

## MARKING AND LABELLING

### Contents

1. Marking
  - 1.1 Why do certain specimens need to be marked?
  - 1.2 Marking of live vertebrates listed in Annex A
  - 1.3 Specific marking methods approved for live captive-bred Annex A animals
  - 1.4 Exemptions from the marking provisions and the use of alternative marking methods
  - 1.5 Some examples of alternative marking methods used in EU Member States
  - 1.6 Marking requirements for other specimens listed in Annex A and B
  - 1.7 Marking of crocodilian skins
2. Labelling
  - 2.1 Caviar labelling  
[re. [Permits/ 2.7.4](#) for *Certificates for scientific institutions*]



Pnl/Maillanetra

## 1. Marking

### 1.1 Why do certain specimen need to be marked?

There are certain specimens of species listed in Reg. (EC) No. 338/97 that have to be uniquely marked or labelled, for example, for internal EU trade control purposes (e.g. in live Annex A animals) or for the purposes of controlling trade to and from the EU (e.g. crocodilian skins and caviar). These marking requirements have been developed to prevent fraud and to curtail illegal trade in specimens and products that are controlled by the EC Wildlife Trade Regulations. For example, the details of the mark such as the unique number code have to be provided on the permit or certificate of the specimens and this helps to ensure that specimen are the ones referred to in the accompanying document.

### 1.2 Marking of live vertebrates listed in Annex A

All live vertebrates (mammals, birds, reptiles, amphibians and fish) listed in Annex A that are exempt from the prohibition of commercial use (Art. 8.3 of Reg. (EC) No. 338/97), for example captive-bred specimens, must be uniquely marked in accordance with Art. 66 of Reg. 865/2006 before an internal trade certificate can be granted for their commercial use. The full details of the mark have to be provided on the permit or certificate of the specimen (Art. 68.2 of Reg. (EC) No. 865/2006).

### 1.3 Specific marking methods approved for live captive-bred Annex A animals

There are specific marking provisions for live Annex A birds and for all other live Annex A vertebrates (Art. 66 of Reg. (EC) No. 865/2006):

- Captive born or bred Annex A birds must be marked with a uniquely marked close ring. In cases where this is not possible due to the physical or behavioural characteristics of the bird, an unalterable microchip transponder conforming to ISO Standards 11784:1996 and 11785:1996 (E) should be used.
- All other live Annex A vertebrates should be marked with an unalterable microchip transponder conforming to ISO Standards 11784:1996 and 11785:1996 (E). In cases where this is not possible due to physical or behavioural characteristics of the animal, a ring, band, tag, tattoo or another appropriate method should be used.

**Note:** Reg. (EC) No. 338/97 stresses that marking must be undertaken with due regard to the humane care, well-being and natural behaviour of the specimens concerned (Art. 67 of Reg. (EC) No. 865/2006), and in cases where this can not be guaranteed (e.g. for juveniles) the Management Authorities can recognize alternative methods or procedures.

## 1.4 Exemptions from the marking provisions and the use of alternative marking methods

In some cases certain live animals are exempt from the marking requirement of Article 66, these are:

- **Certain commonly bred bird species:** Captive-born and bred bird species that are listed in Annex X of Reg. (EC) No. 865/2006, and hybrids thereof. These species are bred in such numbers that it is felt unnecessary for them to be uniquely marked. The bird species listed in Annex X are also covered by a general exemption and no specific sales certificate is needed for the commercial use of these specimens.
- **For animal welfare reasons:** An exception may also be made in cases where the physical properties of the animal do not allow the safe application of any marking method. This may for example be the case for juvenile specimens. In such cases, the Management Authority may recognise an alternative marking technique, as the appropriate method. In some cases the Management Authority will exempt the animal from the marking requirement and will record this on the sale exemption certificate or, where marking can be carried out at a later date, a special condition may be included, for example, specifying when the animal has to be marked.

