Commission Implementing Regulation (EU) 2019/1587 of 24 September 2019 prohibiting the introduction into the Union of specimens of certain species of wild fauna and flora in accordance with Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein

COMMISSION IMPLEMENTING REGULATION (EU) 2019/1587

of 24 September 2019

prohibiting the introduction into the Union of specimens of certain species of wild fauna and flora in accordance with Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein[(1)], and in particular Article 4(6) (a) and (b) thereof,

Whereas:

(1) The purpose of Regulation (EC) No 338/97 is to protect species of wild fauna and flora and to guarantee their conservation by regulating trade in animal and plant species listed in its Annexes. The Commission may implement that Regulation by establishing restrictions to the introduction of specimens of certain species into the Union.

(2) The currently applicable list of species for which the introduction into the Union is prohibited was established in October 2017 by Commission Implementing Regulation (EU) 2017/1915[(2)].

(3) Taking into account relevant recommendations made by the CITES Standing Committee at its 69th and 70th meetings[(3)], and based on reports prepared for the EU Scientific Review Group[(4)], the Group has concluded that the conservation status of certain additional species listed in Annex B to Regulation (EC) No 338/97 would be seriously jeopardised if their introduction into the Union from certain countries of origin is not prohibited[(5)]. The introduction into the Union of specimens of the following species should therefore be prohibited:

— *Pericopsis elata* from Côte D'Ivoire;

— *Prunus africana* from Equatorial Guinea.

(4) Further taking into account the secession of South Sudan from Sudan on 9 July 2011 and its admission as a new Member State by the United Nations General Assembly on 14 July 2011, to maintain the provisions that were already in force with regard to the predecessor State, the introduction into the Union of specimens of the following species should also be prohibited:

— *Torgos tracheliotus* from South Sudan.

Changes to legislation: *There are outstanding changes not yet made to Commission Implementing Regulation (EU) 2019/1587. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(5) Taking into account further recommendations made by the CITES Standing Committee at its 69th and 70th meetings, and also based on reports prepared for the Scientific Review Group[6], the Group has furthermore concluded that the prohibition of the introduction into the Union is no longer required for specimens of the following species:

— *Hippopotamus amphibius, Stangeriaceae* spp. and *Zamiaceae* spp. from Mozambique;

— *Balearica regulorum* and *Agapornis fischeri* from Tanzania;

— *Poicephalus fuscicollis* from Mali;

— *Phelsuma breviceps* and *Phelsuma standingi* from Madagascar;

— *Naja atra, Naja kaouthia, Naja siamensis, Cuora galbinifrons, Heosemys annandalii* and *Heosemys grandis* from Laos;

— *Stigmochelys pardalis* from the Democratic Republic of the Congo;

— *Hippocampus kuda* from Viet Nam;

— *Pandinus roeseli*[7] from Benin, Ghana and Togo;

— *Acanthastrea hemprichii, Favites halicora and Platygyra sinensis* from Tonga.

(6) The Scientific Review Group has furthermore concluded that, on the basis of the most recent available information on nomenclature, the name of the species *Ovis vignei bocharіensis* should be amended to *Ovis aries cycloceros*. This change in nomenclature does not affect the scope of the suspension already in force.

(7) The Scientific Review Group has finally concluded that, on the basis of the most recent available information, the prohibition of the introduction into the Union of specimens of the family Cycadaceae from Mozambique should be amended so that it refers only to specimens of the species *Cycas thouarsii* of that family.

(8) Taking into account the conclusions of the Scientific Review Group, and — in the case of the species/country combinations referred to in (3) above — after consulting the countries of origin concerned in the context of the CITES Standing Committee, the list of species for which the introduction into the Union is prohibited should be updated and Implementing Regulation (EU) 2017/1915 should, for reasons of clarity, be replaced.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Trade in Wild Fauna and Flora established pursuant to Article 18 of the Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The introduction into the Union of specimens of the species of wild fauna and flora set out in the Annex to this Regulation from the countries of origin indicated therein is prohibited.

Article 2

Implementing Regulation (EU) 2017/1915 is repealed.

***Changes to legislation:** There are outstanding changes not yet made to Commission Implementing Regulation (EU) 2019/1587. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

References to the repealed Implementing Regulation shall be construed as references to this Regulation.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 24 September 2019.

For the Commission

The President

Jean-Claude JUNCKER

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ANNEX

(1) Specimens of species included in Annex A to Regulation (EC) No 338/97 whose introduction into the Union is prohibited

Species	**Source(s) covered**	**Specimen(s) covered**	**Countries of origin**	**Basis in Article 4(6), Point:**
FAUNA				
CHORDATA				
MAMMALIA				
ARTIODACTYLA				
Bovidae				
Capra falconeri	Wild	Hunting trophies	Uzbekistan	(a)
CARNIVORA				
Canidae				
Canis lupus	Wild	Hunting trophies	Belarus, Mongolia, Tajikistan, Turkey	(a)
Ursidae				
Ursus arctos	Wild	Hunting trophies	Canada (British Columbia), Kazakhstan	(a)
Ursus thibetanus	Wild	Hunting trophies	Russia	(a)
PROBOSCIDEA				
Elephantidae				
Loxodonta africana	Wild	Hunting trophies	Cameroon	(a)

(2) Specimens of species included in Annex B to Regulation (EC) No 338/97 whose introduction into the Union is prohibited

Species	**Source(s) covered**	**Specimen(s) covered**	**Countries of origin**	**Basis in Article 4(6), Point:**
FAUNA				
CHORDATA				
MAMMALIA				
ARTIODACTYLA				

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Bovidae				
Ovis aries cycloceros	Wild	All	Uzbekistan	(b)
Cervidae				
Cervus elaphus bactrianus	Wild	All	Uzbekistan	(b)
Moschidae				
Moschus moschiferus	Wild	All	Russia	(b)
CARNIVORA				
Eupleridae				
Cryptoprocta ferox	Wild	All	Madagascar	(b)
Felidae				
Panthera leo	Wild	All	Ethiopia	(b)
Profelis aurata	Wild	All	Tanzania	(b)
Odobenidae				
Odobenus rosmarus	Wild	All	Greenland	(b)
PRIMATES				
Cercopithecidae				
Cercopithecus dryas	Wild	All	Democratic Republic of the Congo	(b)
Macaca fascicularis	Wild	All	Laos	(b)
Piliocolobus badius (synonym *Colobus badius*)	Wild	All	Guinea	(b)
Pitheciidae				
Chiropotes chiropotes	Wild	All	Guyana	(b)
AVES				
CICONIIFORMES				
Balaenicipitidae				
Balaeniceps rex	Wild	All	Tanzania	(b)
FALCONIFORMES				
Accipitridae				