

Partial ENGLISH translation (via Google translation)

FIRST.- Of what has been denounced, does not seem justified the perpetration of the offense which gave rise to the formation of the cause. Received official notice dated 19/10/2018 from the CITES Management Authority, the content of which shows that the relevant consultation with the CITES French authority concerning the validity and authenticity of the customs documents submitted, the same French authority on the one hand, in 1994, destroyed those documents dated 1994 and, on the other hand, attests to the authenticity of the document.

Therefore, on the basis of the mutual recognition agreement between the two competent authorities and in the absence of evidence to the contrary, the competent authority CITES Spain accepts the documentation proving the legal origin of the plant specimens that are the subject of this report.

Similarly, the report considers the registration of artificial reproduction activity in Spain not mandatory in terms of registration to CITES Administrative Authority Spain as nurserymen.

On the basis of the Mutual Recognition Agreement between the two authorities and lack of evidence to the contrary, the CITES Authority Spain validates the documentation certifying the legal origin of the specimens of plants covered by this report, so that, in accordance with the provisions of Article 641-1 0 / 779.1-1 0 of the Criminal Procedure Law, it is right to decree the provisional closure of the proceedings.

SECOND.- As provided for in article 779.1.1 a of the LECr, the notification must be made to those to whom this resolution could cause harm, even if they did not participate in the cause.

PART OF THE PROVISION

PROVISIONAL REVIEW AND CLASSIFICATION OF THE PRESENT CASE.

IT IS AGREED TO LEAVE NO EFFECT, in this case, the preventive, sanction and / or civil measures agreed during the procedure. More specifically, IS HIGHLIGHTED THE PREVENTIVE MEASURE RELATING TO THE APPOINTMENT OF MILDRED MARGOT AZABACHE and JOEL MICHEL YVES LODE as JUDICIAL CUSTODIANS OF THE PLANTS located at Paraje Vega de las Cunas / Desert Springs, ctra Palomares at Cuevas del Almanzora, Polígono 11, parcel 167 of Cuevas de Almanzora.

Notify this resolution to parties who may be adversely affected.

Notify this resolution to the parties and the Attorney General, informing them that, against this, there is a formal appeal proceedings within 3 days after its notification to this same judicial body and that even after that, an appeal may be formulated ; appeal which may, however, be formulated in the same document as the appeal of a subsidiary nature, in accordance with Article 222 of the LECRIM.

So accept, send and sign

Oct 22, 2018