Commission Implementing Regulation (EU) 2019/1587

of 24 September 2019

prohibiting the introduction into Gibraltar 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

Introductory Text

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prohibiting the introduction into the Union of specimens of certain specA2**ies** a0**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, 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.

(3)

Taking into account relevant recommendations made by the CITES Standing Committee at its 69th and 70th meetings, and based on reports prepared for the EU Scientific Review Group, 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. 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.

(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, 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* 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 Gibraltar 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

Omitted

Article 3

Omitted

ANNEX

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

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
FAUNA				
CHORDATA				
MAMMALIA				
ARTIODACTYLA				
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				
Accipiter erythropus	Wild	All	Guinea	(b)
Accipiter melanoleucus	Wild	All	Guinea	(b)
Accipiter ovampensis	Wild	All	Guinea	(b)
Aquila rapax	Wild	All	Guinea	(b)
Aviceda cuculoides	Wild	All	Guinea	(b)
Gyps africanus	Wild	All	Guinea	(b)
Gyps bengalensis	Wild	All	Afghanistan, India	(b)
Gyps indicus	Wild	All	Afghanistan, India	(b)
Gyps rueppellii	Wild	All	Guinea	(b)
Gyps tenuirostris	Wild	All	India	(b)
Hieraaetus ayresii	Wild	All	Cameroon, Guinea, Togo	(b)
Hieraaetus spilogaster	Wild	All	Guinea, Togo	(b)

Lophaetus occipitalis	Wild	All	Guinea	(b)
Macheiramphus alcinus	Wild	All	Guinea	(b)
Polemaetus bellicosus	Wild	All	Cameroon, Guinea, Tanzania, Togo	(b)
Spizaetus africanus	Wild	All	Guinea	(b)
Stephanoaetus coronatus	Wild	All	Côte d'Ivoire, Guinea, Tanzania, Togo	(b)
Terathopius ecaudatus	Wild	All	Tanzania	(b)
Torgos tracheliotus	Wild	All	Cameroon, South Sudan, Sudan, Tanzania	(b)
Trigonoceps occipitalis	Wild	All	Côte d'Ivoire, Guinea	(b)
Urotriorchis macrourus	Wild	All	Guinea	(b)
Falconidae				
Falco chicquera	Wild	All	Guinea, Togo	(b)
Sagittariidae				
Sagittarius serpentarius	Wild	All	Cameroon, Guinea, Tanzania, Togo	(b)
GRUIFORMES				
Gruidae				
Balearica pavonina	Wild	All	Guinea, Mali, South Sudan, Sudan	(b)
Balearica regulorum	Wild	All	Botswana, Burundi, Democratic Republic of the Congo, Kenya, South Africa, Zambia, Zimbabwe	(b)
Bugeranus carunculatus	Wild	All	Tanzania	(b)
PSITTACIFORMES				
Psittacidae				
Agapornis pullarius	Wild	All	Democratic Republic of the Congo, Côte d'Ivoire, Guinea, Mali, Togo	(b)
Coracopsis vasa	Wild	All	Madagascar	(b)
Deroptyus accipitrinus	Wild	All	Suriname	(b)
Poicephalus fuscicollis	Wild	All	Côte d'Ivoire, Democratic Republic of the Congo, Guinea, Togo	(b)

Poicephalus gulielmi	Wild	All	Cameroon, Congo, Guinea	(b)
Pyrrhura caeruleiceps	Wild	All	Colombia	(b)
Pyrrhura pfrimeri	Wild	All	Brazil	(b)
Pyrrhura subandina	Wild	All	Colombia	(b)
STRIGIFORMES				
Strigidae				
Asio capensis	Wild	All	Guinea	(b)
Bubo lacteus	Wild	All	Guinea	(b)
Bubo poensis	Wild	All	Guinea	(b)
Glaucidium capense	Wild	All	Rwanda	(b)
Glaucidium perlatum	Wild	All	Cameroon, Guinea	(b)
Ptilopsis leucotis	Wild	All	Guinea	(b)
Scotopelia bouvieri	Wild	All	Cameroon	(b)
Scotopelia peli	Wild	All	Guinea	(b)
REPTILIA				
SAURIA				
Agamidae				
Uromastyx dispar	Wild	All	Mali, Sudan	(b)
Uromastyx geyri	Wild	All	Mali, Niger	(b)
Chamaeleonidae				
Brookesia decaryi	Wild	All	Madagascar	(b)
Chamaeleo africanus	Wild	All	Niger	(b)
Chamaeleo gracilis	Wild	All	Benin, Ghana	(b)
	Ranched	All	Benin	(b)
Chamaeleo senegalensis	Wild	All	Benin, Ghana, Togo	(b)
	Ranched	Snout to vent length greater than 6 cm	Benin, Togo	(b)
Furcifer labordi	Wild	All	Madagascar	(b)
Kinyongia fischeri	Wild	All	Tanzania	(b)
Kinyongia tavetana	Wild	All	Tanzania	(b)
Trioceros camerunensis	Wild	All	Cameroon	(b)

