

Protection of wild fauna and flora: control of trade of species

1991/0370(SYN) - 09/12/1996 - Final act

OBJECTIVE: to protect species of wild fauna and flora by regulating trade therein. **COMMUNITY MEASURE:** Council Regulation No (EC) 338/97 on the protection of species of wild fauna and flora by regulating trade therein. **CONTENT:** the regulation has a system of four annexes which correspond to an increasing level of protection from Annex D (simple statistical monitoring) to Annex A (total ban on trade). The species referred to are those which are listed in the annexes to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), supplemented by a number of priority species. The level and scope of the protection in the Community which will result will thus exceed that of the Convention. These species are entered in the appropriate annex on the basis of "objective" criteria. Depending on the extent to which they are endangered, the regulation establishes more or less restrictive conditions for the introduction into the Community of the species in question. In practical terms, the necessary checks must be carried out and an import permit must be presented to the relevant management authority of the Member State of destination. Provisions also allow checks to be carried out on the conditions of housing of the specimens. Furthermore, specific provisions are provided for specimens born in captivity or artificially propagated. Special attention is paid to checks on re-exports of specimens of the species referred to and also checks on commercial activities involving such specimens. The regulation also deals with infringements to the regulation for which the Member States must impose sanctions and the obligations to provide information on the part of the Member States in order to allow the implementation of the regulation. **ENTRY INTO FORCE:** 3 March 1997. The regulation is applicable with effect from 1 January 1997.