

Permits, certificates and notifications

Documents needed for wildlife trade into,
from and inside the EU



WWF-Canon / Roger LEGUEN

1. WILDLIFE TRADE INTO AND FROM THE EU

1.1 Overview

1.2 What types of documents for what purpose?

1.3 Which document do I need?

1.3.1 For IMPORT into the EU

1.3.2 For EXPORT/ RE-EXPORT from the EU

1.4 Where should I apply for an EU permit or certificate?

1.5 What are the procedures and conditions for the issuance of an EU permit or certificate?

1.5.1 Procedures and conditions to obtain an IMPORT permit (Annex A or B and/or Appendix I or II)

1.5.2 Procedures and conditions to obtain an EXPORT permit (Annex A, B or C and/or Appendix I, II, III)

1.5.3 Procedures and conditions to obtain a RE-EXPORT certificate (Annex A, B or C)

1.6 General derogations from import and export conditions

1.6.1 Captive-bred and artificially propagated specimens (Article 7.1 (a) of *Reg. (EC) No. 338/97*)

1.6.2 Transit of CITES specimens through the EU (Article 7.2 of *Reg. (EC) No. 338/97*)

1.6.3 Pre-Convention and Pre-Regulation specimens (Article 5.6 of *Reg. (EC) No. 338/97*)

1.6.4 Personal effects, household goods and hunting trophies (Article 57 and 58 of *Reg. (EC) No. 865/2006*)

1.6.5 Exchange between scientists and scientific institutions (Article 7.4 of *Reg. (EC) No. 338/97*)

1.6.6 Personal ownership certificates

2. INTERNAL TRADE IN THE EU

2.1 Overview

2.2 General provisions for internal trade of specimens of species listed in EC Regulations

2.3 Regarding commercial use of specimens of Annex A listed species (Art. 8.1 of *Reg. (EC) No. 338/97*)

2.4 Exemptions and the use of EU internal trade certificates

2.4.1 Use of certificates for live captive born and bred specimens

2.4.2 Other cases in which internal trade certificates may be used (Art. 46 to 50 of *Reg. (EC) No. 865/2006*)

2.4.3 Splitting shipments (Art. 51.1 of *Reg. (EC) No. 865/2006*)

2.4.4 Marking of live specimens (Art. 66 of *Reg. (EC) No. 865/2006*)

2.4.5 Validity of certificates (Art. 11 of *Reg. (EC) No. 865/2006*)

2.4.6 Different types of internal trade certificates

2.5 "Fast track" certificates – the use of pre-issued certificates

2.5.1 Pre-issued certificates for breeders

2.5.2 Pre-issued certificates for dead captive-bred / wild Annex A specimens (Art. 63.2 of *Reg. (EC) No. 865/2006*)

2.6 Circuses and travelling exhibitions

2.7 General exemptions and derogations for internal trade

2.7.1 Commercial use of artificially propagated plants listed in Annex A

2.7.2 Bird species that are commonly bred in captivity in the EU

2.7.3 Trade in antiques made from species listed in the Annexes (Art. 62(c) of *Reg. (EC) No. 865/2006*)

2.7.4. Certificates for scientific institutions (Art. 8.3. (f) and (g) of *Reg. (EC) No. 338/97*, Art. 60 of *Reg. (EC) No. 865/2006*)

1. WILDLIFE TRADE INTO AND FROM THE EU

1.1 Overview

Permits, certificates or notifications are required for trade to and from the EU (import, export, re-export) in animal or plant species (or parts or derivatives made thereof) listed in one of the four [Annexes](#) (Annex A, B, C

and D) of *Council Regulation (EC) No. 338/97*. A specific certificate is also required for intra-EU trade ([ref. 2.](#)) in species listed in Annex A of *Council Regulation (EC) No. 338/97*. The required documents will only be issued if certain conditions are met, and they must be presented to the Customs service before a shipment is allowed to enter or leave the EU. Whether or not these conditions are met will be verified by the designated Management Authority of the individual EU Member State in co-operation with its national Scientific Authority, and this can involve questions with regard to:

- whether or not the trade will be detrimental (harmful) to the survival of the species in the wild;
- whether or not the specimen was legally acquired;
- in the case where it is a live specimen: whether or not the specimen is properly prepared for transportation;
- in the case where it is a live specimen of species listed in Annex A or B: whether or not the importer has the suitable facilities to house and care for live specimens.

Reminder: According to *Reg. (EC) No. 338/97*, specimens of Annex A species cannot be imported to be used for primarily commercial purposes.

1.2 What types of documents for what purpose?

Management Authorities can issue different types of documents for trade to and from the EU:

- Import permit: for the import of specimens of Annex A- and B-listed species. (**Note:** The stamped and signed holder's copy of the import permit may also be used to confirm that the specimen was lawfully imported).
- Export permit: for the export of specimens of Annex A-, B- or C-listed species.
- Re-export certificate: for the re-export of specimens of A-, B- or C-listed species.
- Certificate to certify that the specimen was legally imported or acquired within the EU: this may, for example, be required for the re-export of specimens that were previously imported into or acquired in an EU Member State, different to the one from which they will be re-exported ([ref. 1.5](#)).
- An Import Notification form: for Annex C- or D-listed species, to be completed by the importer.

In addition, the Management Authority can issue **certificates** for internal trade inside the EU. These "internal trade certificates" may be issued to authorise the sale of captive-bred Annex A specimens ([ref. 2.4.1](#)). Certain scientific institutions may also be granted a general certificate, which would enable them to trade with other institutions holding such a certificate ([ref. 2.7](#)).

Note: You may also need other documents for trade to and from the EU for purposes other than those covered by *Council Regulation (EC) No. 338/97* and *Commission Regulation (EC) No. 865/2006*, e.g. sanitary purposes (concerning food products, seafood, caviar, etc.), for health and veterinary purposes for live animals or animal products (blood, semen, tissue, etc.) and plants (phytosanitary certificates) (see [Welfare](#), [International Legislation](#) and [National Legislation](#)).