Trioceros deremensis	Wild	All	Tanzania	(b)
Trioceros feae	Wild	All	Equatorial Guinea	(b)
Trioceros fuelleborni	Wild	All	Tanzania	(b)
Trioceros montium	Wild	All	Cameroon	(b)
Trioceros perreti	Wild	All	Cameroon	(b)
Trioceros quadricornis	Wild	All	Cameroon	(b)
Trioceros serratus	Wild	All	Cameroon	(b)
Trioceros werneri	Wild	All	Tanzania	(b)
Trioceros wiedersheimi	Wild	All	Cameroon	(b)
Cordylidae				
Cordylus rhodesianus	Wild	All	Mozambique	(b)
Cordylus tropidosternum	Wild	All	Mozambique	(b)
Cordylus vittifer	Wild	All	Mozambique	(b)
Smaug mossambicus	Wild	All	Mozambique	(b)
Gekkonidae				
Phelsuma borai	Wild	All	Madagascar	(b)
Phelsuma gouldi	Wild	All	Madagascar	(b)
Phelsuma hoeschi	Wild	All	Madagascar	(b)
Phelsuma ravenalla	Wild	All	Madagascar	(b)
Scincidae				
Corucia zebrata	Wild	All	Solomon Islands	(b)
Varanidae				
Varanus albigularis	Wild	All	Tanzania	(b)
Varanus beccarii	Wild	All	Indonesia	(b)
Varanus dumerilii	Wild	All	Indonesia	(b)
Varanus exanthematicus	Wild	All	Benin, Togo	(b)
	Ranched	Greater than 35 cm total length	Benin, Togo	(b)
Varanus jobiensis (synonym *V. karlschmidti*)	Wild	All	Indonesia	(b)
Varanus niloticus	Wild	All	Benin, Togo	(b)

	Ranched	Greater than 35 cm total length	Benin	(b)
	Ranched	All	Togo	(b)
Varanus ornatus	Wild	All	Togo	(b)
	Ranched	All	Togo	(b)
Varanus salvadorii	Wild	All	Indonesia	(b)
Varanus spinulosus	Wild	All	Solomon Islands	(b)
SERPENTES				
Boidae				
Calabaria reinhardtii	Wild	All	Togo	(b)
	Ranched	All	Benin, Togo	(b)
Candoia carinata	Wild	All	Indonesia	(b)
Pythonidae				
Liasis fuscus	Wild	All	Indonesia	(b)
Morelia boeleni	Wild	All	Indonesia	(b)
Python bivittatus	Wild	All	China	(b)
Python molurus	Wild	All	China	(b)
Python regius	Wild	All	Benin, Guinea	(b)
TESTUDINES				
Emydidae				
Chrysemys picta	All	Live	All	(d)
Geoemydidae				
Cuora amboinensis	Wild	All	Indonesia, Malaysia	(b)
Cuora bourreti	Wild	All	Laos	(b)
Cuora galbinifrons	Wild	All	China	(b)
Heosemys spinosa	Wild	All	Indonesia	(b)
Leucocephalon yuwonoi	Wild	All	Indonesia	(b)
Malayemys subtrijuga	Wild	All	Indonesia	(b)
Notochelys platynota	Wild	All	Indonesia	(b)
Siebenrockiella crassicollis	Wild	All	Indonesia	(b)
Podocnemididae				

