

THE GREAT SEED DEBATE—RESOLUTION!

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For more than a year there has been concern about the status of the CPN Seed Bank in the swirl of activities by the United States Endangered Species Act authorities (ESA) and CITES. Several individuals have written letters and enclosed copies of various interpretations of what was or was not acceptable. Until we were able to obtain a clear statement from the US Fish and Wildlife Service which administers ESA and CITES in this country (where the seed bank is based), we placed a seed bank exchange of certain species on hold.

Communication with the US Government was an adventure in itself. On 30 March 1988 I sent a letter to an individual in Fish and Wildlife whom I thought would be able to help us. That person replied in a letter dated 6 June 1988 that they were not able to help and that my letter had been forwarded to another individual who could. Not having heard anything by 3 July 1988, I sent a letter directly to this person. I heard nothing from either letter. Finally, on 26 March 1989, I decided to hit the telephone route and on 29 March 1989 was finally connected with Ms. Susan Lawrence. We had a very pleasant and informative conversation and my opinion of Ms. Lawrence as a result is that she is dedicated, sympathetic, very willing to help and believes in conservation completely.

Below is a synopsis of what is allowed regarding listed or endangered CP seed exchange as gathered by me during my telephone conversation with Ms. Susan Lawrence of the US Fish and Wildlife Service on 29 March 1989. I will divide the material into two sections: ESA and CITES. ESA would of course not apply directly to countries other than the US, but these countries may have their own endangered species program and CPN readers in these countries should be familiar with them. CITES applies to all participant countries on international exchanges only, excepting of course those countries which do not subscribe to CITES, and those participant countries who may have adopted CITES rules within their nations.

ESA—United States concerns—

Seed of all plant species—whether listed as protected under ESA, or in either of the appendices of CITES—may be sent interstate freely as long as ESA protected species seed is not being sold for profit or as barter. Seed of ESA protected species (eg *Sarracenia oreophila* or *S. rubra* ssp. *alabamensis*) must be specified as having been collected from propagated plants only. Ms. Lawrence did not feel that individual packet labeling was necessary, but that a policy statement by ICPS in the quarterly seed bank listing to this effect was sufficient. The seed bank packet fee which is charged for postage and materials cost is not regarded as sale or barter since no profit is obtained and ICPS is a non-profit society. There should be no concern about CITES rules interstate within the United States.

CITES—International Concerns—

ESA within the United States only applies insofar as anything mailed or shipped internationally must by definition cross State lines sometime. Therefore, only propagated seed of ESA protected material should be sent out of the US. The seed bank may send Appendix II list CP seed internationally without concern. However, seed of plants listed in Appendix I (the more endangered species of concern) **must** be accompanied by the usual permits.

Summation—

You may wish to keep the above material handy for reference if you intend using the CPN seed bank, either as a donor or to obtain seed. While this is Ms. Lawrence's interpretation as of the date of our conversation, official interpretations could of course change over time. Whatever feelings we as individuals have regarding the effectiveness of ESA or CITES, or lack of real effect, in protecting and conserving the plants we all love, it behooves us as ICPS members to follow rulings. Any ill feelings you have about ESA or CITES, or suggestions about changes, abolition or more stringent activities should be pursued through the channels of elected and appointed government personnel.



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