

99090024001000, 99090024001000

Applying for a certificate of exemption from the marketing ban for Annex A species

Heruntergeladen am 17.06.2025

<https://fimportal.de/xzufi-services/403899198/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99090024001000, 99090024001000
Leistungsbezeichnung I	Applying for a certificate of exemption from the marketing ban for Annex A species
Leistungsbezeichnung II	Applying for a certificate of exemption from the marketing ban for Annex A species
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Naturschutz (090)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	Eintragung, Änderung der Rechtsform oder Schließung

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	eines Unternehmens (Registrierungsverfahren und Rechtsformen für geschäftliche Tätigkeiten)
Lagen Portalverbund	Tier-, Pflanzen- und Naturschutz (2130200), Tierhaltung (1110300), Klima, Natur und Arten (1170100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	05.11.2024
Fachlich freigegeben durch	Hessian Ministry of Agriculture and Environment, Viticulture, Forestry, Hunting and Homeland
Handlungsgrundlage	Art. 8 (3) Regulation (EC) No. 338/97
Teaser	The animals, plants or their products listed in Annex A of the EC Species Protection Regulation 338/97 are subject to a marketing ban. If you wish to use Annex A specimens for commercial purposes, you must apply for a certificate of exemption.
Volltext	<ul style="list-style-type: none"> • The animals, plants or objects made from them listed in Annex A of the EC Species Protection Regulation 338/97 are subject to a marketing ban. This means that the purchase, offer for sale, acquisition for commercial purposes, display and use for commercial purposes as well as the sale, stocking, offering for sale or transportation for sale of specimens of Annex A species are prohibited. • If you wish to use a specimen of Annex A for commercial purposes, you require a certificate of exemption from the marketing ban. • This certificate can be applied for and issued to you if the conditions for an exemption from the marketing ban are met.
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Completed application form • Depending on the individual case, further documents may be required: <ul style="list-style-type: none"> • Proof of age • Proof of breeding • import license • photos • expert opinion • if necessary others

Modul

Sachverhalt

Voraussetzungen

The specimens must:

- have been acquired in or imported into the Community before the provisions relating to the species listed in Appendix I to the Convention or in Annex C 1 to Regulation (EEC) No 3626/82 or in Annex A to this Regulation became applicable to the specimens concerned, or
- have been processed into objects acquired more than 50 years ago, or
- have been introduced into the Community in accordance with this Regulation and are used for purposes not detrimental to the survival of the species concerned, or
- be captive-born and bred specimens of an animal species or artificially propagated specimens of a plant species, or parts or derivatives thereof, or
- in exceptional circumstances, for the advancement of science or for essential biomedical purposes in accordance with Council Directive 86/609/EEC of November 24, 1986 on the approximation of laws, regulations and administrative provisions of the Member States regarding the protection of species of animals intended for human consumption. (f) are used for breeding and reproduction purposes which contribute to the conservation of the species concerned; or
- for research or educational purposes aimed at the protection or conservation of the species; or
- come from a Member State and have been taken from their natural habitat in accordance with the legislation of that Member State.
- The derogation must be in accordance with other Community legislation on the conservation of wild fauna and flora species

Kosten

Depends on the respective fee schedule of the country

In Hesse, the fees are based on No. 5 of the Annex to Section 1 of the Administrative Cost Regulations for the Ministry of the Environment, Climate Protection, Agriculture and Consumer Protection (VwKostO-MUKLV).

Verfahrensablauf

- You can apply for a marketing permit in writing (also

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	<p>by e-mail) or online to the competent authority.</p> <ul style="list-style-type: none"> • Fill out the application form, sign it and submit it together with the required documents (proof of origin, photo documentation, breeding certificates, import permits, expert reports, etc.). • The application and the documents will be checked. If the requirements are met, a certificate of exemption can be issued.
Bearbeitungsdauer	
Frist	No deadline
weiterführende Informationen	
Hinweise	<ul style="list-style-type: none"> • A violation of the marketing ban can be punished as an administrative offense (§ 69 para. 4 no. 3 BNatSchG) or even prosecuted under criminal law (§ 71 para. 2 no. 1 or § 71a para. 2 BNatSchG). • It is part of the duty of care of every keeper of species-protected specimens to ensure that appropriate proof of legality is available before acquiring a specimen of a protected species. • Animals with invalid, incorrect, incomplete or missing proof of legality (proof of origin) may neither be offered nor purchased. • If the legal origin of an animal cannot be clearly proven, this can lead to confiscation and permanent confiscation (removal) due to the doubtful origin. The costs of accommodation are then borne by the person from whom the specimens were confiscated.
Rechtsbehelf	Compulsory action
Kurztext	<ul style="list-style-type: none"> • Exemption certificate from the marketing ban for Annex A species of Regulation (EC) No 338/97 Issue • Annex A species are subject to a marketing ban under EU law. In certain cases, a derogation may be granted • Application for a certificate of exemption from the marketing ban for Annex A species of Regulation (EC) No. 338/97 Issue • Concerns parrots, tortoises, Rio rosewood, some snakes and monitor lizards, ivory, furs such as ocelot, etc.

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	<ul style="list-style-type: none"> • Responsible: Management authority of the Member State
Ansprechpunkt	
Zuständige Stelle	The higher nature conservation authorities at the three regional councils in Hesse are responsible.
Formulare	
Ursprungsportal	Applying for a certificate of exemption from the marketing ban for Annex A species, Ausnahmebescheinigung vom Vermarktungsverbot für Anhang-A-Arten beantragen