1.3 Which document do I need?

Documents needed for trade to and from the EU in species listed in *Regulation (EC) No. 338/97*

Annex	Type of trade	Documents Required: <i>Note: documents have to be obtained before trade takes place and presented to a Customs officer upon introduction into/(re-)export from the EU</i>	Art. of Reg. (EC) No. 338/97
A	Import	Export permit issued by country of export <u>and</u> import permit issued by the EU Member State of destination.	4.1
A	Export	Export permit issued by the EU Member State of export <u>and</u> import permit issued by country of destination. Note: the import permit is only required when the species is listed in Appendix I of CITES.	5.1-2
A	Re-export	Re-export certificate issued by the EU Member State and import permit issued by the country of destination. Note: the import permit is only required when the species is listed in Appendix I of CITES.	5.1, 5.3, 5.5
B	Import	Export permit issued by country of export and import permit issued by the EU Member State of destination. Note: the export permit is only required when the species is also listed in Appendix II of CITES.	4.2
B	Export	Export permit issued by the EU Member State of export.	5.4
B	Re-export	Re-export certificate issued by the EU Member State.	5.4-5
C	Import	Export permit or certificate of origin (depending on whether or not the country of export has listed the species in Appendix III of CITES, see below) <u>and</u> import notification presented to Customs office upon introduction into the EU.	4.3
C	Export	Export permit from the EU Member States of export.	5.4
C	Re-export	Re-export certificate from the EU Member State of re-export.	5.4-5
D	Import	Import notification presented to Customs office upon introduction into the EU	4.4
D	Export, Re-export	No documents required (unless the species is listed in Appendix III of CITES). *	

* If the specimen is a of species listed in Annex D of *Reg. (EC) No. 338/97* and/or CITES Appendix III, an export permit or re-export certificate is needed.

1.3.1 For IMPORT into the EU

... of a specimen of an Annex A- or B-listed species: an export permit needs to be issued by the exporting country (or a re-export certificate from the country of re-export) and an import permit issued by the CITES Management Authority of the EU Member State of destination (Note: the requirement of an import permit for Annex B is stricter than CITES). Documents must be obtained prior to the introduction into the EU and must be presented to the Customs office at the point of first introduction.

... of a specimen of an Annex C-listed species: No import permit is needed but an import notification must be completed before the specimen is imported into the EU. In addition, you will also need an export permit if you import the specimen from the country that listed the species in CITES Appendix III. You will need a certificate of origin if importing the specimen from a range country that has not listed the species in CITES Appendix III. The import notification has to be obtained and completed prior to the introduction into the EU, and must be presented to the Customs office at the point of first introduction.

... of a specimen of an Annex D-listed species: an import notification needs to be completed and must be presented to the Customs office at the point of first introduction into the EU.

1.3.2 For EXPORT/ RE-EXPORT from the EU

... of a specimen of an Annex A-, B- or C-listed species: an export permit/re-export certificate issued by the Management Authority of the exporting EU Member State is needed. This applies to specimens taken from the wild, bred in captivity or artificially propagated. The export permit/re-export certificate must be obtained prior to export and must be presented at the Customs office of the Member State where the (re-)export formalities are completed.

... of a specimen of an Annex D-listed species: No document is required for the export/re-export of a species listed in Annex D (unless the specimen is listed in Appendix III of CITES). If the specimen is listed in Annex D of *Reg. (EC) No. 338/97* and CITES Appendix III an export permit or re-export certificate would be required. Currently this applies to seven taxa i.e. three subspecies of Red Fox *Vulpes vulpes* and four mink species *Mustela* spp. all listed in CITES Appendix III by India. However, most EU Member States have taken a reservation (see [International Legislation/ 2.1](#)) on these listings and, hence, exports or re-exports of specimens of these subspecies from these EU Member States do not require CITES documents.

Note for exporters of artificially propagated plants: In order to facilitate the trade in artificially propagated plants and plant hybrids the EC Regulations provide for some simplified procedures:

- *Use of phytosanitary certificates:* For artificially propagated plants and plant hybrids, phytosanitary certificates may be used in lieu of an export permit but not as a re-export certificate (Art. 7.1(b) of *Reg. (EC) No. 338/1997*).
- *Use of pre-issued export permits by registered nurseries:* Management Authorities can provide pre-issued export permits for species listed in Annex A and B to registered nurseries (Art. 29 of *Reg. (EC) No. 865/2006*).

1.4 Where should I apply for an EU permit or certificate?

In general, application forms for import or export permits, re-export certificates and import notifications should be obtained from the designated Management Authority of the importing or exporting EU Member State (for contact details of the Management Authorities see [Links](#)). Application forms for import permits can be requested from the Management Authority of the EU Member State of destination. Applications for export permits or re-export certificates should be requested from the Management Authority from where the specimen will be exported/re-exported. Once completed, the form must be submitted to the Management Authority together with all other required documentary evidence and information that may be needed to determine whether a permit can be issued.

Blank import notification forms for specimens of species listed in Annex C or D are available from the Management Authority of the EU Member State of destination. In case you wish to import such a specimen(s), you must complete the form and present the notification to the Customs service at the first point of introduction into the EU.

