

Title 35 - Oklahoma Department of Agriculture, Food, and Forestry
Chapter 15 - Animal Industry
Subchapter 44 - Farmed Cervidae

35:15-44-1. Purpose

The purpose of these rules is to establish procedures and requirements for the licensing of farmed cervidae facilities. These rules shall not apply to any cervidae facilities owned or operated for the purpose of commercial hunting of farmed or captive bred cervidae regulated by the Oklahoma Department of Wildlife Conservation.

35:15-44-3. Application for license

- (a) An application for a farmed cervidae facility shall contain the following complete, accurate, and legible information, in addition to the information required by the Farmed Cervidae Act:
 - (1) Email addresses, if available, of the applicant.
 - (2) Name, address, telephone number, and email addresses, if available, of the operator, if different from the applicant.
 - (3) A list of all names the farmed cervidae facility operates pursuant to, and the address and facility telephone number of each, including but not limited to the Doing Business As (D/B/A), corporate name, or other name. If a corporation, submit the certificate of good standing from the Secretary of State.
- (b) The Department shall not issue a license if the applicant had any equivalent license denied, revoked, or suspended by any authority, except in accordance with the provisions of 2 O.S. § 6-514.
- (c) Using information from the application and from the State's files, the Department shall determine if the proposed facility is adequate and complies with all legal requirements and would not result in harm to native wildlife.
- (d) If an applicant is denied a farmed cervidae license, the Department shall notify the applicant in writing by certified mail, return receipt requested, of the denial. The denial shall include the following:
 - (1) Reasons for the denial;
 - (2) Steps necessary to meet the requirements for a license, if applicable; and
 - (3) The opportunity to request an administrative hearing on the denial.

35:15-44-4. Renewals

- (a) Any licensee obtaining a new license issued after January 1 in any calendar year, but prior to June 30, shall be issued a license for the next licensing year.
- (b) All inventory information shall be submitted with the renewal application.
 - (1) The Department may, on a case by case basis, approve a different date for submission of the renewal application.
 - (2) A licensee may request a different date in writing from the Department no later than March 15, and shall provide justification for using a date other than April 1.
- (c) Any renewal application postmarked after the renewal date shall be subject to an administrative penalty in addition to the renewal fee, and the late application shall be deemed a violation of the Oklahoma Farmed Cervidae Act.

- (d) If an applicant is denied a farmed cervidae license, the Department shall notify the applicant in writing by certified mail, return receipt requested, of the denial. The denial shall include the following:
- (1) Reasons for the denial;
 - (2) Steps necessary to meet the requirements for a license, if applicable; and
 - (3) The opportunity to request an administrative hearing on the denial.

35:15-44-5. Transfers

If an applicant is denied a transfer of a license to a new applicant, the Department shall notify the applicant in writing by certified mail, return receipt requested, of the denial. The denial shall include the following:

- (1) Reasons for the denial;
- (2) Steps necessary to meet the requirements for a transfer of a license, if applicable; and denial.
- (3) The opportunity to request an administrative hearing on the denial.

35:15-44-6. Record keeping

The following records shall be maintained at the facility:

- (1) Records of all cervidae bought, sold, killed, given away, transported, or shipped, and shall include but not be limited to all natural additions and natural losses.
- (2) The name, telephone numbers and address of any recipient or consignee and the date of any transaction. The licensee shall confirm that the recipient or consignee holds either a valid Oklahoma farmed cervidae license or valid commercial hunting area license and the animals are officially identified prior to the transaction.
- (3) Official sales reports shall be made available upon request by an authorized agent of the Board.
- (4) Proof that the purchased cervidae are from a current license farmed cervidae facility or other legal source and are identified by official identification prior to addition to the herd.

35:15-44-7. Limit on facility size

- (a) Facility size shall be limited to the largest practicable area to ensure no native or wild cervidae are within the confines of the facility. Limitations on facility size may include but not be limited to geography, topography, timber density, and visibility of the property. The Department has the authority to approve, disapprove, or request modifications to the facility.
- (b) No farmed cervidae facility shall share a common fence with any Wildlife Management Area operated by the Oklahoma Department of Wildlife Conservation.
- (c) Each separate location of a farmed cervidae facility that does not share a common fence shall be licensed separately

35:15-44-8. Fencing and facility requirements

The perimeter of each new farmed cervidae facility shall be an eight (8) foot game or high tensile fence designed in a manner to prevent ingress and egress of cervidae.

