



Brussels, 16.12.2021
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COMMISSION IMPLEMENTING REGULATION (EU) .../...

of 16.12.2021

amending Implementing Regulation (EU) No 792/2012 as regards the addition of a new source code for plants from assisted production and related changes

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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 therein¹ and in particular Article 19(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 792/2012² should be aligned with the content of relevant resolutions adopted or amended at the eighteenth meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (“the Convention”), held from 17 to 28 August 2019 (CoP 18).
- (2) In particular, CoP 18 amended Resolution Conf. 12.3 by inserting a new code to indicate the source of certain plant specimens that do not conform to any of the existing codes. That new source code should be included in Implementing Regulation (EU) No 792/2012.
- (3) In order to improve reporting and facilitate trade analysis, the import notification form in Annex II to Implementing Regulation (EU) No 792/2012 should enable the inclusion of information on the source of the specimens traded. To facilitate the efficient use of resources, Management Authorities should be able to make use of existing stocks of import notification forms for a limited transition period.
- (4) Implementing Regulation (EU) No 792/2012 should therefore be amended accordingly.
- (5) Implementing Regulation (EU) No 792/2012 ensures the uniform implementation of Commission Regulation (EC) No 865/2006³, in particular by laying down models to which permits, certificates and other documents foreseen in that Regulation must correspond. This amending Regulation should therefore be applied in conjunction with the Regulation amending Commission Regulation (EC) No 865/2006⁴, and both amending Regulations should apply as of the same day.

¹ [OJ L 61, 3.3.1997, p. 1.](#)

² Commission Implementing Regulation (EU) No 792/2012 of 23 August 2012 laying down rules for the design of permits, certificates and other documents provided for in Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein and amending Commission Regulation (EC) No 865/2006 (OJ L 242, 7.9.2012, p. 13).

³ Commission Regulation (EC) No 865/2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein (OJ L 166, 19.6.2006, p. 1).

⁴ Commission Regulation (EU) .../... of XXX amending Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein and Commission Regulation

- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Trade in Wild Fauna and Flora,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) No 792/2012 is amended as follows:

- (1) In Article 2(2), the following second subparagraph is added:
“Until [**Publications Office: please insert date of one year after entry into force**], import notifications may instead be drawn up using the forms set out in Annex II in the version in force on [**Publications Office: please insert date of the day before the entry into force of this amending act**].”
- (2) Annexes I, III and V to Implementing Regulation (EU) No 792/2012 are amended in accordance with Annex 1 to this Regulation.
- (3) Annex II to Implementing Regulation (EU) No 792/2012 is replaced by the text in Annex 2 to this Regulation.

Article 2

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, 16.12.2021

For the Commission
The President
Ursula VON DER LEYEN