

SECTION .0400 - TAGGING FURS

15A NCAC 10B .0401 DEFINITIONS

As used in this Section, the following definitions shall apply:

- (1) "Affix", when used in reference to attachment of a fur tag to the carcass or pelt of an animal, means permanent attachment of the tag through some portion of the carcass or pelt in such a manner as not to be removable without damage to the tag;
- (2) "Carcass" means the dead body of an animal from which the pelt thereof has not been removed;
- (3) "Fur dealer" means any person who is licensed under the provisions of Paragraph (f) of Section 113-273 of the General Statutes of North Carolina;
- (4) "Pelt" means the fur, hide, or skin of an animal which has been removed from the carcass thereof, but does not include a finished product which has been manufactured from such fur, hide or skin or is in the active process of such manufacture;
- (5) "Person" means any individual, firm, corporation or association which is authorized by law to act as an entity.

History Note: Authority G.S. 113-129; 113-134; 113-273; 113-291.4;
Eff. November 14, 1978;
Amended Eff. January 1, 1992; August 1, 1981; October 1, 1980.

15A NCAC 10B .0402 TAGGING FURS

(a) Except as provided in Rule .0404 and .0405 of this Section, it is unlawful to transport or to buy, sell, barter, trade, or otherwise transfer possession or ownership of the carcass or pelt of any bobcat, otter or fox without having affixed to such carcass or pelt an individual tag provided by the North Carolina Wildlife Resources Commission. Each such tag shall bear a serial number. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this paragraph shall apply only to tagging foxes.

(b) It is unlawful for any person to import into this State the carcass or pelt of any otter or bobcat which has not been previously affixed with a tag required and supplied by the state in which the animal was taken. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall no longer apply.

History Note: Authority G.S. 113-134; 113-273; 113-276.1; 50 C.F.R. 23; 87 Stat. 884;
Eff. November 14, 1978;
Amended Eff. August 1, 2010; August 1, 2004; January 1, 1992; October 11, 1980; October 1, 1980.

15A NCAC 10B .0403 APPLICATION FOR TAGS

(a) Fur tags shall be distributed in response to applications made on forms supplied by the Commission.

(b) The fees to be charged for each fur tag are as follows:

<u>Species</u>	<u>Fee</u>
Bobcat	2.20
Otter	2.20

(c) Foxes shall be tagged in accordance with G.S. 113-291.4(g). The carcasses or pelts of foxes lawfully taken and lawfully tagged in an area of open fox season, and those taken under a depredation permit, and those taken under a local law that permits foxes to be sold may be sold; provided that this Paragraph shall not authorize the sale of carcasses or pelts of foxes taken under a depredation permit in any county in which the sale of foxes or parts thereof is prohibited by local law.

History Note: Authority G.S. 113-134; 113-270.1; 113-273; 113-276.1; 113-291.4;
Eff. November 14, 1978;
Amended Eff. April 1, 2003; January 1, 1992; August 1, 1988; July 1, 1988; July 1, 1984.

15A NCAC 10B .0404 TRAPPERS AND HUNTERS

(a) Every fox taken in an area of open season as provided by G.S. 113-291.4 shall be tagged at the scene of taking.

(b) Every person taking any bobcat or otter in this State, or any foxes under a depredation permit, general statute, rule, or local law that permits taking, shall obtain and affix the proper tag to each carcass or pelt before selling or transferring the same to any person or transporting the same for any purpose, except that:

- (1) A person may transport the same from the place of taking to his North Carolina residence and from his North Carolina residence to a fur tag agent or taxidermist's place of business.
- (2) A person may transport the same from the place of taking to the nearest place in this State where the appropriate tag may be obtained.
- (3) The carcass, pelt or mounted specimen is exempt from tagging requirements while in the taxidermist's place of business or after the mount is completed.
- (4) A licensed trapper may take live foxes during any legal trapping season, except foxes taken under G.S. 113-291.4, without tagging them and sell them to a licensed controlled hunting preserve for fox in accordance with G.S. 113-273(g).

