

## Definitions of SRG opinions

*Positive Opinion* – given current or anticipated levels of trade, introduction into the Community would not have a harmful effect on the conservation status of the species or on the extent of the territory occupied by the relevant population of the species

*Negative Opinion* – the information available is insufficient to form a positive opinion on an application and/or the given current or anticipated levels of trade, introduction into the Community might have a harmful effect on the conservation status of the species or on the extent of the territory occupied by the relevant population of the species

*No Opinion* - the species is not currently (or is only rarely) in trade, and no significant trade is anticipated, or there are insufficient data on which to make a confident positive or negative opinion.

## Regime applied

When an import application is on the table, or when reviewing species / country combinations, the SRG can agree on one of the following:

- a) **a positive opinion** – opinion remains valid for subsequent import permit requests as long as the conservation and trade status have not changed significantly. To ensure that adequate monitoring takes place and that trade into the EU doesn't contribute to the decline of any species in the wild, Management Authorities are encouraged to consult their Scientific Authorities (SA) on every application or, at least, to keep their SAs informed of permits issued so that the SA can determine when circumstances have changed or a 'non-detriment finding' is in need of review;
- b) **a negative opinion** - opinion remains valid for subsequent import permit requests and Member States are expected to follow this decision, unless new information becomes available indicating the opinion needs to be reviewed by the SRG, or one of the exemptions in Article 71.4 of Regulation (EC) No. 865/2006 applies. After consultation with the SRG, the Commission may establish a formal import suspension for species/country combination subject to a negative opinion;
- c) a "**No opinion**" - with three possible options:
  - i) **No opinion – no significant trade anticipated.** The species is not currently (or is only rarely) in trade, and no significant trade is anticipated. In this case, should any applications for trade arise, MAs systematically have to consult national SA for a 'non-detriment finding' before granting an import permit. In case a positive opinion is given at national level, this will be notified promptly by the SA via the Circa Newsgroup "positive opinion".

The SRG may subsequently go on to form a positive or negative opinion.

- ii) **No opinion – decision deferred**. Insufficient data on which to issue a confident positive or negative opinion exist. In this case MAs systematically consult national SA for a 'non-detriment finding' before granting an import permit. In case a positive opinion is given at national level, this will be notified promptly by the SA via the Circa Newsgroup "positive opinion".

The SRG may subsequently go on to form a positive or negative opinion.

- iii) **No opinion - referral to the SRG**. The species is of sufficient conservation concern that the SRG has determined that any application must be referred to the SRG for a decision before a permit is issued or refused. Before submitting a proposed decision to the Commission, the SA of the importing country may consult the SA of the exporting country. The advice of the MS SA will be relayed to members of the SRG by the Commission (formal written procedure) and the result of the consultation (negative or positive) will be confirmed by the Commission after a deadline of 10 working days.

In case of disagreement by one SA of an EU Member State, the issue will be discussed at the following SRG. In this case a formal note by CION will be sent to MAs and SAs of the EU Member States with the request to refrain from issuing any permit for the concerned species / country combination pending the advice of the SRG. In cases where an application is referred to the following SRG meeting, the SRG should strive to form a positive or negative opinion for this species / country combination. If this is not possible, then the "**No opinion - referral to the SRG**" is maintained.