

Background Report
Draft Rule 68A-12.004
Agenda Item 11 A.
April 15, 2015

Update 4-7-15: Produced on a licensed game farm stricken from subparagraph (7)(b)1.

68A-12.004 Possession or Sale of Birds or Mammals; Taxidermy Operations and Mounting Requirements.

(1) The possession for sale or the purchase or sale of birds, game mammals or the carcass or any part thereof whether produced in this state or transported from any other state or country is unlawful except as authorized herein.

(2) Game legally taken may be stored in public cold storage, refrigerators, ice houses or ice boxes when packaged or tagged and clearly marked with the owner's name and license number (if license is required).

(3) Lawfully taken game may be prepared and served at any public eating place to persons who have killed such game and are in possession of a valid hunting license, if license is required.

(4) Game produced on a licensed game farm may be sold and transported in the state at any time for any lawful purpose as herein provided.

(5) Game not native to the state, except those designated in subsections (6), (7), (10) and (12) of this rule, when lawfully acquired may be sold or transported in the state and said game may be served in restaurants or any other public eating places.

(6) Quail or any other bird that might be mistaken for quail when dressed for the market may not be sold except as provided in Rule 68A-12.006, F.A.C.

(7) The sale of deer (venison) is prohibited except:

(a) No change.

(b) Deer (venison) from species of deer not native to the state may be sold. Non-native deer (venison) may be sold uncooked to the public provided:

1. Non-native deer (venison) may only be sold uncooked when packaged in a tamper-proof container with a label stating "NON-NATIVE VENISON (species identified) ~~PRODUCED ON A LICENSED GAME FARM.~~" The label shall identify the species of deer contained in the container.

2. No person shall possess any venison for commercial consumptive purposes without being in possession of documentation that the venison is from non-native species produced on a licensed game farm or hunting preserve or otherwise legally acquired.

(c) No change.

(8) The foregoing shall not prohibit the sale or purchase of articles manufactured from the heads, antlers, horns, hides, teeth and feet of lawfully taken game mammals, except black bear lawfully taken.

(9) When lawfully taken, the feathers or skins of non-protected or resident game birds or the skins of deer, squirrels, or rabbits ~~or wild hog~~ may be sold.

(10) No change.

(11) Taxidermy operations and mounting requirements:

(a) through (d) No change.

(e) No permit shall be required for the mounting of carcasses, green hides, or uncured parts of:

1. Frozen or preserved specimens of game birds, game mammals, or furbearing animals that were legally taken during the open season.

2. Specimens of game mammals except black bear, game birds, ~~game mammals~~, fox squirrel, otter, bobcat or mink that were killed on roads or highways.

(12) The sale or purchase of any bear carcass or any part thereof is prohibited. The sale or purchase of any taxidermal specimen of a black bear is prohibited. The sale or purchase of a taxidermal specimen of any other species of bear is prohibited unless it was legally taken or acquired and has attached thereto a tag bearing the name and address of the possessor and the date when and the specific place where it was taken or acquired. In addition the possessor of any taxidermal specimen of any bear shall have in his possession documentation that the specimen was legally taken, acquired, or exported from the state or country of origin. The possession or transportation of any carcass or untanned skin of any bear is prohibited unless it was legally taken or acquired and has attached thereto a Commission bear tag or a tag bearing the name and address of the possessor, the species, and the date when and specific place where it was taken or acquired. In addition the possessor of the carcass or untanned skin shall have in his possession documentation that it was legally taken, acquired or exported from the state or country of origin.