

TOURISM, ARTS AND HERITAGE CABINET
Department of Fish and Wildlife Resources
(Amended at ARRS Committee)

301 KAR 2:095. Importation, possession, and transportation of wildlife meat, cervid 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 *of Fish and Wildlife* to promulgate administrative regulations governing the buying, selling, or transporting of wildlife. KRS *150.720 requires the department to promulgate administrative regulations concerning health requirements, eradication of diseases, importation, unique individual identifiers, and the responsibility of* ~~{150.720(2)}~~ ~~{authorizes the department and the Department of Agriculture to hold}~~ a person *who imports a diseased animal into the Commonwealth, in violation of statute or administrative regulation, 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 ~~and possession~~ of specified wildlife ~~cervid~~ carcasses or carcass parts ~~part~~.

Section 1. Definitions.

- (1) "Cervid" means deer, elk, moose, caribou, reindeer, and related species and hybrids of these species ~~thereof~~, including all members of the Cervidae family and hybrids of this family ~~thereof~~ ~~{a member of the family Cervidae}~~
- (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.
- ~~{(2)}~~ ~~{ "Clean" means having no meat matter or tissue attached to the carcass part. }~~
- (4) ~~{(3)}~~ "Import" means to ~~{transport a cervid carcass or carcass part into Kentucky}~~ bring goods into the state of Kentucky from another state, except for ~~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 of these species ~~thereof~~, including all wild members of the Order Lagomorpha and hybrids of this order ~~thereof~~.

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

- (1) ~~{A person shall not import a cervid carcass or carcass part that has any part of the spinal column or head;}~~
- ~~{(2)}~~ A person importing a ~~{legally taken}~~ cervid carcass or carcass parts shall only ~~part may~~ possess the items of a legally harvested cervid listed in paragraphs (a) through (g) ~~{(f)}~~ of this subsection: ~~;~~
 - (a) Deboned meat, excluding brain matter;
 - (b) Antlers;
 - ~~(c)~~ ~~{(b)}~~ Antlers that are attached to a ~~{clean}~~ skull ~~{plate}~~ cap having no meat matter or tissue attached;
 - ~~(d)~~ ~~{(c)}~~ A ~~{clean}~~ skull having no meat matter or tissue attached;
 - ~~(e)~~ ~~{(d)}~~ ~~{Clean}~~ Upper canine teeth having no meat matter or tissue attached;
 - ~~(f)~~ ~~{(e)}~~ A finished taxidermy product; or
 - (g) ~~{(f)}~~ The hide; ~~{; or}~~
 - ~~{(g)}~~ ~~{Quartered or deboned meat.}~~

(2) A person shall not transport a cervid carcass or carcass ~~parts~~ ~~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 ~~the~~ ~~no~~ contents ~~thereof~~ are not permitted to be deposited or disposed of within the state.

(3) Transportation of cervid carcasses or ~~carcass~~ 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 ~~carcass~~ 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) ~~[(3)] [A licensed taxidermist or deer processor]~~ An individual who engages in the act of taxidermy or processing of cervid meat who accepts ~~[a cervid head with an intact skull, spinal column, or spinal column part originating from another state or country]~~ an imported cervid carcass or carcass ~~parts~~ ~~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 ~~[receiving]~~ accepting the cervid ~~carcass or carcass ~~parts~~ ~~part~~~~ ~~[head, spinal column, or spinal column part]~~;
- (b) Provide to the department the hunter's:
 - 1. Name; and
 - 2. Address; and
- (c) Transfer all ~~nonpermitted cervid carcass and carcass parts~~ ~~[spinal column parts and the skull with the intact brain]~~ to the department ~~[once the skull plate has been removed].~~

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 ~~carcass~~ 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 ~~the~~ ~~no~~ contents ~~thereof~~ are not permitted to be deposited or disposed of within the state.

(29 Ky.R. 3001; eff. 8-13-2003; 37 Ky.R. 2682; eff. 8-4-2011; 42 Ky.R. 2819; eff. 7-19-2016; 45 Ky.R. 2432; eff. 5-3-2019; 49 Ky.R. 79, 766; eff. 10-20-2022.)

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