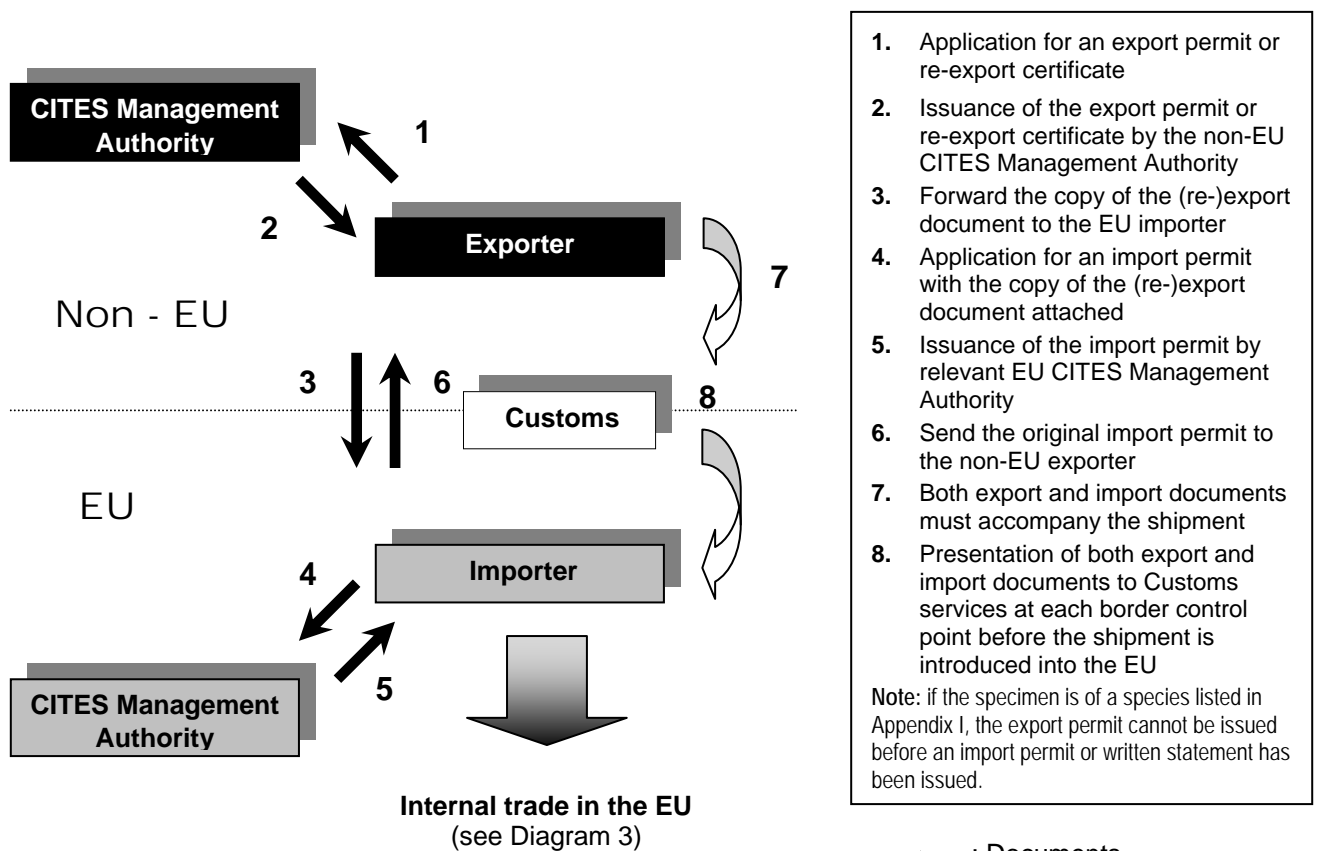
1.5 What are the procedures and conditions for the issuance of an EU permit or certificate?

1.5.1 Procedures and conditions to obtain an IMPORT permit (Annex A or B and/or Appendix I or II)

The procedures for obtaining an import permit for a specimen of a species listed in Annex A or B and/or CITES Appendix I or II is illustrated in Diagram 1; the following notes explain the different steps involved, making reference to the numbers in the diagram. Firstly, your exporting partner will need to apply for (1.) and obtain for (2.) an export permit or re-export certificate from the CITES Management Authority of the country of export or re-export. Your exporting partner should forward to you a copy (e.g. fax) of this (re-)export document (3.) that you should attach to the application for an import permit (4.) that you will submit to the CITES Management Authority in your country (EU Member State). Once issued by the authority, the original import permit (5.) must be sent (6.) by you to the exporter. Both export and import permits must accompany the shipment (7.) throughout its journey and be presented to Customs services (8.) at each border control point before it is introduced into the EU.

Note: If your specimen is of a species listed in CITES Appendix I, the exporting country cannot issue an export permit before the importing country has issued an import permit. The Management Authority of the importing State will provide you with a "copy for the exporting country" or a written statement, that an import permit will be issued. This document can be used to obtain the export permit from the exporting country.

Diagram 1. Imports into the EU (for species listed in Annexes A or B)



The Management Authority of the EU Member State will issue an import permit when it has determined:

- That the import will not be harmful to the conservation of the species,
- That the imported specimens were legally obtained in the country of origin,
- For live animal specimens: that the accommodation is adequately equipped to conserve and care for them,
- That the EU Commission has not published an import restriction (see [International Legislation/ 1.6](#)),
- That the Scientific Review Group or the Scientific Authority of an EU Member States has not formulated a negative opinion on the species/specimens you intend to import (see [International Legislation/ 1.6](#)),
- That there are no other conservation factors that would prevent the permit being issued.

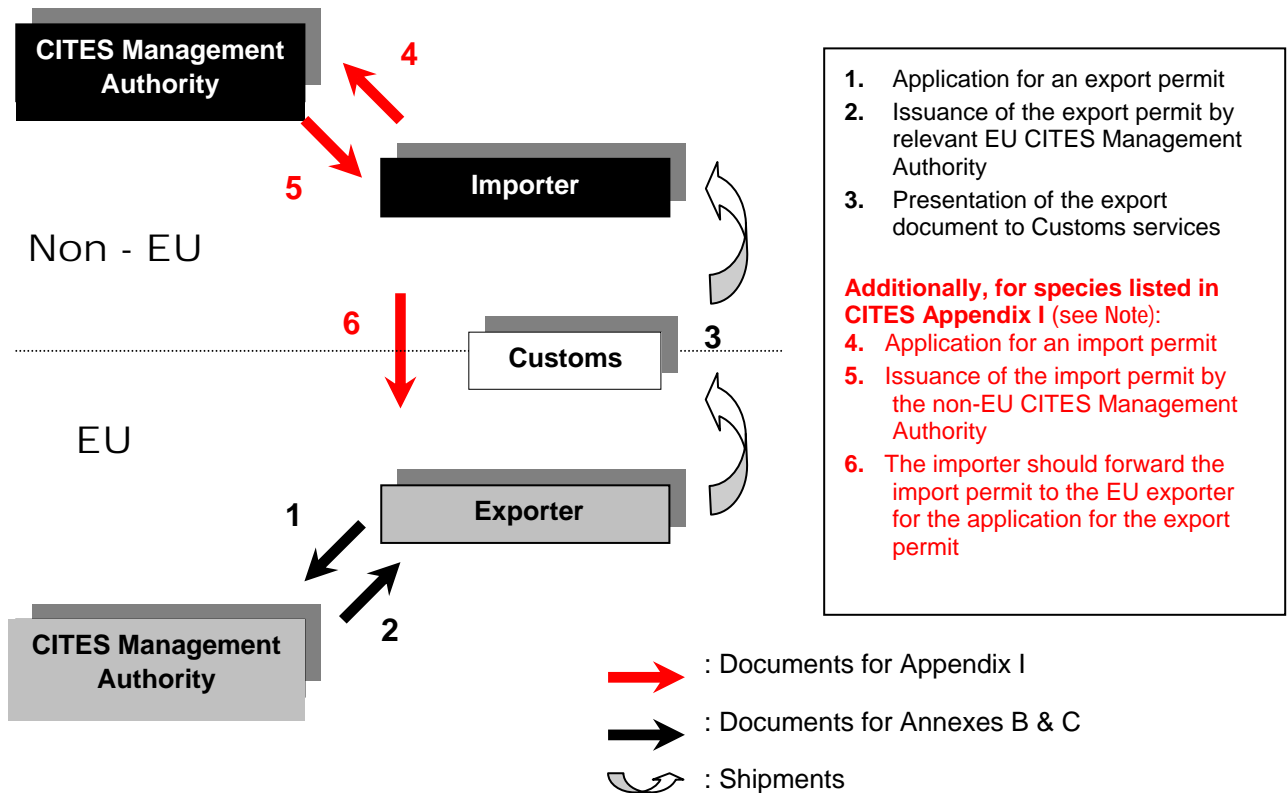
Note: an additional requirement for specimens of Annex A-listed species is that the specimen must not be used for primarily commercial purposes.

