



Animal &
Plant Health
Agency

GN1 - General guidance for importers and exporters

Chapter 3 of the [Reference Guide to the EU Wildlife Trade Regulations](#) gives detailed guidance on the import and export of CITES listed specimens.

These notes are for guidance on how to make applications to the UK CITES Management Authority. If you need points of law to be explained, you should get independent legal advice.

This guidance note refers only to the import and (re)-export of specimens of CITES listed species to and from third countries outside of the EU. Further guidance on the requirements of trade in CITES listed species within the EU is set out in chapter 4 of the [Reference Guide to the EU Wildlife Trade Regulations](#) and GN2, including advice on when you might need a separate certificate for commercial use.

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1. Introduction

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is an international agreement controlling trade in endangered species, including parts of them or products derived from them. CITES is implemented in the European Union by Council Regulation 338/97 and Commission Regulation 865/2006. These set out the rules for importing, exporting, moving, and commercially using specimens of the species listed on Annexes A to D of Regulation 338/97. The regulation of trade is based on a system of permits and certificates which may only be issued where certain conditions are met.

You may need a separate certificate to use commercially any Annex A specimen within the EU. More information can be found in Guidance Note (GN) 2.

2. How do I apply?

All applications for import or export permits or (re)-export certificates require a completed application form. Application forms can be obtained from our website or from the enquiries desk.

As the applicant it is your responsibility to supply all the information required to process your application. The application form is a **signed legal declaration by you** that the information you have given is correct.

The more information you are able to supply to us, the more quickly your application will be processed. It is not part of our role to pursue information on your behalf. If there is not enough information, it is possible that your application may be refused.

It would also be useful if you would include a telephone number and an e-mail address so that we can contact you quickly if we need to. If you have any difficulty with the application form, please contact us and we will be happy to help you.

3. Turn-around times and Customer Service Charter

We have published a Customer Charter as part of the Government's service initiative to raise standards of public service. We aim to process 90% of complete licence applications within 15 working days and the remainder within 30 working days. You should allow this amount of time for your application to be processed. Copies of the Service Charter can be obtained from the enquiries desk.

4. Import, export and re-export controls

The species that the legislation applies to are listed in four Annexes to the Council Regulation (A to D) as follows:

- Annex A - all CITES Appendix I species, plus certain others (including some non-CITES species) that are considered to need a similar level of protection.
- Annex B - all CITES Appendix II species, plus certain others (including some non-CITES species) that are considered to need a similar level of protection.
- Annex C - all CITES Appendix III species, apart from those which EU countries have "entered a reservation_ for and are included in annex D. The effect of a reservation is that CITES no longer applies to the country entering it for the species concerned. For example, all EU countries have entered a reservation for certain species of weasel listed in CITES Appendix III. Within the EU those species have no CITES Appendix status but are still treated as Appendix III species outside of the EU.

- Annex D - certain non-CITES species that have been imported into the EU in high enough numbers to need monitoring.

Annex A specimens that have been bred in captivity or artificially propagated are treated as Annex B specimens, except for the purpose of controlling sales. However, captive breeding is more involved than just breeding in a cage, aviary or enclosure and you should ask us if you not sure if your specimen would be considered captive bred.

We can also restrict certain species being imported, moved or held if we believe it is necessary to protect them.

5. Types of permits and certificates

EU CITES management authorities issue the following types of documents:

- A permit for importing, exporting or re-exporting annex A or B specimens, or for exporting or re-exporting Annex C specimens. The customs stamped holder's copy of the EC import permit may also be used to confirm that the specimens were imported legally.