Erymnochelys madagascariensis	Wild	All	Madagascar	(b)
Peltocephalus dumerilianus	Wild	All	Guyana	(b)
Podocnemis unifilis	Wild	All	Suriname	(b)
Testudinidae				
Centrochelys sulcata	Ranched	All	Benin, Togo	(b)
Indotestudo forstenii	Wild	All	All	(b)
Indotestudo travancorica	Wild	All	All	(b)
Kinixys erosa	Wild	All	Democratic Republic of the Congo, Togo	(b)
Kinixys homeana	Wild	All	Benin, Ghana, Togo	(b)
	Ranched	All	Benin	(b)
	Ranched	Greater than 8 cm straight carapace length	Togo	(b)
Kinixys nogueyi	Wild	All	Benin, Ghana	(b)
	Ranched	Greater than 5 cm straight carapace length	Benin	(b)
Kinixys spekii	Wild	All	Mozambique	(b)
Kinixys zombensis	Wild	All	Mozambique	(b)
Manouria emys	Wild	All	Indonesia	(b)
Manouria impressa	Wild	All	Vietnam	(b)
Stigmochelys pardalis	Wild	All	Uganda	(b)
Testudo horsfieldii	Wild	All	Kazakhstan	(b)
Trionychidae				
Amyda cartilaginea	Wild	All	Indonesia	(b)
Pelochelys cantorii	Wild	All	Indonesia	(b)
AMPHIBIA				
ANURA				
Conrauidae				
Conraua goliath	Wild	All	Cameroon	(b)
Dendrobatidae				
Hyloxalus azureiventris	Wild	All	Peru	(b)

Ranitomeya variabilis	Wild	All	Peru	(b)
Ranitomeya ventrimaculata	Wild	All	Peru	(b)
Mantellidae				
Mantella aurantiaca	Wild	All	Madagascar	(b)
Mantella cowani	Wild	All	Madagascar	(b)
Mantella crocea	Wild	All	Madagascar	(b)
Mantella pulchra	Wild	All	Madagascar	(b)
Mantella viridis	Wild	All	Madagascar	(b)
Microhylidae				
Scaphiophryne gottlebei	Wild	All	Madagascar	(b)
ACTINOPTERI				
PERCIFORMES				
Labridae				
Cheilinus undulatus	Wild	All	Indonesia	(b)
SYNGNATHIFORMES				
Syngnathidae				
Hippocampus algiricus	Wild	All	Guinea, Senegal	(b)
Hippocampus barbouri	Wild	All	Indonesia	(b)
Hippocampus comes	Wild	All	Indonesia	(b)
Hippocampus erectus	Wild	All	Brazil	(b)
Hippocampus histrix	Wild	All	Indonesia	(b)
Hippocampus kelloggi	Wild	All	Indonesia	(b)
Hippocampus kuda	Wild	All	China, Indonesia	(b)
Hippocampus spinosissimus	Wild	All	Indonesia	(b)
ARTHROPODA				
ARACHNIDA				
SCORPIONES				
Scorpionidae				
Pandinus imperator	Wild	All	Benin, Ghana, Togo	(b)
	Ranched	All	Benin, Ghana, Togo	(b)

INSECTA				
LEPIDOPTERA				
Papilionidae				
Ornithoptera croesus	Wild	All	Indonesia	(b)
Ornithoptera priamus	Wild	All	Solomon Islands	(b)
	Ranched	All	Solomon Islands	(b)
Ornithoptera victoriae	Wild	All	Solomon Islands	(b)
	Ranched	All	Solomon Islands	(b)
MOLLUSCA				
BIVALVIA				
VENEROIDA				
Tridacnidae				
Hippopus hippopus	Wild	All	Tonga, Vanuatu, Vietnam	(b)
Tridacna crocea	Wild	All	Cambodia, Fiji, Solomon Islands, Tonga, Vanuatu, Vietnam	(b)
Tridacna derasa	Wild	All	Fiji, Palau, Solomon Islands, Tonga, Vanuatu, Vietnam	(b)
Tridacna gigas	Wild	All	Marshall Islands, Solomon Islands, Tonga, Vietnam	(b)
Tridacna maxima	Wild	All	Cambodia, Fiji, Marshall Islands, Micronesia, Mozambique, Solomon Islands, Tonga, Vanuatu, Vietnam	(b)
Tridacna noae	Wild	All	Fiji, Micronesia, Solomon Islands, Vanuatu	(b)
Tridacna rosewateri	Wild	All	Mozambique	(b)
Tridacna squamosa	Wild	All	Cambodia, Fiji, Mozambique, Solomon Islands, Tonga, Vanuatu, Vietnam	(b)
Tridacna tevoroa	Wild	All	Tonga	(b)
GASTROPODA				
MESOGASTROPODA				