1.5.2 Procedures and conditions to obtain an EXPORT permit (Annex A, B or C and/or Appendix I, II, III)

The procedures to obtain an export permit for a specimen of a species listed in Annex A, B or C and/or in CITES Appendix I, II or III is illustrated in diagram 2. Following is an explanation of the different steps with reference to the numbers in the diagram. Firstly, you will need to apply for (1.) an export permit from the CITES Management Authority in the EU Member State of export. Once issued by the Management Authority (2.) the document must be presented to the Customs service at the border (3.). The export permits must accompany the shipment throughout its journey and be presented to customs services at each border control.

Note: If your specimen is of a species listed in CITES Appendix I, the exporting country cannot issue an export permit before the importing country has issued an import permit. Therefore your importing partner has to apply for an import permit (4.) and the Management Authority of the importing State will then provide a “copy for the exporting country” or a written statement, that an import permit will be issued (5.). This document can be used to obtain the export permit (6.).

Diagram 2. Exports from the EU (for species listed in Annex A, B or C)



The Management Authority of the EU Member State will issue an export permit only when it has determined:

- That the capture or collection of the specimens in the wild and their export will not be harmful to the conservation status of the species;
- That the specimens were lawfully removed from the wild, captive-bred or artificially propagated based on documentary evidence presented by the applicant (for example a certificate issued by the CITES Management Authority). Where specimens were taken from the wild in another EU Member State, a certificate issued by the Management Authority of this Member State will be required. In the absence of such supporting documentary evidence, the Management Authority shall establish the legal acquisition in the Community, where necessary in consultation with a Management Authority of another Member State (Article 26 of *Reg. (EC) No. 865/2006*);
- That the specimen is well prepared for shipment and transport, and
- That there are no other factors against the export.

Note: an additional requirement for specimens that are listed in Annex A of *Council Regulation (EC) No. 338/97* but which are not listed in Appendix I of CITES is that they must not be used for primarily commercial purposes.

1.5.3 Procedures and conditions to obtain a RE-EXPORT certificate (Annex A, B or C)

Following the application for a re-export certificate, which includes copies of export and import permits used when the shipment was first introduced in the EU, a verification must be undertaken.

The Management Authority of the EU Member State may issue a re-export certificate when it has determined:

- That the specimen was lawfully introduced into the EU, i.e. in accordance with the provisions of the relevant Regulations based on documentary evidence presented by the applicant. Documents required for this purpose may be, for example, a copy of an import permit for Annex A- and B-listed specimens, a copy of the import notification for Annex C-listed specimens. In the absence of such supporting documentary evidence, the Management Authority must establish the legal introduction into or acquisition in the EU, where necessary in consultation with a Management Authority of another Member State (Art. 26 of *Reg. (EC) No. 865/2006*);
- That the specimen is well prepared for shipment and transport, and
- That there are no other factors against the export.

Note: an additional requirement for specimens listed in Annex A of *Council Reg. (EC) No. 338/97* which are not listed in Appendix I of CITES is that they must not be used for primarily commercial purposes. For specimens of species listed in CITES Appendix I an import permit must have been issued by the country of destination.

1.6 General derogations from import and export conditions

There are certain cases under which the conditions for the issuance of an import or export permit may be less strict, these include for example captive-bred or artificially propagated specimens, transit of specimens through the EU, trade in so-called pre-Convention and/or pre-Regulation specimens, trade in specimens that are considered personal effects and household goods and for the exchange of specimens between registered scientific institutions.

1.6.1 Captive-bred and artificially propagated specimens (Article 7.1 (a) of Reg. (EC) No. 338/97)

Specimens of Annex A-listed animal or plant species will be treated as Annex B-listed specimens if they were captive-bred in accordance with the criteria outlined in Art. 54 of *Reg. (EC) No. 865/06*, or artificially propagated in accordance with Art. 56 of *Reg. (EC) No. 865/2006*. It is further important to note that there are no restrictions on the purpose of the import of captive-bred or artificially propagated specimens which means that a specimen produced by non-commercial captive breeding/artificial propagation operations can be imported for commercial purposes. For more information see [Breeding](#).

1.6.2 Transit of CITES specimens through the EU (Article 7.2 of Reg. (EC) No. 338/97)

Specimens of species listed in the CITES Appendices in transit between two “third countries” (non-EU countries) do not need an import permit for entering the EU or a re-export certificate to leave the EU. However,

a valid CITES (re-)export permit/certificate that clearly indicates the final destination of the shipment must have been issued. (Note: “transit” refers only to specimens that remain in Customs control and are in the process of shipment to a named consignee. The shipment and accompanying CITES documentation may be inspected by the EU Member States where it is in transit and may be seized where they do not have the required documentation).

