

TEMPORARY AND PROPOSED RULE FOR AGENDA ITEM 5J.

**13.01.10 – RULES GOVERNING THE IMPORTATION, POSSESSION,
RELEASE, SALE, OR SALVAGE OF WILDLIFE**

300. RECOVERY, POSSESSION AND SALE OF WILDLIFE PARTS.

01. Wildlife Legally Killed.

(3-23-94)

a. The possession, sale and purchase of wildlife or parts of wildlife that have been legally killed is lawful except as provided in this Chapter below and as provided in Chapter 5, Title 36, Idaho Code.
(3-23-94)

i. The edible flesh of wildlife classified as big game animals, upland game animals, game birds, migratory birds, or rattlesnakes taken from the wild may not be purchased, bartered or sold.
(4-7-11)

ii. The edible flesh of wildlife classified as game fish or crustacea that are taken from the wild may not be purchased, bartered or sold except as provided in Idaho Code Sections 36-501 and 36-801 through 36-805 and rules promulgated pursuant thereto.
(3-23-94)

iii. The annual sale by holders of a valid Idaho hunting, trapping or combination hunting and fishing license of up to six (6) skins of legally taken rattlesnakes is lawful pursuant to IDAPA 13.01.06, "Classification and Protection of Wildlife," Subsection 300.02 and Subsection 100.06 of this rule.
(4-7-11)

b. A written statement showing the taker's name, address, license and tag numbers, date and location of kill, signed by the taker, must be provided to the buyer of any black bear or mountain lion head, hide or parts (except tanned hides finished into rugs or mounts). A copy of the sales statement must be forwarded by the buyer to the Idaho Department of Fish and Game within ten (10) days after such sale. A department CE-50, Statement of Sale/ Purchase of Wildlife Parts, may be used in lieu of a sales statement.
(4-7-11)

c. Persons possessing a taxidermist or fur buyer license shall keep a record for two (2) years from the date the wildlife was received for mounting or preservation, furbearers purchased and raw black bear skins, raw mountain lion skins or parts of black bears or mountain lions purchased. Records may be written or retained on media other than paper and must comply with standards set forth in Section 9-328, Idaho Code. Copies of sales statements as per Subsection 300.01.b. satisfy provisions of this rule.
(4-7-11)

2. Animals Found Dead. Protected species of wildlife that have died naturally or accidentally remain in public trust to be disposed of by the Department of Fish and Game. However, a person may recover, possess, sell or purchase the wildlife parts as specified below, but ONLY under the conditions specified and ONLY if the wildlife has NOT been unlawfully killed. Natural causes shall not include any man-caused mortality. Accidental death shall include accidental vehicle-collision caused mortality.
(3-29-12)

a. Horns of Bighorn Sheep.
(7-1-93)

i. Bighorn sheep horns of animals that have died of natural causes may be recovered and possessed but may not be sold, bartered or purchased and may not be transferred to another person without a permit issued by the Director. All such pickup horns must be presented to an Idaho Department of Fish and Game regional or subregional office for marking by placement of a permanent metal pin in the horn within thirty (30) days of recovery. The insertion of a pin does not in itself certify that the animal was legally taken or possessed. The pin only identifies the horn(s) and indicates that mandatory check and report requirements were complied with.
(3-23-94)

ii. No person shall alter, deface or remove a pin placed in a bighorn sheep horn by the Idaho Department of Fish and Game. No person shall possess the horn(s) of a bighorn sheep that bears an altered, defaced or counterfeit Idaho pin or from which the Idaho pin has been removed. (3-23-94)

b. Antlers, hides, bones, and horns of deer, elk, moose, pronghorn and mountain goat, parts of bear and mountain lion and elk teeth of animals that have died of natural causes may be recovered, possessed, purchased, bartered or sold. Reporting of bear and mountain lion parts is required pursuant to Subsection 300.01, of this rule. (3-29-12)

c. Parts, including meat, of big game animals, upland game animals, upland game birds, and furbearing animals, which may be lawfully hunted or trapped, that have been accidentally killed as a result of vehicle-collision mortality may be recovered and possessed with notification to the Idaho Department of Fish and Game within twenty-four (24) hours of salvage and with written authorization within seventy-two (72) hours from the Director or a delegate on a form prescribed by the Department, if such taking is not in violation of state, federal, county, or city law, ordinances, rules, or regulations. Mandatory check and report requirements must be followed for bighorn sheep, black bear, mountain lion, mountain goat, moose, gray wolf, bobcat and river otter as described in IDAPA 13.01.08.420 and 13.01.16.500. (3-29-12)

d. Parts, excluding meat, of big game animals (except bighorn sheep), upland game animals, upland game birds, and furbearing animals, which may be lawfully hunted or trapped, that have been accidentally killed as a result of vehicle-collision mortality may be purchased, bartered, or sold, where sale is not specifically prohibited by federal statute or regulation or state statute, when accompanied by written authorization from the Director as described in IDAPA 13.01.10.300.02.c. Bighorn sheep that have been accidentally killed as a result of vehicle-collision mortality may not be purchased, bartered, or sold. (3-29-12)

03. Wildlife Taken in Other States. Wildlife or parts thereof that have been legally taken outside of Idaho, may be possessed or sold in Idaho if such possession or sale is not prohibited in Idaho or the state, province or country where taken, or by federal law or regulation; (3-23-94)

301. PROHIBITION ON POSSESSION, IMPORTATION, AND TRANSPORTATION OF WILD CERVID CARCASSES OR PARTS FROM AREAS WITH CHRONIC WASTING DISEASE (CWD).

01. **Prohibitions.** It is unlawful to:

- a. Import into Idaho the carcass or any part of a wild deer, elk, or moose from another state, province of Canada, or country (other than Canada) with any documented case of CWD;
- b. Transport the carcass or any part of a wild deer, elk, or moose out of any CWD Management Zone designated by the Idaho Fish and Game Commission to any portion of the state that is not a designated CWD Management Zone; or
- c. Possess the carcass or any part of a wild deer, elk, or moose that: has been imported from another state, province or country (other than Canada) with a documented case of CWD; or transported out of any CWD Management Zone designated by the Idaho Fish and Game Commission to any part of the state that is not a designated CWD Management Zone.

02. **Exceptions.** This Section does not apply to the following animal parts:

- a. Meat that is cut and wrapped;
- b. Quarters or deboned meat that does not include brain or spinal tissue;
- c. Edible organs that do not include brains;
- d. Hides without heads;
- e. Upper canine teeth (ivories, buglers, or whistlers);
- f. Finished taxidermy;
- g. Dried antlers; or
- h. Cleaned and dried skulls or skull caps. (x-xx-xx)