

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/284367741/L100039>

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	Rheinland-Pfalz
Freigabestatus Katalog	fachlich freigegeben (gold)
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

Modul	Sachverhalt
	eines Unternehmens (Registrierungsverfahren und Rechtsformen für geschäftliche Tätigkeiten)
Lagen Portalverbund	Tier-, Pflanzen- und Naturschutz (2130200), Klima, Natur und Arten (1170100), Tierhaltung (1110300)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	12.11.2024
Fachlich freigegeben durch	Ministry for Climate Protection, Environment, Energy and Mobility Rhineland-Palatinate
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"> <li>• 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.</li> <li>• If you wish to use a specimen of Annex A for commercial purposes, you require a certificate of exemption from the marketing ban.</li> <li>• This certificate can be applied for and issued to you if the conditions for an exemption from the marketing ban are met.</li> </ul>
Erforderliche Unterlagen	<ul style="list-style-type: none"> <li>• Completed application form</li> <li>• Depending on the individual case, further documents may be required:               <ul style="list-style-type: none"> <li>• Proof of age</li> <li>• Proof of breeding</li> <li>• import license</li> <li>• photos</li> <li>• expert opinion</li> <li>• if necessary others</li> </ul> </li> </ul>

**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 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
- originate from a Member State and have been removed 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

**Verfahrensablauf**

- You can apply for a marketing permit in writing (also by e-mail) or online from the competent authority.
  - 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

Modul	Sachverhalt
	can be issued.
Bearbeitungsdauer	
Frist	No deadline
weiterführende Informationen	<p><b>**Federal Agency for Nature Conservation**</b></p> <p>URL: <a href="https://www.bfn.de/">https://www.bfn.de/</a></p>
Hinweise	<ul style="list-style-type: none"> <li>• 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).</li> <li>• 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.</li> <li>• Animals with invalid, incorrect, incomplete or missing proof of legality (proof of origin) may neither be offered nor purchased.</li> <li>• 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.</li> </ul>
Rechtsbehelf	Compulsory action
Kurztext	<ul style="list-style-type: none"> <li>• Exemption certificate from the marketing ban for Annex A species of Regulation (EC) No 338/97 Issue</li> <li>• Annex A species are subject to a marketing ban under EU law. In certain cases, a derogation may be granted</li> <li>• Application for a certificate of exemption from the marketing ban for Annex A species of Regulation (EC) No. 338/97 Issue</li> <li>• Concerns parrots, tortoises, Rio rosewood, some snakes and monitor lizards, ivory, furs such as ocelot, etc.</li> <li>• Responsible: Management authority of the Member State</li> </ul>
Ansprechpunkt	
Zuständige Stelle	District administrations of the districts and city

Modul	Sachverhalt
	administrations of the independent cities.
Formulare	
Ursprungsportal	Ausnahmebescheinigung vom Vermarktungsverbot für Anhang-A-Arten beantragen, Applying for a certificate of exemption from the marketing ban for Annex A species