In some circumstances, import permits may be issued for Annex A specimens, with a special condition that allows a captive bred specimen to be used for one sale by the person named on the import permit without the need for an additional certificate known as an Article 10 Certificate. For this to be allowed the imported specimen(s) must be marked in accordance with the Regulation. Any subsequent holder of the specimen will require an additional certificate to use it commercially. If you want your import permit to allow this additional commercial use **you must request this special condition when you apply for your permit.**

- A certificate issued under Article 10 of Regulation 338/97 to authorise the commercial use or movement of certain Annex A specimens, or to confirm that Annex A to C specimens were acquired or imported legally. Again GN2 gives more details about these certificates.
- An import notification form for Annex C and D specimens, which the importer fills in themselves prior to import.
- A certificate issued to zoos, museums, botanical gardens or other scientific institutions under Article 60 (previously known as an Article 30) of Regulation 865/2006 authorising the display and limited commercial use of any Annex A specimens in their collection. You can get an information pack from the enquiries desk.
- A permit to allow the multiple import and (re)-export of personal pets to and from the EU. More information relating to the requirements for this licence are given in GN18.
- A permit to allow the multiple import and (re)-export of specimens of plants and animals used by circuses or other travelling exhibitions. More information relating to the requirements for this licence are given in GN4.
- A label authorising specimens to be moved between registered scientists and scientific institutions. This only applies to non-commercial loans, donations and exchanges of herbarium specimens, preserved, dried or contained in museum specimens and live plant material for scientific study.

6. Replacement permits

We may issue replacements for permits that have been cancelled, lost, stolen or destroyed.

7. Retrospective permits

These are permits applied for after an import, export or re-export has taken place instead of beforehand. The regulations tell us we may issue retrospective permits only under certain very specific circumstances. You **must** tell us if your application for a permit is retrospective. Retrospective import permits can only be issued for:

- Annex B and C specimens
- Re-imported Annex A specimens (that is, specimens that are not being imported into the EU for the first time)
- Worked Annex A specimens acquired before 1 June 1947

Retrospective export and re-export permits can only be issued for:

- Annex B and C specimens
- Worked Annex A specimens acquired before 1 June 1947

We will only issue retrospective permits if the import, export or re-export is legal.

8. Importing and exporting CITES controlled items by post

All CITES import and (re)export permits must be endorsed (stamped) by the appropriate customs authorities upon entry into or exit from the EU. Where CITES controlled items are imported or exported via the postal system, it is the sender's responsibility to obtain the appropriate documents and submit them to the UK Border Force (UKBF) for endorsement.

CITES documents travelling with the goods should be attached to the outside of the parcel in a sealed clear plastic folder.

If no declaration is made, or the information is inaccurate, the package may be delayed while further enquiries are made, or in some cases the package and its contents may be seized by the UKBF.

Export

CITES items that are posted to destinations outside the EU by Royal Mail, Parcel Force Worldwide or any other organisation must be declared to the UKBF before they leave the UK.

Under international postal agreements the sender must complete a **Customs Declaration CN22 or CN23** depending on the value of the item. This declaration includes a description of the goods, the value and whether they are gifts or commercial items. Customs Declaration CN22 and CN23 can be obtained from any Post Office.

Anyone exporting CITES items will also require a **'C&E 83A Label – Exported by Post under Customs and Excise Control'**. This is available from:

Cardiff 1 Contact Centre	Fax: 02920 386 444
National Advice Service Portcullis House	Telephone advice line 0845 010 9000
21 Cowbridge Road East	
Cardiff, CF11 9SS	

It will make the process more efficient if the exporter contacts Parcel Force Worldwide (the postal organisation at the Coventry International Hub) in advance of the export to let them know when they are intending to export CITES controlled items. The parcel tracking system can then be used to identify the parcels when they arrive in the depot, and they will be passed to the UKBF for checking and endorsement of the CITES permit prior to export.

Import

Parcels containing CITES controlled goods should also be accompanied by **Customs Declaration CN22 or CN23** when coming in from a non-EU country. Although the sender is responsible for making a complete and accurate declaration it is in the interest of the importer to ensure that this is done correctly. Public notice 143 states "if no declaration is made, or the information given is inaccurate, the postal package will be delayed while further enquiries are made or in some cases the package and its contents may be seized."

Declarations that consignments contain animal or plant material accompanied by CITES permits are passed to the UKBF for checking before they are allowed to enter the UK.

9. Species subject to stricter controls

There are some exceptions to the usual CITES controls in relation to certain species where stricter controls apply. Information on these controls can be found in separate guidance.

10. Personal and household effects

Some personal and household effects do not require CITES import and export permits. This is because the EU Regulations have a 'derogation' (which means an exception to the usual rules). You should check paragraph **3.6.5** of the [EU Reference Guide](#) for guidance on the personal effects derogation.

