

1721.0380 GENERAL REQUIREMENTS.

Subpart 1. **Possession of live Cervidae in Minnesota.** A person may not possess live Cervidae in the state unless the person is registered with the board and meets all the requirements for farmed Cervidae in parts 1721.0370 to 1721.0420 and Minnesota Statutes, sections 17.452; 35.153; 35.155; 97A.401, subdivision 3; and 97A.505, subdivision 8.

Subp. 2. **Registration.** To be registered with the board, the owner of farmed Cervidae must have the owner's herd inspected by a representative of the board and demonstrate that the owner has fulfilled all the requirements for farmed Cervidae in parts 1721.0370 to 1721.0420. The owner must also sign and submit to the board a registration agreement in which the owner agrees to maintain the owner's herd in compliance with this part. The failure of the owner to comply with this part or to pay a civil penalty assessed by the board pursuant to Minnesota Statutes, section 35.95, for failure to comply with the requirements of this part shall constitute grounds for the board to cancel the registered status of a farmed Cervidae herd. In accordance with Minnesota Statutes, section 35.155, subdivision 9, the board shall notify the herd owner of the right to request a contested case hearing regarding the board's determination under the Administrative Procedure Act, Minnesota Statutes, chapter 14.

Subp. 3. **Inspections.** A representative of the board shall be permitted to inspect farmed Cervidae, farmed Cervidae facilities, and farmed Cervidae records. Each herd and all premises where the herd is located must be inspected by a representative of the board at least once every 12 months to document compliance with this part. For new farmed Cervidae facilities where no farmed Cervidae have ever been kept, a representative of the board shall be permitted to conduct a prestocking inspection to document compliance with this part and verify an initial null inventory for the herd.

Subp. 4. **Herd inventory.** For each farmed Cervidae herd, a complete animal inventory must be conducted every 12 months. The accuracy of the inventory must be verified by the owner and an accredited veterinarian by signing and submitting the inventory to the board. The inventory must be filed on forms approved by the board and include the age, sex, type of animal, and all identification numbers for each animal in the herd. Upon request, the owner of a farmed Cervidae herd must allow a representative from the board access to the premises and herd to conduct a physical animal by animal inventory to reconcile animal identification numbers with the records maintained by the owner and the board. The owner must present the entire herd for inspection under conditions where the board representative can safely read all identification on the animals. The owner is responsible for assembling, handling, and restraining the animals and for all costs incurred to present the animals for inspection.

Subp. 5. **Fencing.** Farmed Cervidae must be confined in a manner designed to prevent escape. Perimeter fences for farmed Cervidae must be at least 96 inches in height and be constructed and maintained in a way that prevents the escape of farmed Cervidae or entry into the premises by wild Cervidae.

Subp. 6. **Running at large prohibited.** An owner may not allow farmed Cervidae to run at large. The owner must make reasonable efforts to return escaped farmed Cervidae to their enclosures

as soon as possible. The owner must notify the commissioner of natural resources and the board of the escape of farmed Cervidae if the farmed Cervidae are not returned to their enclosures or euthanized by the owner within 24 hours of their escape.

Subp. 7. Removal of wild Cervidae.

A. When a tract of land is initially enclosed with a perimeter fence for the purpose of establishing a new farmed Cervidae facility, wild Cervidae must be removed from the premises by herding them off of the land at the owner's expense prior to bringing any farmed Cervidae to the premises.

B. An owner of an existing facility or an employee or agent under the direction of the owner must destroy wild Cervidae found within the owner's farmed Cervidae facility. The owner, employee, or agent must report wild Cervidae that are destroyed to the board and a conservation officer or an employee of the Department of Natural Resources Division of Wildlife within 24 hours. Testing of wild Cervidae destroyed within the farmed Cervidae facility shall be conducted by or under the supervision of the board. The wild Cervidae must be disposed of as prescribed by the commissioner of natural resources.

Subp. 8. Sales of farmed Cervidae and meat products. A person selling or buying farmed Cervidae sold as livestock, sold for human consumption, or sold for slaughter must comply with parts 1721.0370 to 1721.0420 and Minnesota Statutes, chapters 17A, 31, 31A, 31B, and 35.

Subp. 9. Slaughter of farmed Cervidae. Farmed Cervidae must be slaughtered and inspected according to Minnesota Statutes, chapters 31 and 31A.

Subp. 10. Record keeping. A herd owner must maintain herd records that include a complete inventory of animals including the type, age, and sex of each animal, the date of acquisition, the source of each animal that was not born into the herd, the date of disposal and destination of any animal removed from the herd, and all individual identification numbers associated with each animal. If animals enter or leave the herd, the names, addresses, and telephone numbers of previous or subsequent owners of the animals must be recorded. Records must be maintained for at least ten years.

Statutory Authority: *MS s 35.03*

History: *37 SR 1396*

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