## 1.5 Some examples of alternative marking methods used in EU Member States

In cases where the marking method recommended by the EC Regulation (closed ring for birds and microchip for all other live vertebrates) cannot be safely applied to a specimen, EU Member States can recognise alternative marking methods for live Annex A vertebrates. Some Member States have developed guidelines (e.g. Italy) that specify which marking method can be used for which species and specimens, and some Member States have developed specific national legislation (e.g. Austria, Germany) with regard to the marking of live animals and the approved method to be used. In some instances, these guidelines and legislation go beyond the requirement of the EC Regulations. However, an alternative marking method approved in one EU Member States should be recognised by the Management Authority of another EU Member State (Art. 68.1 of Reg. (EC) No. 865/2006)

### ***Photo identification used as an alternative marking methods in Germany***

Within the framework of its national species conservation legislation, the Federal Ordinance on Species Conservation ([Bundesartenschutzverordnung](#)), which entered into force in January 2001 and was updated in 2005, marking requirements for live vertebrates are specified ("Kennzeichnungspflicht"). These provisions specify details on marking methods for those mammal, bird and reptile species listed in Annex 6 of the Federal Ordinance on Species Conservation. Annex 6 contains, amongst others, all mammals, reptiles and bird species listed in Annex A of EC Regulation (EC) No. 338/97, as well as some birds species from Annex B (eg parrots). Any person owning (even if not trading) a species listed in Annex 6 must have it marked. In cases where the safe application of a recommended marking method is not possible, due to animal welfare reasons, the authorities may temporarily exempt the specimen from the marking provisions. For example, there is a ban on marking of falconry birds with a transponder; this ban applies also to animals that have not yet attained a certain weight (500g for tortoises or 200g for other reptiles). Account is taken of methods of a more animal welfare-oriented nature, such as in particular identification of individuals by photo documentation for reptiles. Such non-invasive methods have been developed for a number of reptile species, for example for *Geochelone radiata*, *Testudo hermanni*, *Testudo marginata*, (for more information visit [www.dght.de](http://www.dght.de)).

Germany's new Federal Ordinance on Species Conservation of 25th February 2005, includes a revision of the provisions on marking of wild animals e. g. by extending the marking regulations to additional bird species and by explicitly naming the organisations which are authorized by the federal government to provide the respective marks, labels or transponders. In addition, keepers of animals, especially reptiles, have the right to choose between marking by transponder or identification by photo documentation. Mammals shall be marked with the transponder. Birds taken from the wild shall be marked either with open rings or a transponder.

### ***Marking requirements for tortoises in the UK***

In the UK, tortoise hatchlings under 100 mm plastron length are considered too small to be safely fitted with a microchip transponder. In these cases the Management Authority can issue Transaction Specific certificates for the holder of the specimen (instead of a Specimen specific certificate) (see [Permits](#)). However, these certificates become invalid if the tortoise is not microchipped when it reaches 100 mm in length, at which time a new certificate needs to be issued that will contain the microchip information on it. If there is evidence (for example

a statement from a veterinarian) that the physical characteristics of the animal prevent the safe application of any marking method this will be recorded in the certificate (for more information visit the licensing section of [www.ukcites.gov.uk](http://www.ukcites.gov.uk)).

### 1.6 Marking requirements for other specimens listed in Annex A and B

In addition to the requirements outlined above, certain other specimens of species listed in Annexes A and B of the Regulation (EC) No. 338/97 have to be uniquely marked before they can be imported into the EU, i.e. before the Management Authority can issue an import permit. This applies to certain live animals as well as to dead specimens and parts of these species such as skins, trophies or caviar (Article 64 of Reg. (EC) No. 865/2006). For these specimens the Conference of the Parties to CITES determined the approved or recommended marking method and information on these can be obtained through the relevant [CITES Resolutions](#). This concerns the following specimens:

