

99090024001000

Ausnahmebescheinigung vom Vermarktungsverbot für Anhang-A-Arten Erteilung

Heruntergeladen am 17.06.2025

<https://fimportal.de/xzufi-services/S1000030002326106/S100003>

Modul	Sachverhalt
Leistungsschlüssel	99090024001000
Leistungsbezeichnung I	Ausnahmebescheinigung vom Vermarktungsverbot für Anhang-A-Arten Erteilung
Leistungsbezeichnung II	Apply for exemption certificate from the marketing ban for species listed in Annex A (EC 2023/0966) / Bremerhaven
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Bremen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	Brhv, Animal welfare, Products, Species protection, Monitor lizards, Protective provisions, Specially protected animals, Parrots, Washington Convention on International Trade in Endangered Species, Rio rosewood, Trade type protection, Musical instruments, Snakes, EC marketing authorization, EC REGULATION 338/97, Furs, Protected wood, CITES, protected plants,

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	Protected animals, Tortoises, Marketing of protected animals, Certificate of submission, Ivory, Strictly protected animals
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	Tier-, Pflanzen- und Naturschutz (2130200), Klima, Natur und Arten (1170100), Tierhaltung (1110300)
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	17.04.2025
Fachlich freigegeben durch	
Handlungsgrundlage	https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX:01997R0338-20130810&from=LT https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2006R0865:20080225:DE:PDF https://www.gesetze-im-internet.de/bnatschg_2009/_44.html https://www.transparenz.bremen.de/metainformationen/kostenverordnung-der-umweltverwaltung-umwkv-v-vom-27-august-2002-157990?asl=bremen203_tpgesetz.c.55340.de&template=20_gp_ifg_meta_detail_d
Teaser	The animals (e.g. tortoises or birds of prey), plants or their products (e.g. feather ornaments, fur coats, ivory 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	If you want to market (sell) strictly protected animals, you sometimes need a special permit. Animals and plants listed in Annex A of "EC Regulation (EC) No. 338/97 on the protection of species of wild fauna and flora by regulating trade therein" may not

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simply be marketed. You need a so-called EC marketing permit. Sometimes it is also called an EC certificate.

The following actions with such animals are prohibited without an EC certificate:

- Purchase,
- Offer for sale,
- Acquisition for commercial purposes,
- display for commercial purposes,
- use for commercial purposes and
- sale,
- keeping in stock for sales purposes,
- offering for sale or
- transportation for sale.

If such an animal is sold, the original EC certificate must be handed over to the new owner together with the animal.

This also applies to the marketing of own offspring of affected species. For reasons of legal certainty, we recommend applying for certificates for offspring, even if no marketing is intended.

Only a few of these species are exempt from the certification requirement. They are listed in Annex X of EC Regulation 865/2006 (implementing provisions for EC Regulation 338/97).

The certification requirement also applies to dead animals, parts of dead animals and all objects and products from animals protected under Annex A.

Certificates can only be issued for legally bred or legally imported animals, animal products or objects.

Certificates that have become invalid must be returned to the issuing authority

Erforderliche Unterlagen

- Proof of legal origin:

Depending on the case, this could be

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- Information on prior acquisition, e.g. invoices, description of the trade route, accounts
- EC import permit
- Progeny confirmation from the nature conservation authority, breeding certificate from the breeder including details of the parents
- Exemption permit/exemption from the competent authority for legal nature extraction
- If necessary, meaningful photos or, for live animals, identification in accordance with the Federal Species Protection Ordinance
- For an amendment/ correction of the EC marketing authorization: Your invalid/outdated EC marketing authorization

Voraussetzungen

In order to obtain an EC marketing authorization, at least one of the following points must be true:

- The animal/plant/object was not yet protected when it was purchased or imported into the EU.
- The animal was born and bred in captivity.
- The plant was artificially propagated.
- The item/product was made from animals born in captivity or artificially propagated plants.
- The item was produced before 1947.
- The animal/plant/object was legally purchased or imported into the EU. Regulation (EC) No. 338/97 was observed.
- The animal/plant was caught in an EU member state in accordance with the legislation applicable there.

The exemption must be in accordance with other Community legislation on the conservation of wild animal and plant species.

Kosten

A fee is payable for the permit in accordance with the provisions of tariff numbers 51.5.2 and 51.5.2.1 of the Environmental Administration Cost Ordinance (UmwKostV) in the currently valid version.

Verfahrensablauf

You can only apply for the exemption online.

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	Online service: • You will find the link to the online service under "Forms". • The online service guides you step by step through the application process. • You can submit the required documents digitally. • You can temporarily save your entries for 30 days. • You need a service account to complete and submit the online application. If you do not yet have a service account, you can register for one. You can do this during the online application process. • You will receive the notification by post.
Bearbeitungsdauer	1 to 4 weeks. Processing can only take place after submission of complete application documents.
Frist	In accordance with Section 7 (2) of the Federal Species Protection Ordinance, the competent authority must be notified immediately of the start of keeping.
weiterführende Informationen	https://www.bfn.de/genehmigungen-und-bescheinigungen https://www.wisia.de/
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Bremerhaven.de, Bremerhaven.de