

**BEFORE**  
**THE UNITED STATES OF AMERICA**  
**DEPARTMENT OF THE INTERIOR**  
**FISH AND WILDLIFE SERVICE**

**COMMENTS OF THE**  
**AMERICAN HERBAL PRODUCTS ASSOCIATION**

**ON THE**  
**REQUEST FOR INFORMATION AND RECOMMENDATIONS**  
**ON SPECIES PROPOSALS FOR CONSIDERATION**  
**AT THE 18<sup>TH</sup> CONFERENCE OF THE PARTIES TO CITES**

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March 26, 2018

The American Herbal Products Association (“AHPA”) is the national trade association and voice of the herbal products industry. AHPA is comprised of domestic and foreign companies doing business as growers, collectors, processors, manufacturers, marketers, importers, exporters and distributors of herbs and herbal products.

On January 23, 2018 the Fish and Wildlife Service of the U.S. Department of the Interior (“FWS”) published a request for information in the *Federal Register* (“the January 23 Notice”)<sup>1</sup> in which that agency solicited information and recommendations on plant and animal species that should be considered as candidates for U.S. proposals to amend Appendices I and II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (“CITES”) at the next Conference of the Parties (“CoP18”) scheduled to be held in Sri Lanka in 2019.

AHPA’s members are engaged in the commerce of herbs and herbal products. In the course of this commerce many plant species, including both wild-harvested and cultivated plants, are traded as bulk commodities or as ingredients in plant extracts and finished products such as teas and dietary supplements. AHPA’s members therefore have an interest in the subject of the January 23 Notice described here insofar as that notice relates to plant species.

These comments are therefore submitted on behalf of AHPA’s members and consist of recommendations and information on plant species, limited to plant species native to the continental United States and with contiguous populations in Canada that are used as ingredients in dietary supplements or medicines.

### **Plant species recommended for addition, removal, or reclassification in CITES Appendices**

The January 23 Notice states that one of its purposes is to solicit information that will help FWS identify species that it should propose as candidates for addition, removal, or reclassification in the CITES Appendices.

AHPA is providing comments here related only to plants native to the continental United States with contiguous populations in Canada. With regard to plant species that are used as ingredients in food products, teas, dietary supplements, or medicinal products, AHPA recommends that the annotation for *Panax quinquefolius* (American ginseng) be revised to exclude sliced roots from the

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<sup>1</sup> 83 Fed. Reg. 3179-3182.

import and export requirements for this CITES Appendix II listed species. Other than this recommendation, AHPA is providing no other recommendations for species to be considered candidates for addition, removal or reclassification in the CITES Appendices at this time.

### **Recommendation to amend the annotation for American ginseng**

The native range of *Panax quinquefolius* (hereinafter either the Latin name or the common name, American ginseng, will be used) is limited only to the United States and Canada. The species was added to CITES Appendix II in 1995. The listing has borne several different annotations, and is currently annotated as follows: “Whole and sliced roots and parts of roots, excluding manufactured parts or derivatives such as powders, pills, extracts, tonics, teas and confectionery.”

There are two completely separate and clearly differentiated articles of commerce derived from this single taxon – these are wild American ginseng and cultivated or artificially propagated American ginseng. The only common factors in these two articles are that both are *Panax quinquefolius* and the primary market for both is in Asia. But the wild and cultivated roots are produced in significantly different volumes and sell at quite different costs, and in fact have notably different morphological characteristics.

Approximately 60,000 to 80,000 pounds (dry weight) of American ginseng root is harvested annually from wild populations in the United States (harvest of wild American ginseng is not allowed in Canada). The primary market for this material is in Asian cities, and a premium is paid for whole, intact roots with the rhizome or “neck” still attached. No one who exports wild American ginseng roots would even consider slicing these roots because to do so would significantly reduce their value for the essential Asian customers.

In comparison, cultivated American ginseng is produced annually in the United States and Canada in much greater quantities and is sold – also primarily through exports to Asia – at a much lower cost. It is not at all uncommon for producers of this entirely separate commercial commodity to slice the roots of cultivated American ginseng into cross-sectional slices 1-2 mm thick.

Thus, any sliced American ginseng subject to export or import is certainly cultivated material. There is therefore no need to make nondetriment findings for sliced American ginseng root, since any such material can be recognized as derived from artificially propagated crops.

AHPA therefore recommends that the annotation for this species be amended to remove sliced American ginseng from CITES controls, by revising the current

annotation to read as follows, where the words in strikethrough font are suggested for removal and those in bold for addition:

“Whole ~~and sliced~~ roots and parts of roots, excluding manufactured parts or derivatives such as **slices**, powders, pills, extracts, tonics, teas and confectionery.”

### **Conclusions**

AHPA is requesting by these comments that the United States propose at the 18<sup>th</sup> Conference of the Parties of CITES, tentatively scheduled for 2019, that the annotation for *Panax quinquefolius* be amended to exclude sliced roots from CITES export and import controls.

AHPA has also stated here that it has no recommendations at this time for adding any other plant species that is native to the United States to CITES Appendix I or Appendix II, or for reclassifying any such species from one Appendix to the other.

AHPA further requests that U.S. Fish and Wildlife Service give the comments presented here due consideration as it prepares for CoP18.

Respectfully submitted,



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