- Raw tanned and/or finished crocodylian skins, flanks, tails, throats, feet, backstrips and other parts thereof that are exported to the EU and entire raw, tanned, or finished crocodylian skins and flanks that are re-exported to the EU (see [CITES Res. Conf. 11.12](#))
- Live vertebrates of Annex A species that belong to a travelling live animal exhibition e.g. a circus (see [Permits](#))
- All containers and packages containing Sturgeon *Acipenseriformes* spp. caviar (see caviar labelling and the new [CITES Resolution Conf. 12.7 \(Rev. CoP13\)](#))
- Specimens that derive from a captive breeding or ranching operation that was approved by the Parties to CITES at CoP12 and revised at CoP13 ([CITES Res. Conf. 12.10 \(Rev. CoP13\)](#))
- Specimens of a population of a CITES Appendix I species for which an export quota has been approved by the Conference of the Parties to CITES for example, for leopard *Panthera pardus* hunting trophies and skins from certain African countries (see [CITES Res. Conf. 10.14 \(Rev. CoP13\)](#)) or for hunting trophies of Markor *Capra falconeri* from Pakistan (see [CITES Res. Conf. 10.15 \(Rev. CoP12\)](#)).
- Raw tusks of African elephant and cut pieces thereof that are both over 20 cm in length and 1 kg in weight (see [CITES Res. Conf. 10.10 \(Rev. CoP12\)](#)).

### 1.7 Marking of crocodylian skins

As mentioned before, all parts of crocodylian skins whether raw, tanned and/or finished crocodylian skins (including flanks, tails, throats, feet, backstrips and other parts) that are to be exported to the EU, as well as entire raw, tanned or finished crocodylian skins that are to be re-exported to the EU, have to be marked with a universal tag as agreed by CITES Parties in [CITES Resolution Conf. 11.12](#). This Resolution describes the requirements for the tag to be used by CITES Parties, for example the tag must be non-re-useable, should include the ISO code for the country of origin and a unique serial identification number. The CITES Secretariat regularly publishes the latest and most up-to-date list of approved manufacturers for tags that met the criteria described in CITES Resolution Conf. 11.12 and Management Authorities should ensure that only tags obtained from these sources are used. Currently eight such manufacturers are included in the list (see [CITES Notification 2004/063](#)).

**Note:** Finished products made of crocodile skin such as handbags, purses, shoes, watchstraps do not need to be tagged and the CITES tag is only relevant for trade to and from the EU in raw, tanned and finished crocodylian skins.

#### *Export and re-export of crocodylian skins from the EU*

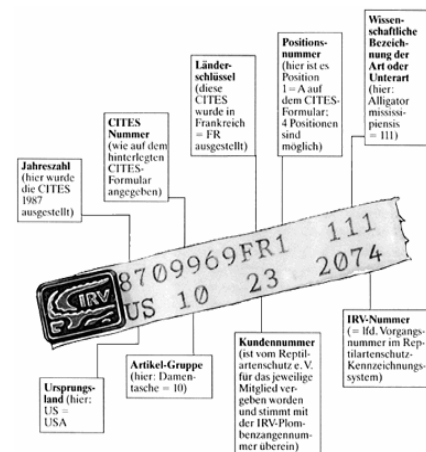
When countries issue export permits or re-export certificates for crocodylian skins, the Management Authority should record the numbers of the tags on each document. The CITES Resolution Conf. 11.12 also recommends that re-exporting countries of raw, tanned and/or finished crocodylian skin develop a system that allows them to effectively match import and re-exports, and ensure that skins and flanks are re-exported with the original tag intact unless the pieces originally imported have been further processed and/or cut into smaller pieces.

#### *Certification systems for reptile leather products*

In some countries (i.e. Germany) the reptile leather industry has developed their own tagging systems for finished CITES listed reptile products. These voluntary certification schemes are primarily used for the domestic market and to assist consumers in their decision making. One example for such a certification system is the so-called “Artenschutzfahne” or “Conservation tag” of the German-based [International Reptile Association \(IRV\)](#). The IRV ‘Conservation tag’ is a certification system for finished reptile leather products. The tag is a

voluntary scheme but it is recognised by the German CITES Authorities as proof of legal origin. The tag is used only for those products that originate from raw materials that were obtained and traded in accordance with the provisions of CITES and the EC Wildlife Trade Regulations, and only products for which the original CITES documents are available will be tagged.

