphorbia capsaintemariensis</i> (I)			
	<i>Euphorbia cremersii</i> (I)			
	<i>Euphorbia cylindrifolia</i> (I)			
	<i>Euphorbia decaryi</i> (I)			

	Annex A	Annex B	Annex C	Common name
	<i>Euphorbia francoisii</i> (I)			
	<i>Euphorbia handiensis</i> (II)			
	<i>Euphorbia lambii</i> (II)			
	<i>Euphorbia moratii</i> (I)			
	<i>Euphorbia parvicyathophora</i> (I)			
	<i>Euphorbia quartziticola</i> (I)			
	<i>Euphorbia stygiana</i> (II)			
	<i>Euphorbia tulearensis</i> (I)			
FOUQUIERIACEAE		<i>Fouquieria columnaris</i> (II) #1		Ocotillos, boojums Boojum tree
	<i>Fouquieria fasciculata</i> (I)			Arbol del barril
	<i>Fouquieria purpusii</i> (I)			
GNETACEAE			<i>Gnetum montanum</i> (III Nepal) #1	Joint firs
JUGLANDACEAE		<i>Oreomunnea pterocarpa</i> (II) #1		Walnuts, gavilan Gavilàn
LEGUMINOSAE (FABACEAE)		<i>Caesalpinia echinata</i> (II) #10		Legumes Brazil wood
	<i>Dalbergia nigra</i> (I)		<i>Dalbergia retusa</i> (III population of Guatemala) #5	Brazilian rosewood Black rosewood
			<i>Dalbergia stevensonii</i> (III population of Guatemala) #5	Honduras rosewood
			<i>Dipteryx panamensis</i> (III Costa Rica/Nicaragua)	Almendro
		<i>Pericopsis elata</i> (II) #5		Afrommosia
		<i>Platymiscium pleiostachyum</i> (II) #1		Quira macawood
		<i>Pterocarpus santalinus</i> (II) #7		Red sandalwood
LILIACEAE		<i>Aloe</i> spp. (II) (Except for the species included in Annex A and <i>Aloe vera</i> , also known as <i>Aloe barbadensis</i> , which is not included in the Annexes to this Regulation) #1		Lilies Aloes
	<i>Aloe albida</i> (I)			
	<i>Aloe albiflora</i> (I)			
	<i>Aloe alfredii</i> (I)			
	<i>Aloe bakeri</i> (I)			

	Annex A	Annex B	Annex C	Common name
	<i>Aloe bellatula</i> (I) <i>Aloe calcairophila</i> (I) <i>Aloe compressa</i> (I) <i>Aloe delphinensis</i> (I) <i>Aloe descoingsii</i> (I) <i>Aloe fragilis</i> (I) <i>Aloe haworthioides</i> (I) <i>Aloe helenae</i> (I) <i>Aloe laeta</i> (I) <i>Aloe parallelifolia</i> (I) <i>Aloe parvula</i> (I) <i>Aloe pillansii</i> (I) <i>Aloe polyphylla</i> (I) <i>Aloe rauhii</i> (I) <i>Aloe suzannae</i> (I) <i>Aloe versicolor</i> (I) <i>Aloe vossii</i> (I)			
MAGNOLIACEAE			<i>Magnolia liliifera</i> var. <i>obovata</i> (III Nepal) #1	Magnolias Safan
MELIACEAE			<i>Cedrela odorata</i> (III Population of Colombia, Population of Guatemala, Population of Peru) #5	Mahoganies Spanish cedar
		<i>Swietenia humilis</i> (II) #1		Honduras mahogany
		<i>Swietenia macrophylla</i> (II) (Population of the Neotropics — includes Central and South America and the Caribbean) #6		Big-leaf mahogany
		<i>Swietenia mahagoni</i> (II) #5		Caribbean mahogany
NEPENTHACEAE		<i>Nepenthes</i> spp. (II) (Except for the species included in Annex A) #1		Pitcher plants (old-world) Tropical pitcher plants
	<i>Nepenthes khasiana</i> (I)			Indian pitcher plant
	<i>Nepenthes rajah</i> (I)			Giant tropical pitcher plant
ORCHIDACEAE		ORCHIDACEAE spp. (II) (Except for the species included in Annex A) (?) #1		Orchids Orchids

