



FedEx Regulatory Alerts & Updates

Regulatory Alert: CITES Changes November 2019

December 16, 2019

BACKGROUND

Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) meet approximately every two years for a meeting of the Conference of the Parties. During these meetings, Parties review and vote on amendments to the listings of protected species in CITES Appendix I and Appendix II. All agreed amendments usually become effective 90 days after the last day of the meeting. The most recent meeting of the Conference of the Parties (CoP 18) was held in Geneva, Switzerland, August 17 to 28, 2019.

WHAT HAS CHANGED?

The amendments to CITES Appendices I and II that were adopted at CoP18 became effective on November 26, 2019. Any specimens of these species imported into or exported from, the United States on or after November 26, 2019 will require CITES documentation as specified under the amended listings.

There were various amendments made:

- Some species were added to Appendix I and others to Appendix II.
- Some species were transferred from Appendix I to Appendix II, and vice-versa.
- There were revisions made to some Species Listings.

Regarding the latter, there was a key change for *Dalbergia spp.*, *Guibourtia demeusei*, *Guibourtia pellegriniana*, and *Guibourtia tessmannii* (Rosewoods and Bubingas). The revision to this Species Listing – referred to as Annotation # 15 - is as follows: all parts and derivatives, except:

- a) Leaves, flowers, pollen, fruits, and seeds;
- b) Finished products to a maximum weight of wood of the listed species of up to 10 kg per shipment;
- c) Finished musical instruments, finished musical instrument parts and finished musical instrument accessories;
- d) Parts and derivatives of *Dalbergia cochinchinensis*, which are covered by Annotation # 4;
- e) Parts and derivatives of *Dalbergia spp.* originating and exported from Mexico, which are covered by Annotation # 6.

This means the items listed above are exempted from CITES controls. A CITES permit is NOT required for (a) through (e); these are now officially approved exemptions to that requirement.

To specifically clarify (b) and (c) - shipments of finished products with the weight of the wood of the species up to 10 kg per shipment as well as finished musical instruments, parts, and accessories do NOT require a CITES permit for U.S. import clearance.

Q&A

Q1: How does this ruling define “finished musical instruments,” “finished musical instrument accessories”, and “finished musical instrument parts”?

A1: Finished musical instruments - A musical instrument (as referenced by Chapter 92 of the Harmonized System of the World Customs Organization) that is ready to play or needs only the installation of parts to make it playable. This term includes antique instruments (as defined by the Harmonized System codes 97.05 and 97.06; Works of art, collectors' pieces and antiques).

Finished musical instrument accessories - A musical instrument accessory (as referenced by Chapter 92 of the Harmonized System of the World Customs Organization) that is separate from the musical instrument and is specifically designed or shaped to be used explicitly in association with an instrument, and that requires no further modification to be used.

Finished musical instrument parts - A part (as referenced by the Harmonized System of the World Customs Organization, Chapter 92) of a musical instrument that is ready to install and is specifically designed and shaped to be used explicitly in association with the instrument to make it playable.

Q2: How does this ruling define “10 kg per shipment”?

A2: For the term "10 kg per shipment," the 10 kg limit should be interpreted as referring to the weight of the individual portions of each item in the shipment made of wood of the species concerned. In other words, the 10 kg limit is to be assessed against the weight of the individual portions of wood of Dalbergia/Guibourtia species contained in each item of the shipment, rather than against the total weight of the shipment.

Q3: Where can importers and exporters find the official revised Appendices for all changes made at CoP 18?

A3: Customers can find the official revised CITES Appendices on the CITES website at www.cites.org.

References:

CITES CoP 18

<https://cites.org/eng/com/cop/18/inf/index.php>

CITES

<https://cites.org/eng>