No carcass or pelt of any bobcat, otter or fox taken within this State may be removed from the state without a proper fur tag having been affixed thereto, except a licensed taxidermist may ship the same to a tannery for processing. Any carcass or pelt remaining in a person's possession after the end of the season, except those in a licensed taxidermist's place of business or his taxidermy preservation facility, shall be properly tagged by him within 10 days following the close of such season. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.

(c) In any case where the taking of foxes with weapons or traps and the sale thereof is authorized by local legislation, except live foxes taken by licensed trappers who live-trap foxes for sale during any open season the hunter or trapper taking any such fox shall, in the absence of a specific provision to the contrary, obtain and affix the carcass or pelt with a proper tag before selling or transferring the same to any other person, or transporting the same for any purpose than as authorized by Paragraph (a) of this Rule.

History Note: Authority G.S. 113-134; 113-276.1; 113-291.4; S.L. 1985, chs. 108, 179, 180, 664 and 722; Eff. November 14, 1978; Amended Eff. August 1, 2010; July 10, 2010; May 1, 2008; July 1, 1994; January 1, 1992; December 1, 1985; October 1, 1980.

15A NCAC 10B .0405 FUR DEALERS

(a) It is unlawful for any fur dealer licensed or otherwise authorized to deal in furs in this State, or any person or agent acting in his behalf, to buy or accept delivery from any person the carcass or pelt of any fox taken within the State which has not been previously affixed with a tag provided by the North Carolina Wildlife Resources Commission as required by this Section.

(b) It is unlawful for any fur dealer to import into this State the carcass or pelt of any otter or bobcat which has not been previously affixed with a tag required and supplied by the state in which the animal was taken. It is unlawful for any fur dealer, or agent of a fur dealer, to import into this State or to accept delivery of a carcass or pelt of any fox from a source located in any other state which does not by law or regulation require tagging of such carcasses or pelts, or a carcass or pelt of any fox which has not been tagged in accordance with the tagging requirements of the state from which it is imported, unless documentation of the date and hour of the arrival of such carcass or pelt at such fur dealer's place of business is available for inspection and such carcass or pelt is affixed with a fur tag provided by the North Carolina Wildlife Resources Commission within seven days after the date and hour of such arrival. No such carcass or pelt shall be resold or removed from such fur dealer's place of business without having been tagged as required by this Section. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.

(c) Any fur dealer or agent of a fur dealer authorized to do business in this State may import and accept delivery in this State of the carcass or pelt of any bobcat, otter or fox which has been affixed with a tag when and as required by the laws or regulations of the state from which such carcass or pelt is imported. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.

(d) Except as provided by Paragraph (b) of this Rule, it is unlawful for any fur dealer licensed to do business in this State to have in possession the carcass or pelt of any bobcat, otter or fox which has not been affixed with a fur tag provided by the North Carolina Wildlife Resources Commission or a tag required by the laws or regulations of the state from which the same was imported. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.

(e) Each fur dealer licensed to do business in this State shall maintain records of all acquisitions of carcasses and pelts of beaver, bobcat, mink, muskrat, nutria, opossum, otter, raccoon, skunk, weasel, and foxes. Such records shall

consist of receipts, copies of receipts, or other written evidence of the transactions showing the sources and numbers of acquisition. Each fur dealer shall provide the Wildlife Resources Commission with monthly reports, made on forms supplied by the Commission, summarizing all acquisitions of carcasses and pelts of such animals, except those which have been acquired from and reported by other fur dealers licensed by the State. The reports shall include all such acquisitions made during each month beginning with October and ending with March of the following year; shall distinguish between acquisitions made within the State and those made from without the State; and, if acquired from within the State, shall indicate the counties in which the animals were taken. The report covering each month shall be mailed or delivered to the Commission on or before the 15th day of the next succeeding month. The records required by this Paragraph and the inventory of carcasses and pelts on hand shall be made available for inspection by any officer or representative of the Wildlife Resources Commission upon request at all reasonable times. In the case of nonresident fur dealers licensed to do business in this State, the records and reports required by this Paragraph apply only to carcasses or pelts of animals acquired from within this State, and no reports are required from nonresident fur dealers who acquire pelts only from other fur dealers licensed in the State.