	Annex A	Annex B	Annex C	Common name
	<p>For all of the following Annex A species, seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers, are not subject to the provisions of this Regulation.</p> <p><i>Aerangis ellisii</i> (I)</p> <p><i>Cephalanthera cucullata</i> (II)</p> <p><i>Cypripedium calceolus</i> (II)</p> <p><i>Dendrobium cruentum</i> (I)</p> <p><i>Goodyera macrophylla</i> (II)</p> <p><i>Laelia jongheana</i> (I)</p> <p><i>Laelia lobata</i> (I)</p> <p><i>Liparis loeselii</i> (II)</p> <p><i>Ophrys argolica</i> (II)</p> <p><i>Ophrys lunulata</i> (II)</p> <p><i>Orchis scopulorum</i> (II)</p> <p><i>Paphiopedilum</i> spp. (I)</p> <p><i>Peristeria elata</i> (I)</p> <p><i>Phragmipedium</i> spp. (I)</p> <p><i>Renanthera imschootiana</i> (I)</p> <p><i>Spiranthes aestivalis</i> (II)</p>			
OROBANCHACEAE				Broomrapes
		<i>Cistanche deserticola</i> (II) #1		Desert cistanche
PALMAE (ARECACEAE)				Palms
	<i>Chrysalidocarpus decipiens</i> (I)	<i>Beccariophoenix madagascariensis</i> (II) #1		Manarano
		<i>Lemurophoenix halleuxii</i> (II)		Butterfly palm
		<i>Marojejya darianii</i> (II)		Hovitra varimensa
		<i>Neodypsis decaryi</i> (II) #1		Ravimbe
		<i>Ravenea louvelii</i> (II)		Triangle palm
		<i>Ravenea rivularis</i> (II)		Lakamarefo
		<i>Satranala decussilvae</i> (II)		Gora
		<i>Voanioala gerardii</i> (II)		Satranabe
PAPAVERACEAE				Voanioala
			<i>Meconopsis regia</i> (III Nepal) #1	Poppies
				Himalayan poppy
PINACEAE				Pine family
	<i>Abies guatemalensis</i> (I)			Guatemalan fir

	Annex A	Annex B	Annex C	Common name
PODOCARPACEAE			<i>Podocarpus nerifolius</i> (III Nepal) #1	Podocarps Yellow wood
	<i>Podocarpus parlatorei</i> (I)			Parlatore's podocarp
PORTULACACEAE		<i>Anacampseros</i> spp. (II) #1 <i>Avonia</i> spp. #1 <i>Lewisia serrata</i> (II) #1		Portulacas, purslanes Purslanes
PRIMULACEAE		<i>Cyclamen</i> spp. (II) ⁽¹⁰⁾ #1		Saw-toothed lewisia Primulas, cyclamens Cyclamens
PROTEACEAE		<i>Orothamnus zeyheri</i> (II) #1 <i>Protea odorata</i> (II) #1		Proteas Marsh-rose Ground-rose
RANUNCULACEAE		<i>Adonis vernalis</i> (II) #2 <i>Hydrastis canadensis</i> (II) #8		Buttercups Yellow adonis Golden seal
ROSACEAE		<i>Prunus africana</i> (II) #1		Roses, cherries African cherry
RUBIACEAE	<i>Balmea stormiae</i> (I)			Ayugue Ayugue
SARRACENIACEAE	<i>Sarracenia oreophila</i> (I) <i>Sarracenia rubra</i> ssp. <i>alabamensis</i> (I) <i>Sarracenia rubra</i> ssp. <i>jonesii</i> (I)	<i>Sarracenia</i> spp. (II) (Except for the species included in Annex A) #1		Pitcher plants (new world) Pitcher plants Green pitcher plant Alabama canebrake pitcher plant Mountain sweet pitcher plant
SCROPHULARIACEAE		<i>Picrorhiza kurrooa</i> (II) (excludes <i>Picrorhiza scrophu-</i> <i>lariiflora</i>) #2		Figworts Indian gentian
STANGERIACEAE	<i>Stangeria eriopus</i> (I)	<i>Bowenia</i> spp. (II) #1		Stangerias (cycads) Cycads Stangeria
TAXACEAE		<i>Taxus chinensis</i> (II) #2 <i>Taxus cuspidata</i> (II) ⁽¹¹⁾ #2 <i>Taxus fuana</i> (II) #2 <i>Taxus sumatrana</i> (II) #2 <i>Taxus wallichiana</i> (II) #2		Yews Chinese yew Japanese yew Tibetan yew Sumatran yew Himalayan yew