1.6.3 Pre-Convention and Pre-Regulation specimens (Article 5.6 of Reg. (EC) No. 338/97)

For specimens of species that were acquired before they were listed in the CITES Appendices (‘pre-Convention specimen’) or before the EC Regulations became applicable to them (‘pre-Regulation’) the conditions for the issuance of export permits and re-export certificates are less strict. For example, for dead specimens of Annex A-listed species that are also listed in CITES Appendix I, export documents can be issued without the prior presentation of an import permit, or referral to the Scientific Authority if pre-Convention. In addition, some of the conditions for the issuance of an import permit for an Annex A-listed specimen do not apply to worked specimens (e.g. ornaments, musical instruments, stuffed animals, etc.) that were acquired before 1 June 1947. However, such specimens must not have been altered after 1 June 1947 and must not need any further working to effect their purpose. The applicant may be asked to provide documentary evidence to show that they meet these conditions.

1.6.4 Personal effects, household goods and hunting trophies (Article 57 and 58 of Reg. (EC) No. 865/2006)

Certain specimens that are imported, exported or re-exported for non-commercial purposes and as part of the travellers’ personal belongings and/or as part of a household move may be considered as personal effects or household goods and subject to a derogation. Certain documents, however, are still required. It is important to note that personal effects and household goods include **hunting trophies** and **holiday souvenirs**, but not live animals and plants. For the derogation to apply, the specimens must be contained in the traveller’s personal luggage (except in the case of hunting trophies where the traveller has proof that the trophy was taken while travelling outside the EU and that it is being prepared for import at a later date). The holder is not allowed to subsequently sell personal effects (see [Personal Effects](#) and [Souvenirs](#)).

1.6.5 Exchange between scientists and scientific institutions (Article 7.4 of Reg. (EC) No. 338/97)

Scientists and scientific institutions often exchange specimens of species listed in the CITES Appendices or in the Annexes of *Reg. (EC) No. 338/97*, as part of a non-commercial loan or donation. In order to facilitate this exchange and minimise the administrative burden, Article 7.4 of *Reg. (EC) No. 338/97* provides for simplified procedures for dead animal and plant specimens as well as live plants, and allows the use of labels instead of permits or certificates for registered scientists and scientific institutions. The registration of the scientist or scientific institution must be carried out by the Management Authority of the Member State in which they reside. The scientists or institution will then be attributed with a unique registration number, consisting of five digits which are to be indicated on each label.

1.6.6 Personal ownership certificates

Personal ownership certificates, (Articles 37 to 44 of *Commission Regulation (EC) No. 865/2006*), are used only for live animals listed in Annexes A, B or C of the EC Wildlife Trade Regulations that are held for personal non-commercial purposes. Personal ownership certificates are not issued for plants or dead animals, their parts or derivatives. A personal ownership certificate may be used more than once, providing that all conditions are met, thereby precluding the need for application for CITES permits each time an international border is crossed.

A personal ownership certificate can only cover one specimen. Personal ownership certificates may only be issued for live specimens which were legally acquired, which are for personal non-commercial use and which were:

- born and bred in captivity in accordance with Articles 54 and 55;
- acquired or introduced into the Community before CITES provisions or Community Regulations were applicable to them.

A personal ownership certificate may be used in lieu of an import permit. If the country of destination agrees, it may also be used as an export permit or re-export certificate. The specimen must be accompanied by the owner when crossing an international border.

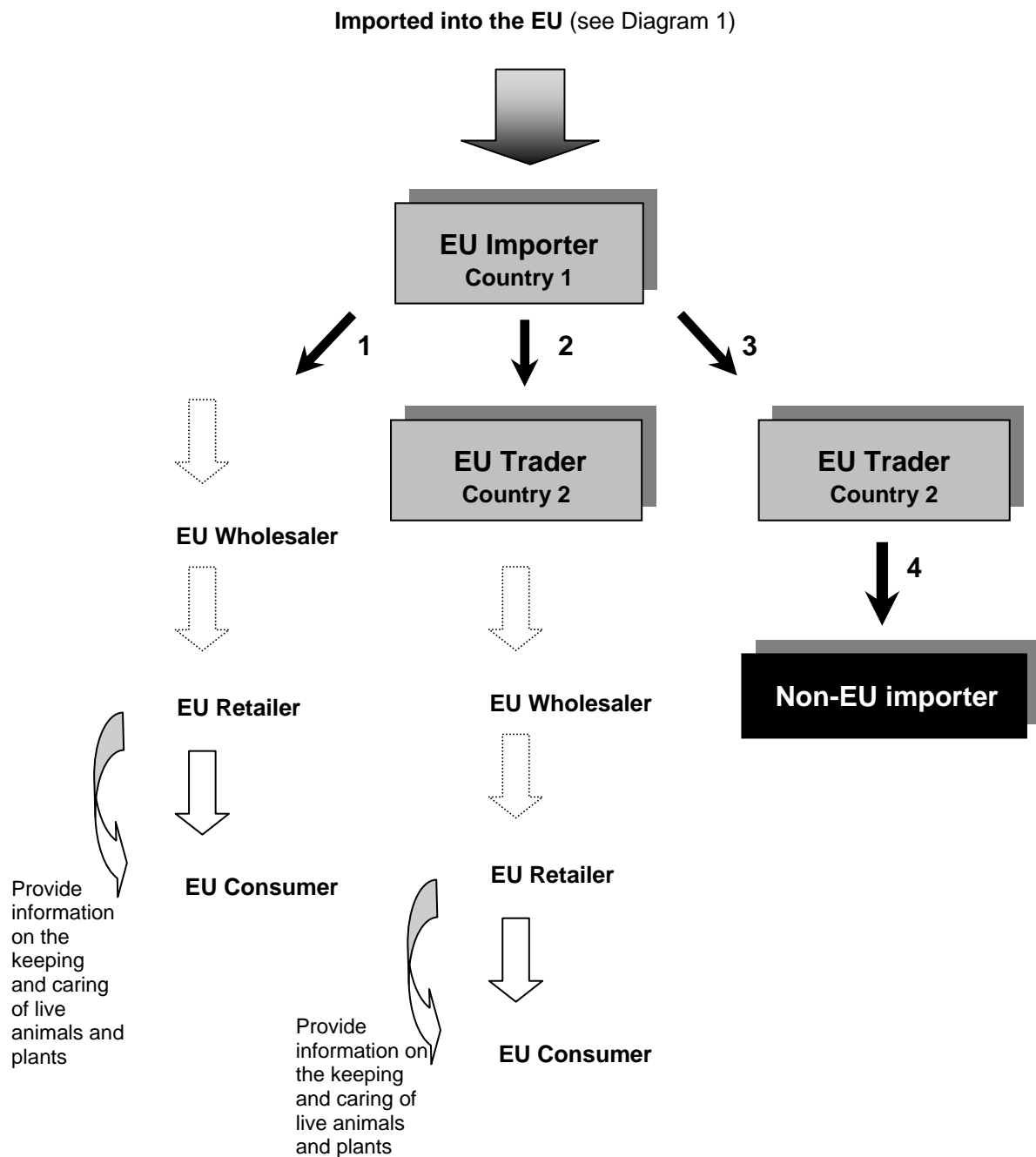
Where the specimen originates within the Community, it is the Management Authority of the Member State in whose territory the specimen is located, which is in charge of issuing the personal ownership certificate. Where the specimen is introduced into the Community from a third country, the issuing authority for the personal ownership certificate is the Management Authority of the Member State of first destination. In this case, issuance of the certificate shall be based on the provision of an equivalent document, issued by the third country. A personal ownership certificate is valid for up to three years.