The tag uses a combination of letters and numbers that provide information about the country of origin, the species, the CITES permit number and year of issuance. The information is managed through a computerised database that ensures an easy and secure way to track the individual product to the origin of the raw material and to assist the authorities in controlling the trade in these products.



## 2. Labelling

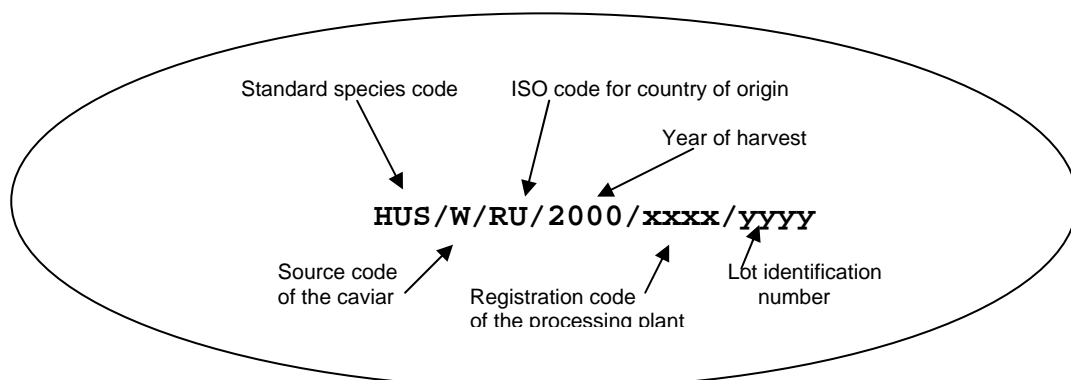
### 2.1 Caviar labelling

In April 1998, the decisions to list all species of sturgeon and paddlefish (Acipenseriformes) in the CITES Appendices entered into effect, covering all live specimens, as well as any parts and products derived from these species (such as caviar, meat, leather, fertilised eggs, cartilage, etc.). These specimens may only be traded in accordance with the provisions of CITES and the EC Wildlife Trade Regulations.

#### *Labelling of caviar containers*

In April 2000, CITES Parties agreed on a universal labelling system for the identification of caviar, that came into effect in the EU on 1 January 2002. The labelling system was revised in November 2002 (CITES CoP 12) and in October 2004 (CoP13) to adopt a more accurate and realistic design (see [Resolution Conf. 12.7 \(Rev. CoP13\) Conservation of and trade in sturgeons and paddlefish](#)). This system included a new design of the non-reusable label for caviar at first export that includes a unique code (see **Figure 1**), the labelling of all caviar containers without a size limit and the labelling of caviar that is re-exported. The uniform labelling system applies to all caviar produced for commercial and non-commercial purposes and includes re-packaged caviar and all caviar sold on domestic markets. Since 9 July 2006, when Commission Regulation (EC) No. 865/2006 came into effect, traders in the EU are legally required to comply with these labelling provisions.

For the purposes of facilitating the marking requirements for caviar, the Management Authority must license facilities (or plants) that process, package or repackage caviar and must attribute a unique registration number to these facilities. The facilities must also maintain adequate records of the quantities of caviar imported, exported, re-exported, produced *in-situ* or stored that must be available for inspection by the management authority in the relevant Member State.



**Fig 1.**

**Description of labels to be affixed in the country of origin by the processing plant on all caviar containers**

More detailed information about caviar labelling can be found in the [Caviar labelling leaflet](#) on this website.

**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 Europe, the European Commission or EU Member States. In addition, TRAFFIC Europe and the European Commission assume no responsibility or liability with regard to the information contained or any linked external site.