	Annex A	Annex B	Annex C	Common name
THYMELEACEAE (AQUILARIACEAE)		<i>Aquilaria</i> spp. (II) #1 <i>Gonystylus</i> spp. (II) #1 <i>Gyrinops</i> spp. (II) #1		Agarwood, ramin Agarwood Ramin Agarwood
TROCHODENDRACEAE (TETRACENTRACEAE)			<i>Tetracentron sinense</i> (III Nepal) #1	Tetracentrons
VALERIANACEAE		<i>Nardostachys grandiflora</i> #2		Valerians
WELWITSCHIACEAE		<i>Welwitschia mirabilis</i> (II) #1		Welwitschias Welwitschia
ZAMIACEAE		ZAMIACEAE spp. (II) (Except for the species included in Annex A) #1		Cycads Cycads
	<i>Ceratozamia</i> spp. (I)			Horncones
	<i>Chigua</i> spp. (I)			
	<i>Encephalartos</i> spp. (I)			Bread palms
	<i>Microcycas calocoma</i> (I)			Palm corcho
ZINGIBERACEAE		<i>Hedychium philippinense</i> (II) #1		Ginger lilies Philippine garland-flower
ZYGOPHYLLACEAE		<i>Guaiacum</i> spp. (II) #2		Lignum-vitae Lignum-vitae
			<i>Bulnesia sarmientoi</i> (III Argentina) #11	Guaiacwood

(1) Population of Argentina (listed in Annex B):

For the exclusive purpose of allowing international trade in wool sheared from live vicuñas of the populations included in Annex B, in cloth and in derived manufactured products and other handicraft artefacts. The reverse side of the cloth must bear the logotype adopted by the range States of the species, which are signatories to the Convenio para la Conservación y Manejo de la Vicuña, and the selvages the words "VICUÑA-ARGENTINA". Other products must bear a label including the logotype and the designation "VICUÑA-ARGENTINA-ARTESANÍA". All other specimens shall be deemed to be specimens of species included in Annex A and the trade in them shall be regulated accordingly.

(2) Population of Bolivia (listed in Annex B):

For the exclusive purpose of allowing international trade in wool sheared from live vicuñas and in cloth and items made thereof, including luxury handicrafts and knitted articles. The reverse side of the cloth must bear the logotype adopted by the range States of the species, which are signatories to the Convenio para la Conservación y Manejo de la Vicuña, and the selvages the words "VICUÑA-BOLIVIA". Other products must bear a label including the logotype and the designation "VICUÑA-BOLIVIA-ARTESANÍA". All other specimens shall be deemed to be specimens of species included in Annex A and the trade in them shall be regulated accordingly.

(3) Population of Chile (listed in Annex B):

For the exclusive purpose of allowing international trade in wool sheared from live vicuñas of the populations included in Annex B, and in cloth and items made thereof, including luxury handicrafts and knitted articles. The reverse side of the cloth must bear the logotype adopted by the range States of the species, which are signatories to the Convenio para la Conservación y Manejo de la Vicuña, and the selvages the words "VICUÑA-CHILE". Other products must bear a label including the logotype and the designation "VICUÑA-CHILE-ARTESANÍA". All other specimens shall be deemed to be specimens of species included in Annex A and the trade in them shall be regulated accordingly.

(4) Population of Peru (listed in Annex B):

For the exclusive purpose of allowing international trade in wool sheared from live vicuñas and in the stock extant at the time of the ninth meeting of the Conference of the Parties (November 1994) of 3 249 kg of wool, and in cloth and items made thereof, including luxury handicrafts and knitted articles. The reverse side of the cloth must bear the logotype adopted by the range States of the species, which are signatories to the Convenio para la Conservación y Manejo de la Vicuña, and the selvages the words "VICUÑA-PERU". Other products must bear a label including the logotype and the designation "VICUÑA-PERU-ARTESANÍA". All other specimens shall be deemed to be specimens of species included in Annex A and the trade in them shall be regulated accordingly.