2. INTERNAL TRADE IN THE EU

2.1 Overview

Internal trade in the EU includes trade within one EU Member State and trade between individual EU Member States. Due to the establishment of the EU single market, there are no border controls inside the EU and generally, goods can be moved and traded freely inside the EU. However, this applies to specimens of species listed in Annex B, C or D only if they have been acquired and/or imported into the EU in accordance with the provisions of CITES, the EC Wildlife Trade Regulations and other legislation that may be applicable in an individual Member State. Specimens of species listed in Annex A are generally not allowed to be used for commercial purposes and their movement inside the EU is also subject to regulations (see below).

Diagram 3. Internal Trade of specimens listed in Annex B



1. **National trade:** no documents are needed (*Advice: request from importer, copies of documents used when the specimen was first introduced into the EU, or other proof that specimens were legally obtained*).
2. **Internal EU trade and final sale in the EU:** no documents are needed (*Advice: request from importer, copies of documents used when the specimen was first introduced into the EU, or other proof that specimens were legally obtained*).
3. **Internal EU trade and future re-export out of EU:** request copies of documents used when the shipment was first introduced into the EU or other proof that the specimens were legally obtained, because they will be necessary to obtain a re-export certificate from the EU CITES Management Authority.
4. **Procedure to obtain a re-export certificate** (similar to the issuance of an export permit –see Diagram 2): following and based on your application for a re-export certificate to the Management Authority, copies of exports and imports permits used when the shipment was first introduced into the EU must be provided to the CITES Management Authority for verification.

2.2 General provisions for internal trade of specimens of species listed in EC Regulations

As a general rule, no permits or certificates are needed for keeping or moving a specimen of a species listed in Annex B, C or D inside the EU, although individual EU Member States have the power to restrict the holding of certain types of specimens (especially those of species listed in Annex A). Likewise, permits are generally not required for commercial activities inside the EU involving specimens of species listed in Annex B, C or D if they have been legally acquired and imported into the EU. However, in certain instances you have to be able to provide documentary evidence showing that the specimens you keep and/or use commercially were legally obtained or introduced. Therefore it is advisable to keep copies of the import documents (i.e. import permits for Annex B, import notifications for Annex C and D) or other proof that the specimens were legally obtained (i.e. a certificate from a national CITES Management Authority). Diagram 3 illustrates the different types of internal trade in the EU of a specimen that was previously imported into the EU.

Additionally, concerning species listed in Annex A, any movement of live specimens requires prior authorisation from and issuance of a certificate by a Management Authority of the Member State where the specimen is located (Art. 9 of *Reg. (EC) No. 338/97*) (see Diagr. 4). This certificate will only be granted when the competent Scientific Authority of the relevant Member State is satisfied that the intended accommodation for a live specimen at the place of destination is adequately equipped to conserve and care for it properly;

2.3 Regarding commercial use of specimens of Annex A listed species (Art. 8.1 of *Reg. (EC) No. 338/97*)

Generally, it is not permitted to use specimens of Annex A-listed species for primarily commercial purposes. This includes the purchase, offer to purchase, acquisition for commercial purposes, display to the public for commercial purposes, use for commercial gain, sale, keeping for sale, offering for sale and transporting for sale. This applies to both live and dead specimens, including all parts or derivatives thereof. Hybrid animals, where only one of the parents is a species listed in Annex A, are also subject to these controls. Sometimes, however, commercial trade in specimens of Annex A is allowed (ref. [2.4.1](#)).

2.4 Exemptions and the use of EU internal trade certificates

2.4.1 Use of certificates for live captive born and bred specimens

There are some exemptions for specimens of species listed in Annex A to be used for commercial purposes inside the EU (Art 8.3 of *Reg. (EC) No. 338/97*) (see Diagram 4), for example when the specimen was born and bred in captivity or artificially propagated, and when it is a pre-convention specimen ([ref. 1.6.3](#)). If you intend to use a live animal of a species listed in Annex A that was born and bred in captivity for commercial purposes within the EU, you must have an EU ‘*internal trade certificate*’ (Diagram 4. Channel “a”). It should be noted that the intended use of the specimen should still be non-commercial in nature even if the underlying transaction is commercial. This is for example the case if a private breeder sells their captive-bred specimens to another private person. Internal trade certificates are generally only required if specimens are to be used for commercial purposes, but some Member States require an internal trade certificate to possess a specimen.

Note: The exemptions granted under Article 8.3 of *Reg. (EC) No. 338/97* must be in accordance with other Community legislation such as the Habitats Directive or Birds Directive, and relevant national legislation (see [International Legislation](#) and [National Legislation](#)).

