

Traveller jailed for smuggling incense tree wood chips (with photo)

A traveller who illegally exported incense tree wood chips was convicted and sentenced to imprisonment for 30 months by the District Court today (February 2).

A spokesman for the Agriculture, Fisheries and Conservation Department (AFCD) said that an outbound male traveller heading to the Mainland, aged 38, was intercepted by Customs officers at Shenzhen Bay Control Point, and about 9 kilograms of incense tree (*Aquilaria sinensis*) wood chips was seized from his backpack on March 13, 2023. The estimated market value of the incense wood chips was about \$1,350,000.

Upon investigation by the AFCD, the man was charged with illegally exporting endangered species under the Protection of Endangered Species of Animals and Plants Ordinance (PESAPO) (Cap. 586). The AFCD also applied to the court for an increased sentence under the Organized and Serious Crime Ordinance (OSCO) (Cap. 455). He was convicted at the court today. The court set 36-month imprisonment as the starting point for sentencing with 12 months' reduction for his guilty plea. The AFCD applied to raise the sentence by 25 per cent in accordance with OSCO. The defendant was sentenced to immediate imprisonment for 30 months.

This is the first time for the AFCD to apply for an enhanced sentence under OSCO for a relevant offence under PESAPO since the inclusion of certain offences under PESAPO to Schedule 1 of OSCO since August 2021.

All *Aquilaria* species, including the native incense tree, are listed under Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, and are regulated under PESAPO in Hong Kong.

According to PESAPO, any person importing, exporting or possessing specimens of endangered species not in accordance with the Ordinance commits an offence and will be liable to a maximum fine of \$10 million and imprisonment for 10 years upon conviction with the specimens forfeited.

The spokesman also pointed out that according to the Forests and Countryside Ordinance (Cap. 96), felling of trees on government land without permission is an offence. The maximum penalty is a fine of \$25,000 and imprisonment for one year.

The spokesman appealed to the public not to smuggle agarwood or fell incense trees illegally. To enquire about the importation or exportation of endangered species and to report suspected illegal cases, the public can call the AFCD at 1823 or visit the website www.cites.hk.