- (⁵) All species are listed in Appendix II except *Balaena mysticetus*, *Eubalaena* spp., *Balaenoptera acutorostrata* (except population of West Greenland), *Balaenoptera bonaerensis*, *Balaenoptera borealis*, *Balaenoptera edeni*, *Balaenoptera musculus*, *Balaenoptera physalus*, *Megaptera novaeangliae*, *Orcaella brevirostris*, *Sotalia* spp., *Sousa* spp., *Eschrichtius robustus*, *Lipotes vexillifer*, *Caperea marginata*, *Neophocaena phocaenoides*, *Phocoena sinus*, *Physeter catodon*, *Platanista* spp., *Berardius* spp., *Hyperoodon* spp., which are listed in Appendix I. Specimens of the species listed in Appendix II to the Convention, including products and derivatives other than meat products for commercial purposes, taken by the people of Greenland under licence granted by the competent authority concerned, shall be treated as belonging to Annex B. A zero annual export quota is established for live specimens from the Black Sea population of *Tursiops truncatus* removed from the wild and traded for primarily commercial purposes.
- (⁶) Populations of Botswana, Namibia, South Africa and Zimbabwe (listed in Annex B):
For the exclusive purpose of allowing: a) trade in hunting trophies for non-commercial purposes; b) trade in live animals to appropriate and acceptable destinations as defined in Res. Conf. 11.20 for Botswana and Zimbabwe and for in situ conservation programmes for Namibia and South Africa; c) trade in hides; d) trade in hair; e) trade in leather goods for commercial or non-commercial purposes for Botswana, Namibia and South Africa and for non-commercial purposes for Zimbabwe; f) trade in individually marked and certified Ekipas incorporated in finished jewellery for non-commercial purposes for Namibia and ivory carvings for non-commercial purposes for Zimbabwe; g) trade in registered raw ivory (for Botswana, Namibia, South Africa and Zimbabwe whole tusks and pieces) subject to the following: i) only registered government-owned stocks, originating in the State (excluding seized ivory and ivory of unknown origin); ii) only to trading partners that have been verified by the Secretariat, in consultation with the Standing Committee, to have sufficient national legislation and domestic trade controls to ensure that the imported ivory will not be re-exported and will be managed in accordance with all requirements of Resolution Conf. 10.10 (Rev. CoP14) concerning domestic manufacturing and trade; iii) not before the Secretariat has verified the prospective importing countries and the registered government-owned stocks; iv) Raw ivory pursuant to the conditional sale of registered government-owned ivory stocks agreed at COP12 which are 20 000 kg (Botswana), 10 000 kg (Namibia), 30 000 kg (South Africa); v) In addition to the quantities agreed at COP12, government-owned ivory from Botswana, Zimbabwe, Namibia and South Africa registered by the 31st of January 2007 and verified by the Secretariat may be traded and despatched, with the ivory in g) iv) in a single sale per destination under strict supervision of the Secretariat; vi) the proceeds of the trade are used exclusively for elephant conservation and community conservation and development programmes within or adjacent to the elephant range; and vii) The additional quantities specified in g) v) shall be traded only after the Standing Committee has agreed that the above conditions have been met; h) No further proposals to allow trade in elephant ivory from populations already on Annex B shall be submitted to the Conference of the Parties for the period from COP14 and ending nine years from the date of the single sale of ivory that is to take place in accordance with provisions in paragraph g) i), g) ii), g) iii), g) vi) and g) vii). In addition, such further proposals shall be dealt with in accordance with Decisions 14.77 and 14.78. On a proposal from the Secretariat, the Standing Committee can decide to cause this trade to cease partially or completely in the event of non-compliance by exporting or importing countries, or in the case of proven detrimental impacts of the trade on other elephant populations. All other specimens shall be deemed to be specimens of species included in Annex A and the trade in them shall be regulated accordingly.
- (⁷) The following are not subject to the provisions of this Regulation:
Fossils
Coral sand, that is to say material consisting entirely or in part of finely crushed fragments of dead coral no larger than 2 mm in diameter and which may also contain, amongst other things, the remains of Foraminifera, mollusc and crustacean shell, and coralline algae
Coral fragments (including gravel and rubble), that is to say unconsolidated fragments of broken finger-like dead coral and other material between 2 and 30 mm in diameter.
- (⁸) Artificially propagated specimens of the following hybrids and/or cultivars are not subject to the provisions of this Regulation:
Hatiora x graeseri
Schlumbergera x buckleyi
Schlumbergera russelliana x Schlumbergera truncata
Schlumbergera orssichiana x Schlumbergera truncata
Schlumbergera opuntiooides x Schlumbergera truncata
Schlumbergera truncata (cultivars)
Cactaceae spp. colour mutants lacking chlorophyll, grafted on the following grafting stocks: *Harrisia "Jusbertii"*, *Hylocereus trigonus* or *Hylocereus undatus*
Opuntia microdasys (cultivars)
- (⁹) Artificially propagated hybrids of the following genera are not subject to the provisions of this Regulation, if conditions, as indicated in paragraphs a) and b) below, are met: *Cymbidium*, *Dendrobium*, *Phalaenopsis* and *Vanda*:
a) Specimens are readily recognisable 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; and
b) i) when shipped in non flowering state, the specimens must be traded in shipments consisting of individual containers (such as cartons, boxes, crates or individual shelves of CC-containers) 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; or
ii) when shipped in flowering state, with at least one fully open flower per specimen, no minimum number of specimens per shipment is required but specimens must be professionally processed for commercial retail sale, e.g. labelled with printed labels or packaged with printed packages indicating the name of the hybrid and the country of final processing. This should be clearly visible and allow easy verification.
Plants not clearly qualifying for the exemption must be accompanied by appropriate CITES documents.
- (¹⁰) Artificially propagated specimens of cultivars of *Cyclamen persicum* are not subject to the provisions of this Regulation. However, the exemption does not apply to such specimens traded as dormant tubers.
- (¹¹) Artificially propagated hybrids and cultivars of *Taxus cuspidata*, live, in pots or other small containers, each consignment being accompanied by a label or document stating the name of the taxon or taxa and the text "artificially propagated", are not subject to the provisions of this Regulation