Strombidae				
Strombus gigas	Wild	All	Grenada, Haiti	(b)
CNIDARIA				
ANTHOZOA				
HELIOPORACEA				
Helioporidae				
Heliopora coerulea	Wild	All	Solomon Islands	(b)
SCLERACTINIA				
Scleractinia spp.	Wild	All	Ghana	(b)
Agariciidae				
Agaricia agaricites	Wild	All	Haiti	(b)
Caryophylliidae				
Catalaphyllia jardinei	Wild	All	Solomon Islands	(b)
Euphyllia divisa	Wild	Live corals except maricultured specimens attached to artificial substrates	Indonesia	(b)
Euphyllia fimbriata	Wild	Live corals except maricultured specimens attached to artificial substrates	Indonesia	(b)
Euphyllia paraancora	Wild	Live corals except maricultured specimens attached to artificial substrates	Indonesia	(b)
Euphyllia paradivisa	Wild	Live corals except maricultured specimens attached to artificial substrates	Indonesia	(b)
Euphyllia yaeyamaensis	Wild	Live corals except maricultured specimens attached to artificial substrates	Indonesia	(b)
Plerogyra discus	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	(b)

Plerogyra simplex (Plerogyra taisnei)	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	(b)
Mussidae				
Blastomussa merleti	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	(b)
Cynarina lacrymalis	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	(b)
Scolymia spp.	Wild	All	Tonga	(b)
Pocilloporidae				
Seriatopora stellata	Wild	All	Indonesia	(b)
Trachyphylliidae				
Trachyphyllia geoffroyi	Wild	All	Fiji	(b)
FLORA				
Cycadaceae				
Cycas thouarsii	Wild	All	Mozambique	(b)
Euphorbiaceae				
Euphorbia ankarensis	Wild	All	Madagascar	(b)
Euphorbia banae	Wild	All	Madagascar	(b)
Euphorbia berorohae	Wild	All	Madagascar	(b)
Euphorbia bongolavensis	Wild	All	Madagascar	(b)
Euphorbia bulbispina	Wild	All	Madagascar	(b)
Euphorbia duranii	Wild	All	Madagascar	(b)
Euphorbia fianarantsoae	Wild	All	Madagascar	(b)
Euphorbia iharanae	Wild	All	Madagascar	(b)
Euphorbia kondoi	Wild	All	Madagascar	(b)
Euphorbia labatii	Wild	All	Madagascar	(b)
Euphorbia lophogona	Wild	All	Madagascar	(b)
Euphorbia millotii	Wild	All	Madagascar	(b)

Euphorbia neohumbertii	Wild	All	Madagascar	(b)
Euphorbia pachypodioides	Wild	All	Madagascar	(b)
Euphorbia razafindratsirae	Wild	All	Madagascar	(b)
Euphorbia suzannae-marnierae	Wild	All	Madagascar	(b)
Euphorbia waringiae	Wild	All	Madagascar	(b)
Leguminosae				
Pericopsis elata	Wild	All	Côte d'Ivoire	(b)
Orchidaceae				
Cypripedium japonicum	Wild	All	China, South Korea	(b)
Cypripedium macranthos	Wild	All	South Korea	(b)
Cypripedium micranthum	Wild	All	China	(b)
Dendrobium bellatulum	Wild	All	Vietnam	(b)
Dendrobium nobile	Wild	All	Laos	(b)
Dendrobium wardianum	Wild	All	Vietnam	(b)
Myrmecophila tibicinis	Wild	All	Belize	(b)
Phalaenopsis parishii	Wild	All	Vietnam	(b)
Rosaceae				
Prunus africana	Wild	All	Equatorial Guinea	(b)