

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

COMMISSIONER'S ORDER NO. 2329

REGULATIONS FOR THE IMPORTATION, TRANSPORTATION,
AND STOCKING OF FISH SPERM, FISH EGGS,
AND LIVE FISH; SUPERSEDING COMMISSIONER'S
ORDER NO. 2239

Pursuant to authority vested in me by Minn. Stat. §§ 97C.209, 97C.211 and other applicable law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following regulations for the importation and transportation of fish sperm, fish eggs, and live fish, and for the stocking thereof in any waters of this state.

Section 1. PERMIT REQUIRED.

Except as otherwise provided in this order, no person shall import into the state, transport within the state, or stock any waters of the state with any fish sperm, fish eggs, or live fish without first obtaining an importation-transportation-stocking permit from the Commissioner of Natural Resources. Permits shall be of two types:

(a) Limited Use Transportation Permit. Limited Use Transportation Permits may be issued for intrastate transportation for stocking private waters provided that no single permit shall exceed 1,000 fish smaller than one-quarter pound each, or 300 pounds of fish larger than one-quarter pound each. Private waters are defined as waters without a DNR Fisheries lake management plan, not currently fished by the public, without a public access and not currently used for public recreation. Limited Use Transportation Permits may also be issued for intrastate transportation between licensed hatcheries,

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with no limitations on numbers or pounds. All used shipping tags provided with the permit shall be returned to DNR Fisheries headquarters in St. Paul within thirty days. New permits shall not be issued until all used tags have been returned.

(b) Unrestricted Permit. An Unrestricted Permit is required for all importation, transportation, or stocking not covered by the Limited Use Transportation Permit as described in paragraph (a) of this section. An Unrestricted Permit shall be valid for only one shipment.

Sec. 2. PERMIT APPLICATION.

An application for a permit to import, transport, or stock fish sperm, fish eggs, or live fish shall be made on forms provided by the commissioner and shall contain the following information:

(a) Species, strain, number, size, and quantity by weight of the fish, eggs, or sperm, as applicable;

(b) Name and address of hatchery or other sources where the fish eggs, or sperm were acquired;

(c) Name and address of purchaser, if any;

(d) Name and address of broker, if any, through which shipment is being made;

(e) Name and address of shipper;

(f) Type of transportation, shipping route, and date of transit;

(g) Name and address of any transfer stations which will be used prior to final delivery;

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- (h) Destination; and
- (i) Any certification required by Section 3.

Sec. 3. CERTIFICATION REQUIRED.

(a) Applications for an importation-transportation-stocking permit for any species or hybrid of the family Salmonidae, their eggs or sperm, or family Ictaluridae (Catfish), their eggs or sperm, must be accompanied by certification that the source of the fish, eggs, or sperm, as well as any transfer stations at which they may be held while in transit, are free of certifiable diseases or other diseases of fish which may threaten resident fish stocks. The date of such certifications shall be provided.

(b) Certifiable fish diseases include but are not limited to the following: infectious hematopoietic necrosis, infectious pancreatic necrosis, viral hemorrhagic septicemia, Myxobolus cerebralis, Ceratomyxa shasta, and enteric redmouth.

(c) Certification shall be made by persons certified by the Fish Health Section of the American Fisheries Society, or the Great Lakes Fish Disease Control Committee, or by persons otherwise recognized by the commissioner to be competent in the diagnosis of fish diseases.

Sec. 4. INSPECTION.

(a) All fish, eggs, or sperm in transit pursuant to this order or held at a transfer station within the state shall be subject to inspection by the commissioner or his agents. Such

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inspection may include the confiscation of reasonable quantities of stock for purposes of pathological analysis.

(b) If certifiable diseases or gross abnormalities are determined to exist, the entire stock shall be subject to impoundment, confiscation, and destruction.

Sec. 5. EXCLUSIONS.

A permit is not required for importation or transportation as indicated, of the following:

(a) Minnows taken in Minnesota and transported exclusively in-state;

(b) Live fish taken in Minnesota under a commercial fishing license that are being transported exclusively in-state for purposes of consumption;

(c) Live fish other than minnows in transit through Minnesota, provided they are not removed from their original shipping containers and are accompanied by proper shipping documents showing place of origin, owner or consignee, and destination;

(d) Aquarium fish imported or transported exclusively for aquarium purposes;

(e) Fish or fish eggs that have been processed for use as food, bait, or for other purposes unrelated to fish propagation;

(f) Live fish from a Minnesota private fish hatchery or fish farm transported directly to an outlet for food purposes

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and accompanied by proper shipping documents showing place of origin, owner or consignee, and destination;

(g) Live fish exported out-of-state when such fish are accompanied by documentation as listed in (f) above;

(h) Sucker or fathead minnow eggs or fry transported exclusively in-state for bait propagation;


(i) Brook, brown, or rainbow trout used in connection with public shows, exhibits, demonstrations, or fish pools for periods not exceeding 14 days, except that a permit is required when fish are imported or destined for eventual stocking in any waters of this state;

(j) Live fish transported between the licensed private fish hatchery or fish farm waters of a Minnesota licensed operator.

Sec. 6. Commissioner's Order No. 2239 is hereby superseded.

Dated at Saint Paul, Minnesota, this 31 day of

July, 1989.


JOSEPH N. ALEXANDER, Commissioner
Department of Natural Resources

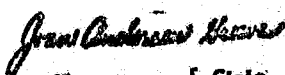
APPROVED AS TO FORM AND EXECUTION

HUBERT H. HUMPHREY, III
Attorney General


C. PAUL FARACI
Deputy Attorney General

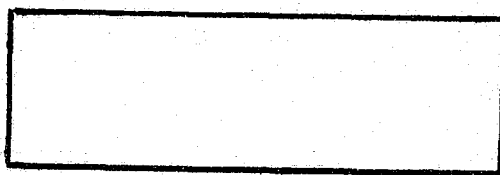
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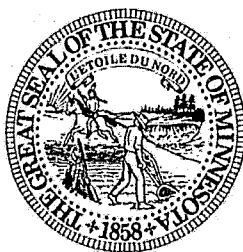

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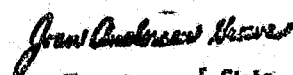
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