11. 'Readily Recognisable' specimens

Article I of the Convention and Article 2(t) of Council Regulation (EC) 338/97 requires that, where specimens are identified as a controlled species, then readily recognisable parts and derivatives of that species are also controlled. The term "readily recognisable part or derivative" was interpreted by [Conference Resolution 9.6](#) to include "any specimen which appears from an accompanying document, the packaging or a mark or label, or from any other circumstances, to be a part or derivative of an animal or plant of a species included in the appendices, unless such part or derivative is specifically exempted from the provisions of the Convention".

We recognise that sometimes it can be difficult to identify a specimen. If a specimen **cannot** be identified as a controlled species, or as being a part or derivative of a controlled species, then permits are not required. However, the onus is on the applicant to ensure that every effort has been made to identify the specimen and to obtain the corresponding permits or certificates. If it can be identified then it should be and you may want to consult an expert. Failure to correctly identify a specimen as a controlled species, or being a part or derivative of a controlled species, could lead to it being seized and possible criminal action.

Our advice to (re)-exporters, intending on moving items which they consider are 'not readily recognisable' is that they should check with the CITES Management Authority of the country of import before proceeding as their interpretation may differ. Importers should check with the CITES Management Authority in the country of export. If no export permit is issued because the specimen is not deemed 'readily recognisable' then it is unlikely that an import permit would be required from us either.

Identifying controlled species:

- If the packaging states that it contains a controlled species (e.g. a traditional Asian medicine states that it contains tiger bone), it is controlled even if the specimen within the packet doesn't contain any tiger bone.
- Where a specimen can only be identified to a higher taxonomic group which includes controlled species or populations, e.g. Crocodylia (all crocodiles, alligators and gharials) and Orchidaceae (all Orchids), then the item is controlled, even though the actual species may not be known.
- Where the specimen cannot be identified to a specific species the policy is to treat the specimen as if it is of the most protected species in the higher taxonomic group and apply the licensing rules accordingly
- Coral sand and coral fragments are not considered readily recognizable and are therefore not covered by the provisions of CITES;
- Urine, faeces and ambergris that has been naturally excreted are waste products and are therefore not covered by the provisions of CITES.

12. Opinions of the EU CITES Scientific Review Group (SRG)

The EU Scientific Review Group (SRG) is a body comprising representatives of each of the CITES Scientific Authorities of the EU Member States. It regularly reviews evidence and provides opinions about the impacts of trade on CITES-listed species. On the basis of the evidence it considers, the SRG may give opinions that permits or certificates should not be issued for certain species or species/country combinations. The UK's Scientific Authority considers any relevant SRG opinions when advising APHA. An SRG opinion advising against trade could result in your application being refused. Even where there is no current SRG opinion on trade of a species, an application may still be refused, for example because the UK's Scientific Authority has advised that trade levels are having a harmful effect on the conservation of the species concerned.

Information on the latest SRG decisions and opinions can be found on the [UNEP-WCMC Species Database](#). You should not assume that the absence of an SRG opinion means your application will necessarily be approved.

You should therefore avoid entering into contracts, making payments or shipping specimens before you have been issued with all the relevant CITES paperwork.

13. Release of information

Information supplied in applications may be used for the purposes of monitoring compliance of EC Regulations 338/97 and 865/2006 and the investigation of possible offences. The information may be passed to the UK Border Force under the provisions of Article 14 of Regulation 338/97 and to the Police and the National Wildlife Crime Unit (NWCU) for the purposes of gathering and analysing intelligence on possible wildlife crimes. Information (including personal data) may also be released on request to other enforcement authorities, under the Environmental Information Regulations, the Code of Practice on Access to Government Information and the Freedom of Information Act 2000.

It is a condition of making an application that you agree to us passing on information to these organisations.

14. Enquiries desk, application forms and complaints

If you have any questions or would like an application form, please contact the enquiries desk (see contact details on GOV.UK) or download them from the website.



Animal and Plant Health Agency is an executive agency of the Department for Environment, Food and Rural Affairs and also works on behalf of the Scottish Government and Welsh Government
www.gov.uk/apha

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