

99090011001000

Heruntergeladen am 10.06.2025

<https://fimportal.de/xzufi-services/27248/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99090011001000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Wild plants; application for a permit for commercial removal, treatment or processing
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	

Modul	Sachverhalt
Fachlich freigegeben am	26.02.2025
Fachlich freigegeben durch	Bayerisches Staatsministerium für Umwelt und Verbraucherschutz (Bavarian State Ministry of the Environment and Consumer Protection)
Handlungsgrundlage	http://bundesrecht.juris.de/bnatschg_2009/_39.html http://bundesrecht.juris.de/bnatschg_2009/_39.html http://bundesrecht.juris.de/bnatschg_2009/_7.html http://bundesrecht.juris.de/bnatschg_2009/_7.html https://www.gesetze-im-internet.de/bartschv_2005/_2.html https://www.gesetze-im-internet.de/bartschv_2005/_2.html
Teaser	Without prejudice to the rights of the owners and other authorized users, the commercial removal, treatment or processing of wild plants requires the approval of the authority responsible for nature conservation and landscape management.
Volltext	Permission to commercially remove, treat or process wild plants (including lichens and fungi) that are not specially protected is granted by the lower nature conservation authority at the district administrative authorities. This is usually issued in the form of a written decision. Permission must be granted if the population of the species in question is not endangered at the site of removal and the ecosystem is not significantly impaired. The removal must be carried out carefully. When deciding on removals for the purpose of regional seed production, the beneficial effects on the objectives of nature conservation and landscape management must be taken into account (Section 39 (4) of the Federal Nature Conservation Act (BNatSchG)). Plants within the meaning of the Federal Nature Conservation Act are • wild plants, plants obtained by artificial propagation and dead plants of wild species, • seeds, fruits or other developmental forms of plants of wild species,

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- readily recognizable parts of plants of wild species and
- readily recognizable products obtained from plants of wild species.

Lichens and fungi are also considered plants within the meaning of this law.

No official authorization is required for the private collection of small quantities of certain plants that are not specially protected for personal use. Anyone may carefully collect and appropriate small quantities of wild flowers, grasses, ferns, mosses, lichens, fruits, mushrooms, tea and medicinal herbs as well as branches of wild plants from nature in places that are not subject to a trespassing ban for personal use. (§ 39 para. 3 BNatSchG).

Wild plants of specially protected species or their developmental forms may not be taken from the wild (§ 44 para. 1 no. 4 BNatSchG). Exceptions are possible for certain purposes, such as research, and with the prior approval of the higher nature conservation authority at the government (§ 45 Para. 7 BNatSchG). There are exceptions for certain mushrooms that are taken from the wild in small quantities for personal use (§ 2 para. 1 BArtSchV)

Erforderliche Unterlagen

Voraussetzungen

The application should specify which plant species, which parts or products, which quantities and where they are to be collected. Plants in this sense also include lichens and fungi as well as developmental forms of plants of wild species (seeds, fruits, etc.) and readily recognizable parts and products of plants of wild species. Permission for commercial collection, treatment or processing is granted if the population of the species in question at the place of collection is not endangered and the ecosystem is not significantly impaired.

Kosten

Permit fee (Costs Act in conjunction with Schedule of

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	Costs Tariff No. 8.III.0/ 5.1): 50 to 5,000 EUR
Verfahrensablauf	
Bearbeitungsdauer	
Frist	
weiterführende Informationen	http://www.stmuv.bayern.de/service/freizeittipps/ratgeber/index.htm http://www.stmuv.bayern.de/service/freizeittipps/ratgeber/index.htm
Hinweise	
Rechtsbehelf	Administrative court action
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal