

ARKANSAS REGISTER

Proposed Rule Cover Sheet



Secretary of State
John Thurston
500 Woodlane, Suite 026
Little Rock, Arkansas 72201-1094
(501) 682-5070
www.sos.arkansas.gov



Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal Division

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person April Soman

Contact E-mail April.Soman@agfc.ar.gov

Contact Phone 501-223-6327 Legal Division

Name of Rule 11.02 Fish Health Requirements for Importation Outside of VHSV Positive Areas

Newspaper Name Arkansas Democrat Gazette

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Final Date for Public Comment October 15, 2020

Location and Time of Public Meeting 2 Natural Resources Drive, Little Rock AR 72205, 9:00 a.m.

Addendum I1.02 Fish Health Requirements for Importation Outside of VHSV Positive Areas

Nonresident fish farm permit requestors must submit the most recent health certificate for the facility and the previous three years' worth of health certificates (if available) with their first Nonresident Fish Farm application form if available. Annual renewal application of nonresident fish farm permit must include all new health certificates obtained since issuance of last permit. If selling fish obtained from sources outside of the permitted farm, health certificates from those facilities must be submitted for review prior to importation into the state and a copy must accompany shipment to the final destination. A copy of fish health certificates must accompany shipment with Bill of Lading. Importation of wild caught species is prohibited in accordance with AGFC code 35.13.

Resident and Nonresident Fish Dealers (including Pond Consultants)/Independent Haulers are required to purchase approved species from Commission permitted sources (Code 35.01) with required fish health certificate for stocking purposes within the state of Arkansas. The most recent fish health certificates for sources must be submitted with application/ renewal at time they are submitted. If fish are obtained from a new source, their health certificate must be submitted to AGFC for review prior to the importation of the fish. A copy of fish health certificates must accompany shipment with Bill of Lading and Invoice. Importation of wild caught species is prohibited in accordance with AGFC code 35.13.

- A. A Nonresident Fish Farm and Fish Dealer Permits will only be issued to persons who submit on forms supplied by the Commission satisfactory documentary proof including the following information:
 - 1. Proof an appropriate fish sample has been collected by a qualified independent party during the appropriate season and submitted to qualified fish health inspection laboratory for analysis from the facility and any outside sources the facility utilizes as fish sources;
 - 2. Inspection reports from a qualified testing laboratory asserting the sample tested negative for listed pathogens by appropriate testing methods, and
 - 3. Written documentation from a qualified independent party asserting the fish are farm-raised, the farm or facility uses a VHSV-free water source, and fish or fertilized eggs to be shipped to Arkansas have not been mixed with, or potentially contaminated by, fish or water from known sources of regulated pathogens.
 - 4. A completed application for appropriate permit in compliance with Code 35.01 and Addendum J1.00.

- A. Failure to submit required aquatic animal health documentation in a timely manner will result in a 1-year suspension of eligibility to obtain permit.

- B. **EXCEPTIONS:** Aquatic animal health certificates shall not be required for the importation of live fish or crayfish if:
 - 1. The species are moving to a state-inspected slaughter facility meeting the following criteria:

- a. The slaughter facility must discharge wastewater into a municipal sewage system that includes wastewater disinfection; and
 - b. The slaughter facility must either render or compost offal, including carcasses.
2. Species moving to a qualified diagnostic facility for disease testing.
3. Channel catfish (*Ictalurus punctatus*), Blue catfish (*Ictalurus furcatus*), and Hybrid Catfish (*Ictalurus furcatus* X *Ictalurus punctatus*) imported for commercial foodfish production by Resident fish farms from a permitted Non-resident fish farmers located in the state of Mississippi in the area West of Interstate Highway 55 and North of Interstate Highway 20 provided they remain on the receiving facility except for transfer directly to a state-inspected slaughter facility. These exclusions do not apply for fish destined for recreational or other stocking purposes. Receiving facilities that include these fish as part of their farm level or lot inspection are allowed to offer for sale approved species for stocking purposes.
4. Crayfish imported for immediate human consumption.
5. Marine or tropical aquarium fish species that meet the following criteria:
 - a. The fish are moving directly to a home aquarium; and
 - b. The fish are moving to wholesale or retail distributors of marine and tropical fish and will be permanently confined in a closed system (aquaria, tanks, or pools).