

99090011001000, 99090011001000

Nature conservation; Plant; Authorisation for the commercial taking, working or processing of wild plants

Heruntergeladen am 06.07.2025

<https://fimportal.de/xzufi-services/9919395/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99090011001000, 99090011001000
Leistungsbezeichnung I	Nature conservation; Plant; Authorisation for the commercial taking, working or processing of wild plants
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Naturschutz (090)

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Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Anmeldepflichten (2010100), Erlaubnisse und Genehmigungen (2010400), Tier-, Pflanzen- und Naturschutz (2130200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	• Section 39 (4) of the Nature Conservation and Landscape Management Act (Bundesnaturschutzgesetz - BNatSchG) • § 7 Abs. 2 Nr. 2 Bundesnaturschutzgesetz • § 2 Abs. 1 Hessisches Ausführungsgesetz zum Bundesnaturschutzgesetz (HAGBNatSchG) • § 3 para. 2 sentences 1 and 2 HAGBNatSchG • § 42a Hessian Administrative Procedure Act
Teaser	
Volltext	If you want to collect wild plants or parts thereof for trade or commercial purposes (e.g. field flowers, blueberries, moss, ferns, lichens, etc.), you need not only the permission of the owner but also a permit from the lower nature conservation authority. This is to prevent overexploitation of such wild plants. The permit may, for example, be subject to conditions to protect wild plants from reduction or extinction that endangers the species. If conditions are not sufficient for protection, removal must be prohibited. The permit shall specify which plant species, which parts, what quantities and in which places they may be collected. The collector must carry the permit with him when collecting and hand it over to the police or the regulatory authorities on request for examination. • Plants within the meaning of the Federal Nature Conservation Act also include:

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- wild plants of wild species obtained by artificial propagation and dead plants,
- seeds, fruits or other forms of development of plants of wild species,
- readily recognisable parts of plants of wild species, and
- readily recognisable products derived from plants of wild species.

Lichens and fungi shall also be regarded as plants within the meaning of this Act.

Erforderliche Unterlagen

The written application must specify which plant species, which parts or products, what quantities and in which places (useful: map sections) they are to be collected. Authorisation shall be granted if the population of the species concerned is not endangered at the point of removal and the ecosystem is not significantly impaired. When deciding on withdrawals for the production of regional seeds, account should be taken of the favourable effects on nature conservation and landscape management objectives. The nature conservation authority checks the completeness of the documents (see under deadlines).

Voraussetzungen

Kosten

Official acts under nature conservation law are usually subject to a fee. The current administrative costs regulation does not provide for an independent cost rate; the demand from the nature conservation authorities is advised.

Verfahrensablauf

Bearbeitungsdauer

Frist

The nature conservation authority examines the application documents and informs the applicant within one month of receipt of the application whether the documents are complete or what further information it needs for a full assessment of the facts. If a decision is not taken on an authorisation applied for within a period of one month, it shall be deemed to have been granted if the application is sufficiently specific. The period begins upon receipt of the

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complete documents. It may be extended once if justified by the difficulty of the matter. The extension of the deadline must be justified and communicated in good time. Upon request, the person to whom the administrative act should have been notified must certify in writing that the fictitious approval has occurred.

weiterführende Informationen

Hinweise

The rights of the owners and other beneficial owners remain unaffected. This also includes measures within the framework of proper agricultural or forestry land use that do not require approval under nature conservation law (e.g. logging, marketing of ornamental brushwood and Christmas trees, etc.). Further information and advice can be found on the website of the Hessian Ministry for the Environment, Climate Protection, Agriculture and Consumer Protection in the field of nature conservation as well as on the websites of the regional councils of Kassel, Darmstadt and Giessen. Many districts and cities with their own lower nature conservation authority have their own website, which you can find directly contact persons.

<https://umwelt.hessen.de/Themen-A-Z/Naturschutz>
<https://rp-kassel.hessen.de/natur>
<https://rp-darmstadt.hessen.de/umwelt-und-energie/naturschutz>
<https://rp-giessen.hessen.de/natur/naturschutz>
<https://umwelt.hessen.de/Themen-A-Z/Naturschutz>
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<https://rp-giessen.hessen.de/natur/naturschutz>

Rechtsbehelf

Kurztext

Ansprechpunkt

In principle, the application must be submitted to the lower nature conservation authority. In a few exceptional cases, responsibility lies with the respective regional council. The lower nature conservation authority in Hesse is the city

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	administration for cities with more than 50,000 inhabitants, otherwise the district administration.
Zuständige Stelle	
Formulare	
Ursprungsportal	Naturschutz; Pflanzen; Genehmigung der gewerbsmäßigen Entnahme, Be- oder Verarbeitung wild lebender Pflanzen, Nature conservation; Plant; Authorisation for the commercial taking, working or processing of wild plants