

TOURISM, ARTS AND HERITAGE CABINET
Department of Fish and Wildlife Resources
(Amendment)

301 KAR 2:095. Importation, possession, and transportation of wildlife meat, carcasses, and parts.

RELATES TO: KRS 150.180, 150.280, 150.290

STATUTORY AUTHORITY: KRS 150.025(1)(c), 150.720(2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.025(1)(c) authorizes the department to promulgate administrative regulations governing the buying, selling, or transporting of wildlife. KRS 150.720(2) authorizes the department and the Department of Agriculture to hold a person responsible for all costs incurred in the investigation, response, and eradication of a disease if the person imports a diseased animal into the Commonwealth. This administrative regulation establishes procedures for the importation, possession, and transportation of specified wildlife carcasses or carcass parts.

Section 1. Definitions.

- (1) "Cervid" means deer, elk, moose, caribou, reindeer, and related species and hybrids thereof, including all members of the Cervidae family and hybrids thereof.
- (2) "Chronic Wasting Disease" or "CWD" means a transmissible spongiform encephalopathy found in cervids.
- (3) "CWD Surveillance Zone" means an area designated as being subject to special cervid regulations due to a CWD positive cervid detection.
- (4) "Import" means to bring goods into the state of Kentucky from another state but does not include transportation of goods through Kentucky from outside the state.
- (5) "Lagomorph" means wild rabbits, hares, and pikas, and related species and hybrids thereof, including all wild members of the Order Lagomorpha and hybrids thereof.

Section 2. Importation and Transportation of Cervid Meat, Carcasses, and Parts.

- (1) A person importing a cervid carcass or carcass parts shall only possess the items of a legally harvested cervid listed in paragraphs (a) through (g) of this subsection.
 - (a) Deboned meat, excluding brain matter;
 - (b) Antlers;
 - (c) Antlers that are attached to a skull cap having no meat matter or tissue attached;
 - (d) A skull having no meat matter or tissue attached;
 - (e) Upper canine teeth having no meat matter or tissue attached;
 - (f) A finished taxidermy product; or
 - (g) The hide.
- (2) A person shall not transport a cervid carcass or carcass part through Kentucky from outside the state except those parts permissible for import, unless the carcass or carcass parts that are non-permissible for import are transported in a leak and spill-proof container and no contents thereof are permitted to be deposited or disposed of within the state.
- (3) Transportation of cervid carcasses or parts out of a CWD Surveillance Zone. All persons in possession of or transporting a cervid carcass or carcass parts originating from a CWD Surveillance Zone shall only transport the following parts out of the CWD Surveillance Zone:
 - (a) Deboned meat, excluding brain matter;
 - (b) Antlers;
 - (c) Antlers that are attached to a skull cap having no meat matter or tissue attached;
 - (d) A skull having no meat matter or tissue attached;
 - (e) Upper canine teeth having no meat matter or tissue attached;

- (f) A finished taxidermy product; or
 - (g) The hide.
- (4) An individual who engages in the act of taxidermy or processing of cervid meat who accepts an imported cervid carcass or carcass part prohibited by subsection (1) or subsection (3) of this section shall:
- (a) Contact the law enforcement division of the department within forty-eight (48) hours after accepting the cervid carcass or carcass part;
 - (b) Provide to the department the hunter's:
 - 1. Name; and
 - 2. Address; and
 - (c) Transfer all nonpermitted cervid carcass and carcass parts to the department.

Section 3. Importation of Wild Lagomorph Meat, Carcasses, and Parts.

- (1) A person shall only import a completely skinned and fully eviscerated carcass, quarters, or deboned meat of a legally harvested wild Lagomorph.
- (2) A person shall not transport wild Lagomorph meat, carcasses, or parts through Kentucky from outside the state except those parts permissible for import, unless the carcass or carcass parts that are non-permissible for import are transported in a leak and spill-proof container and no contents thereof are permitted to be deposited or disposed of within the state.

RICH STORM, Commissioner

APPROVED BY AGENCY: June 15, 2022

FILED WITH LRC: June 15, 2022 at 10:30 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on August 24, 2022, at 12:00 p.m., at KDFWR Administration Building, 1 Sportsman's Lane, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through August 31, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: CONTACT PERSON: Jenny Gilbert, Legislative Affairs, Kentucky Department of Fish and Wildlife Resources, 1 Sportsman's Lane, phone (502) 564-3400, fax (502) 564-0506, email fwpubliccomments@ky.gov.