	Annex D	Common name
ARTHROPODA (ARTHROPODS)		
INSECTA		Insects
LEPIDOPTERA		Butterflies
Papilionidae		Birdwing and swallow-tail butterflies
	<i>Baronia brevicornis</i>	Short-horned baronia
	<i>Papilio grose-smithi</i>	
	<i>Papilio maraho</i>	Broad-tailed swallowtail
FLORA		
AGAVACEAE		Agaves
	<i>Calibanus hookeri</i>	
	<i>Dasyllirion longissimum</i>	Beargrass
ARACEAE		Arums
	<i>Arisaema dracontium</i>	Green dragon
	<i>Arisaema erubescens</i>	
	<i>Arisaema galeatum</i>	
	<i>Arisaema nepenthoides</i>	
	<i>Arisaema sikokianum</i>	
	<i>Arisaema thunbergii</i> var. <i>urashima</i>	
	<i>Arisaema tortuosum</i>	
	<i>Biarum davisii</i> ssp. <i>marmarisense</i>	
	<i>Biarum ditschianum</i>	
COMPOSITAE (ASTERACEAE)		Asters, daisies, costus
	<i>Arnica montana</i> §3	Mountain tobacco
	<i>Othonna cacalioides</i>	
	<i>Othonna clavifolia</i>	
	<i>Othonna hallii</i>	
	<i>Othonna herrei</i>	
	<i>Othonna lepidocaulis</i>	
	<i>Othonna retrorsa</i>	
ERICACEAE		Heathers, rhododendrons
	<i>Arctostaphylos uva-ursi</i> §3	Bearberry
GENTIANACEAE		Gentians
	<i>Gentiana lutea</i> §3	Great yellow gentian
LEGUMINOSAE (FABACEAE)		Legumes
	<i>Dalbergia granadillo</i> §4	Black rosewood
	<i>Dalbergia retusa</i> (Except for the populations which are included in Annex C) §4	Black rosewood
	<i>Dalbergia stevensonii</i> (Except for the populations which are included in Annex C) §4	Honduras rosewood

	Annex D	Common name
LYCOPODIACEAE	<i>Lycopodium clavatum</i> §3	Clubmosses Stagshorn clubmoss
MELIACEAE	<i>Cedrela fissilis</i> §4 <i>Cedrela lilloi</i> (<i>C. angustifolia</i>) §4 <i>Cedrela montana</i> §4 <i>Cedrela oaxacensis</i> §4 <i>Cedrela odorata</i> (Except for the populations which are included in Annex C) §4 <i>Cedrela salvadorensis</i> §4 <i>Cedrela tonduzii</i> §4	Mahoganies Spanish cedar
MENYANTHACEAE	<i>Menyanthes trifoliata</i> §3	Bogbeans Bogbean
PARMELIACEAE	<i>Cetraria islandica</i> §3	Parmelioid lichens Icelandic moss
PASSIFLORACEAE	<i>Adenia glauca</i> <i>Adenia pechuelli</i>	Desert roses Desert rose Desert rose
PORTULACACEAE	<i>Ceraria carrissoana</i> <i>Ceraria fruticulosa</i>	Portulas, purslanes
LILIACEAE	<i>Trillium pusillum</i> <i>Trillium rugelii</i> <i>Trillium sessile</i>	Lilies Dwarf wakerobin Illscented wakerobin Sessile-flowered wakerobin wood-lily
PEDALIACEAE	<i>Harpagophytum</i> spp. §3	Sesame, devil's claw Devil's claw
SELAGINELLACEAE	<i>Selaginella lepidophylla</i>	Clubmosses, spikemosses Rose of Jericho'