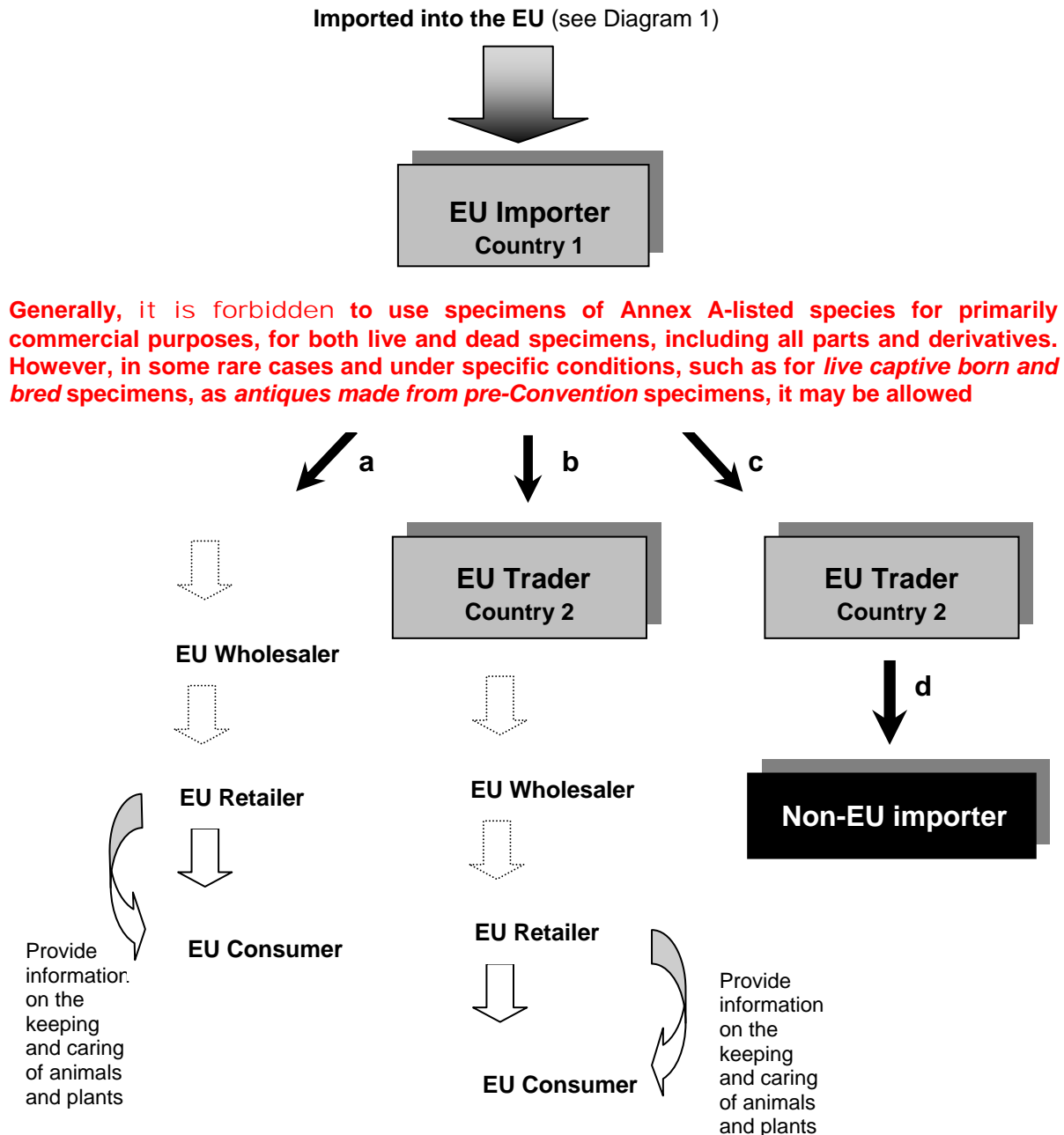
2.4.2 Other cases in which internal trade certificates may be used (Art. 46 to 50 of *Reg. (EC) No. 865/2006*)

Internal trade certificates can also be issued for other purposes (Art. 47 *Reg. (EC) No. 865/2006*), for example:

- as documentary evidence that a specimen has been legally obtained, e.g. from the wild, or legally introduced into the EU (Art. 47 *Reg. (EC) No. 865/2006*). Such documentary evidence may, for example, be needed for export or re-export of a specimen from the EU;
- to authorise the movement of live Annex A-listed specimens from the prescribed location indicated in the import permit or in a previously issued certificate (Art. 49 *Reg. (EC) No. 865/2006*);
- where a specimen was acquired or imported into the EU before the EC Regulations or CITES restrictions became applicable to the specimen ([ref.1.6.3](#));
- where the specimens are intended for breeding or artificial propagation from which conservation benefits will accrue to the species concerned (Art. 48.1(d) *Reg. (EC) No. 865/2006*);

- in the cases where the specimens are intended for research or education aimed at the preservation or conservation of the species (Art. 48.1(d) *Reg. (EC) No. 865/2006*).

Diagram 4. Internal Movement and Trade of specimens listed in Annex A



- a. National movement and trade:** you must have,
 - i) for any movement of live specimens a special authorisation confirmed by a certificate, and
 - ii) for trade for commercial purposes, an EU '*internal trade certificate*', issued by the CITES Management Authority (EU Country 1 or where the specimen is located).
- b. Internal EU movement as well as trade with final sale in the EU:** similar to section "a."
- c. Internal EU movement as well as trade and future re-export out of the EU:** similar to section "a." and request copies of documents used when the shipment was first introduced into the EU or other proof that the specimens were legally obtained, because these will be necessary to obtain a re-export certificate from the relevant CITES Management Authority.
- d. Procedure to obtain a re-export certificate** (similar to the issuance of an export permit –see Diagram 2): copies of export and import permits used when the shipment was first introduced into the EU, and the import permit issued by the non-EU CITES Management Authority of future destination must be verified by the relevant CITES Management Authority prior to the issuance of a re-export certificate.

2.4.3 Splitting shipments (Art. 51.1 of Reg. (EC) No. 865/2006)

Certificates may also be issued in cases where a shipment which is covered by an import permit, an import notification or a certificate, is split into separate consignments. This is, for example, the case when an import permit has been issued for 100 specimens and 50 of these are sold and the remaining 50 stay with the importer.