- (1) Facilities in operation prior to the effective date of the Oklahoma Farmed Cervidae Act shall maintain fencing sufficient to prevent ingress and egress of cervidae.
- (2) The owner or operator shall install eight (8) foot game or high tensile fence for any new perimeter fencing at a new or existing facility.

35:15-44-9. Flushing procedures

- (a) Prior to the final enclosure of the farmed cervidae facility, the applicant or licensee shall undertake a flushing procedure to ensure that any native or wild cervidae are not present in the area.
- (b) The flushing procedure shall be performed pursuant to the recommendations of the Oklahoma Department of Wildlife Conservation.

35:15-44-10. Slaughter requirements

- (a) Licensees may slaughter their own farmed cervidae for personal or noncommercial consumption, but in no case shall someone other than the licensee be allowed to hunt or shoot the farmed cervidae.
- (b) Any person holding meat or antlers with attached skull plates from a farmed cervidae facility that obtained it through noncommercial methods shall hold a receipt from the licensee of the farmed cervidae facility for so long as they hold the meat or antlers with attached skull plates.

35:15-44-11. Transportation permit

A sales report shall be provided to any purchaser or transporter of live cervidae, meat, or antlers with attached skull plates and it shall be kept with the live cervidae, meat, or antlers with attached skull plates at all times.

35:15-44-12. Sale or disposal of hides and antlers

- (a) Any licensee of a farmed cervidae facility may sell or dispose of hides and antlers not attached to skull plates at any time.
- (b) A licensee shall only sell or dispose of antlers with attached skull plates in the following circumstances:
 - (1) Each set of antlers with attached skull plate shall be officially identified with sufficient documentation linking it to the farmed cervidae facility or license, including, but not limited to, photographs of the animal, lock on identification tags, DNA testing, or other proof of ownership;
 - (2) In no case shall any person sell or dispose of antlers with attached skull plates without appropriate documentation.
 - (3) The licensee shall provide a copy of all appropriate documentation to the purchaser or recipient at the time of sale or disposal.

35:15-44-13. Carcass disposal

- (a) Carcass disposal areas shall be located a minimum of thirty (30) feet from any live farmed cervidae.
- (b) The owner or operator shall comply with Title 2, Section 2-18.1, Title 21, Sections 1222, 1223, and 1224, and OAC 35:100-13-1 et seq. at all times.

35:15-44-18. Fees

- (a) The initial application fee for a farmed cervidae facility shall be Two Hundred Dollars (\$200.00).

- (b) The renewal and transfer application fee shall be One Hundred Dollars (\$100.00).
- (c) The follow up inspection fee shall be One Hundred Dollars (\$100.00) per inspection. The fee shall be due prior to the Department's follow up inspection.
- (d) There shall be no fee for closure inspections unless a follow up closure inspection is required.
- (e) Fees shall not be refundable.

35:15-44-19. Entry and export requirements

- (a) Import of cervidae shall be accompanied by a Certificate of Veterinary Inspection and a Cervidae Import Permit approved or provided by the Department.
 - (1) The import permit shall be valid for thirty (30) days from approval.
 - (2) Cervidae Import Permit applications shall be submitted to the Department no less than four (4) working days prior to the scheduled shipment.
- (b) Cervidae shall be officially identified prior to import.
- (c) All cervidae six (6) months or older shall test negative for brucellosis thirty (30) days prior to entry or originate from a certified brucellosis free herd.
- (d) All cervidae six (6) months or older shall meet one of the following criteria prior to entry:
 - (1) Classified negative to two (2) official tuberculosis test that were conducted no less than ninety (90) days apart with the second test conducted no more than ninety (90) days prior to the date of movement and recorded on the Certificate of Veterinary Inspection.
 - (2) Originate from a Qualified Herd and test negative to an official tuberculosis test conducted no more than ninety (90) days prior to the date of movement. The Qualified Herd number and date of the qualifying test shall be recorded on the Certificate of Veterinary Inspection.
 - (3) Originate from an Accredited Free Herd provided the Accredited Free Herd number and date of last test are recorded on the Certificate of Veterinary Inspection.

35:15-44-20. Animal identification requirements

- (a) All Cervid twelve (12) months or older shall be individually identified by at least one form of official identification approved by the Department.
- (b) All Cervid of any age shall be individually identified by at least one form of official identification prior to movement from the original herd premises.