(f) The tagging requirements of Paragraph (a) of Rule .0402 of this Section and of Paragraphs (b) and (d) of this Rule do not apply to the pelts or furs of foxes that are imported into this State by a fur dealer operating under a valid North Carolina Fur-Dealer Station License at a fixed place of business or to such pelts or furs delivered to the place of business of such fur dealer by a seller from another state provided that the following conditions are satisfied:

- (1) the nonresident seller is a licensed fur dealer in the state from which the pelts or furs originated;
- (2) the resident dealer has available for inspection a dated, signed bill of sale indicating the precise number of green pelts and dry pelts of fox purchased in each lot of imported fur; the name, address, and fur dealer license number of the seller; and the date of arrival of the lot of pelts at the licensed place of business;
- (3) imported green pelts of fox are kept separate from the green pelts of native fox during processing and are readily identifiable as to imported lot number and bill of sale;
- (4) imported dry pelts of fox are not batched with native dry pelts of fox unless such pelts are marked in a manner that readily identifies them as to imported lot number and bill of sale;
- (5) such imported, untagged pelts of fox are imported, processed, and stored only for sale and export to buyers in other states; and
- (6) such imported, untagged pelts of fox are not held on the premises for longer than 21 days from the date of arrival without having been tagged as required by Rule .0402(a) of this Section.

History Note: Authority G.S. 113-129; 113-134; 113-273; 113-291.3; 113-291.4; 50 C.F.R. 23; 87 Stat. 884; Eff. November 14, 1978; Amended Eff. August 1, 2010; January 1, 1992; December 1, 1981; August 1, 1981; February 2, 1981.

15A NCAC 10B .0406 MISUSE OF TAGS

(a) It is unlawful for any person to use or affix a fur tag which is valid for one season to the carcass or pelt of any bobcat, otter or fox taken or acquired during any subsequent season. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.

(b) It is unlawful for any person to affix any fur tag to the carcass or pelt of any species of animal other than that for which its use is authorized and it is unlawful to buy or sell any bobcat, otter or fox carcass or pelt which has an unauthorized tag so affixed. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.

(c) It is unlawful for any person to sell or transfer any unused fox tag to any other person. It is unlawful for any person to sell any unused fur tag for a price greater than the fee listed for such tag in Paragraph (c) of Rule .0403 of this Section.

(d) It is unlawful for any person to reuse a fur tag or to remove the same from the pelt to which affixed prior to delivery to a manufacturer or fur processor.

(e) It is unlawful to counterfeit or modify any fur tag.

History Note: Authority G.S. 113-134; 113-135; 113-135.1; 113-273; 113-276.1; 113-291.4; Eff. November 14, 1978; Amended Eff. August 1, 2010; January 1, 1992; December 1, 1981; October 1, 1980.

15A NCAC 10B .0407 REVOCATION AND NONRENEWAL OF LICENSES

History Note: Authority G.S. 113-134; 113-276.2; 113-276.3; 113-277;
Eff. October 1, 1980;
Repealed Eff. July 1, 1988.

15A NCAC 10B .0408 FOX DEALER PERMIT

History Note: Authority G.S. 113-134; 113-274; 113-291.3; 113-291.4;
Eff. November 1, 1982;
Repealed Eff. July 1, 1988.

15A NCAC 10B .0409 SALE OF LIVE FOXES AND COYOTES TO CONTROLLED FOX HUNTING PRESERVES

Licensed trappers may, subject to the restrictions on taking foxes in G.S.113- 291.4, live-trap foxes and coyotes during any open trapping season for foxes and coyotes, and sell them to licensed controlled fox hunting preserves in accordance with the following conditions:

- (1) Licensed trappers are exempt from caging, captivity permit or captivity license requirements set forth in 15A NCAC 10H .0300 for any live-trapped foxes or coyotes trapped for the purpose of sale to controlled hunting preserves. This exemption shall apply during the trapping season and for a period of 10 days after the trapping season.
- (2) Licensed trappers are exempt from tagging requirements set forth in this Section so long as the foxes are kept alive.

History Note: Authority G.S. 113-134; 113-273(g);113-291.4;
Eff. January 1, 1992;
Amended Eff. July 10, 2010; June 1, 2004.