2.4.4 Marking of live specimens (Art. 66 of Reg. (EC) No. 865/2006)

In order to obtain an internal trade certificate for a live animal, the specimen must be uniquely marked in accordance with Art. 66 of *Reg. (EC) No. 865/2006*. The full details of the mark, e.g. the unique code or number, has to be included in the certificate, to ensure that the specimen is indeed the one referred to in the accompanying document. For further details see [Marking](#).

2.4.5 Validity of certificates (Art. 11 of Reg. (EC) No. 865/2006)

Certificates cease to be valid when the live specimens referred to have died, escaped or where any information contained in the certificate, for example, its authorised location or its unique mark has changed. In these cases a new certificate has to be obtained by the holder. In some cases, certificates also cease to be valid when the holder of the specimens has changed e.g. wild taken or F1 (= "first generation") specimens required for research or breeding purposes which benefit the conservation of the species or the exchange of specimens between scientific institutions (Art. 20.3(e) and Art. 30). However, in most cases, certificates are specimen specific and no new certificate may be issued.

2.4.6 Different types of internal trade certificates

There are two types of certificates: 'Specimen Specific' certificates and 'Transaction' certificates.

- *Specimen specific certificates* are valid for the first and all subsequent sales of a certain live specimen of vertebrates but can only be issued for specimens that are uniquely marked or are otherwise clearly identified in accordance with *Regulation (EC) No. 338/97* (see [Marking](#)). Specimen specific certificates should remain with the animal. Specimen specific certificates issued in any EU Member State are valid throughout the EU.
- *Transaction certificates* are holder-specific and valid for one sale only. Therefore, the purchaser of the specimen has to obtain a new certificate before he/she can use the specimen for any commercial purpose.

2.5 "Fast track" certificates – the use of pre-issued certificates

2.5.1 Pre-issued certificates for breeders

Breeders of Annex A-listed animal species need a certificate if they intend to use Annex A-listed species for commercial purposes. In addition, certificates are required for the parents, even if you intend to sell only the offspring. Article 63 of *Reg. (EC) No. 865/2006* allows Management Authorities to provide pre-issued certificates to breeders. These breeders must be approved by the relevant Management Authority and must maintain breeding records.

2.5.2 Pre-issued certificates for dead captive-bred / wild Annex A specimens (Art. 63.2 of Reg. (EC) No. 865/2006)

CITES Management Authorities in EU Member States can provide pre-issued certificates to persons that have been approved to sell dead captive-bred Annex A-listed specimens and/or small numbers of dead specimens that were legally taken from the wild within the EU. However, traders are required to maintain records of the specimens sold and acquired, and submit an annual report to the Management Authority.

2.6 Circuses and travelling exhibitions

Travelling exhibition certificates are used for specimens of species listed in the Annexes that are frequently displayed to the public in travelling exhibitions. A travelling exhibition is a sample collection, travelling circus, menagerie or a plant exhibition that is used for commercial display to the public. A travelling exhibition certificate makes travelling with Annex-listed specimens much easier because it may be used more than once

providing that all conditions are met. Therefore, it precludes the need for application for CITES permits each time an international border is crossed.

2.7 General exemptions and derogations for internal trade

There are several conditioned exemptions in which internal trade in species listed in the Annexes of *Council Regulation (EC) No. 338/97* is less strictly regulated. Some of these conditioned exemptions will be briefly outlined in this document:

- Commercial use of artificially propagated plants listed in Annex A;
- Bird species that are commonly bred in captivity in the EU;
- Trade in Antiques; and,
- Certificates for scientific institutions.

2.7.1 Commercial use of artificially propagated plants listed in Annex A

No certificates are required for internal trade in and commercial use of artificially propagated plants listed in Annex A. However, where there is doubt about the origin of the specimen, the owner may have to provide evidence of artificial propagation when s/he intends to use the plant for the commercial purposes referred to in Article 8.1 of *Reg. (EC) No. 338/97*.

2.7.2 Bird species that are commonly bred in captivity in the EU

No internal trade certificates are needed for a number of captive born and bred bird species listed in Annex X of *Reg. (EC) No. 865/2006* and hybrids thereof, provided that the species are marked in accordance with Articles 66.1-66.3 of *Reg. (EC) No. 865/2006*. Annex X includes bird species that are bred in such numbers that it is felt unnecessary for them to be uniquely marked.

2.7.3 Trade in antiques made from species listed in the Annexes (Art. 62(c) of Reg. (EC) No. 865/2006)

There are a number of antique items that are made of wildlife products and trade in such specimens is less strictly regulated. For example, commercial trade in antiques made of Annex A-listed species can be permitted and no internal trade certificates are required. In addition, the Management Authority can also issue a re-export permit for CITES Appendix I-listed species without the prior sight of the import permit. However, only items that are “worked” specimens and acquired before 1 June 1947 can be considered an antique (see Art. 2 of *Reg. (EC) No. 338/97*) and you may be requested to prove the date of acquisition. A worked specimen is defined as a specimen that was significantly altered from its natural raw state for jewellery, adornment, art, utility, or musical instruments.

2.7.4. Certificates for scientific institutions (Art. 8.3. (f) and (g) of Reg. (EC) No. 338/97, Art. 60 of Reg. (EC) No. 865/2006)

Zoos, botanical gardens or similar establishments can use Annex A-listed specimens for commercial purposes (which includes the display of a specimen to the public) only if they are involved in captive breeding, artificial propagation, or research with conservation benefits for the species concerned, or if they provide an educational programme aimed at the conservation of the species. In order to qualify for this exemption, these institutions must register as scientific institutions and can then obtain a certificate from the responsible Management Authority. Any sale of specimens can only take place to another institution holding a similar certificate.

Updated in February 2009.

Copyright © 2006 European Commission

Reproduction is authorized, provided the source is acknowledged.

Prior permission must be obtained for the reproduction or use of images – © WWF.

Important Legal Notice:

Opinions expressed in this document are those of the writers and do not necessarily reflect those of TRAFFIC, the European Commission or EU Member States. In addition, TRAFFIC and the European Commission assume no responsibility or liability with regard to the information contained or any linked external site.