

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 635
WILDLIFE CONSERVATION MEASURES AND PRACTICES

Section	
635.10	Definitions
635.20	Importation of Live Animals
635.30	Importation of Animal Carcasses and Parts
635.40	Feeding or Baiting of Wildlife
635.50	Penalties

AUTHORITY: Implementing and authorized by Sections 1.10, 2.2, 2.3, 3.23, 3.25, 3.27, 3.34 and 3.36 of the Wildlife Code [520 ILCS 5/1.10, 2.2, 2.3, 3.23, 3.25, 3.27, 3.34 and 3.36].

SOURCE: Adopted by emergency rulemaking at 26 Ill. Reg. 12650, effective August 1, 2002, for a maximum of 150 days; adopted at 27 Ill. Reg. 525, effective December 27, 2002; amended at 27 Ill. Reg. 18973, effective December 4, 2003.

Section 635.10 Definitions

Accredited Veterinarian - A veterinarian who is licensed by the state in which he practices, is approved by the animal health authority of that state, and is accredited by the United States Department of Agriculture.

Cervids - All members of the family Cervidae, which includes deer, moose, elk and caribou.

Section 635.20 Importation of Live Animals

- a) Mammalia: Cervidae
 - 1) Elk entering Illinois shall originate from a certified brucellosis-free herd or be negative to a brucellosis card test or PCFIA test conducted within 60 days on all animals 6 months of age and over.
 - 2) Certified brucellosis-free cervid herds shall be established and maintained in accordance with the Brucellosis Uniform Methods and Rules as approved by the United States Animal Health Association (P.O. Box K227, Suite 114, 1610 Forest Avenue, Richmond, Virginia 23228; September 30, 1998, as amended May 14, 1999, and not including any later amendments or editions beyond the date specified) and the United States Department of Agriculture.

- 3) All cervids entering Illinois must also be in compliance with the Illinois Diseased Animals Act [510 ILCS 50] and 8 Ill. Adm. Code 85 and the Illinois Bovidae and Cervidae Tuberculosis Eradication Act [510 ILCS 35] and 8 Ill. Adm. Code 80.
- 4) All cervids entering Illinois must be accompanied by a permit from the Illinois Department of Agriculture and a Certificate of Veterinary Inspection that:
 - A) has been issued by an accredited veterinarian of the state of origin or a veterinarian in the employ of the United States Department of Agriculture;
 - B) is approved by the Animal Health Official of the state of origin;
 - C) shows that the cervids are free from visible evidence of any contagious, infectious or communicable disease or exposure thereto, do not originate from a Chronic Wasting Disease (CWD) endemic area (any county and surrounding counties where CWD has been diagnosed in the past 5 years);
 - D) shows the cervids are not originating from a herd under quarantine for any contagious, infectious or communicable disease;
 - E) shows that the animals originate from a herd that has been monitored for at least 5 years under a state-approved CWD certification program and was CWD-free for that period or originate from a herd that meets the following criteria:
 - i) the herd has been monitored under a state-approved CWD herd certification program for at least 5 years and was CWD-free for that period. This requirement will change to 3 years on June 1, 2003, 4 years on January 1, 2004 and 5 years on January 1, 2005;
 - ii) any additions to the herd are natural additions or have been in the herd for at least one year;
 - iii) complete herd records, including records of purchases, deaths and causes of deaths are maintained for at least 5 years;
 - iv) the herd has been under veterinary supervision for a minimum of 5 years;
 - v) the animals have not been exposed to any animal from a herd

diagnosed with CWD in the past 5 years;

- vi) the permit contains a statement by the veterinarian for the herd of origin certifying that the herd has been under veterinary supervision for a minimum of 5 years and has had no exposure to any cervid from a CWD trace-back or trace-forward herd; and
 - vii) the permit contains a statement signed by the owner certifying that all statements on the certificate of veterinary inspection are correct; and
- F) lists each cervid's unique individual identification (approved ear tag, tattoo or microchip).
- 5) No cervid may enter Illinois for immediate slaughter without obtaining the appropriate permit from the Illinois Department of Agriculture as specified in 8 Ill. Adm. Code 85.

b) Other Animals

All other animals are exempted from this Section.

Section 635.30 Importation of Animal Carcasses and Parts

Importation of hunter-harvested deer and elk carcasses into Illinois is prohibited except for:

- a) deboned meat, antlers, antlers attached to skull caps, hides, upper canine teeth (also known as "buglers", "whistlers", or "ivories"). Skull caps shall be cleaned of all brain and muscle tissue;
- b) finished taxidermist mounts;
- c) carcasses or parts of carcasses with the spinal column or head attached may be transported into the State only if they are submitted to a licensed meat processor or a licensed taxidermist for processing within 72 hours after entry; licensed meat processors and taxidermists shall dispose of inedible tissue not exempted in subsection (a) in a properly permitted landfill or with a renderer; and
- d) tissues can be imported into the State for use by a diagnostic or research laboratory; and
- e) carcasses or parts of carcasses may be transported into the State to a properly permitted facility, to be disposed of, as long as the transportation and disposal complies with all applicable Illinois and federal laws and regulations. Carcasses or

parts of carcasses to be disposed of must be frozen when transported and stored.

AGENCY NOTE: Nothing in this Part shall prevent renderers regulated under the Illinois Dead Animal Disposal Act [225 ILCS 610] with Class A or B licenses from transporting cervid carcasses or parts into the State for the purpose of rendering.

(Source: Amended at 27 Ill. Reg. 18973, effective December 4, 2003)

Section 635.40 Feeding or Baiting of Wildlife

It shall be illegal to make available food, salt, mineral blocks or other products for ingestion by wild deer or other wildlife in areas where wild deer are present. Exempted from this Section are the following:

- a) elevated bird/squirrel feeders providing seed, grain, fruit, worms, or suet for birds or squirrels located within 100 feet of a dwelling devoted to human occupancy;
- b) incidental feeding of wildlife within active livestock operations;
- c) feeding of wild animals, other than wild deer, by hand as long as a reasonable attempt is made to clean up unconsumed food;
- d) feeders for wildlife other than deer so long as deer are excluded from the feed in and around the feeder by fencing or other barriers;
- e) standing crops planted and left standing as food plots for wildlife;
- f) grain or other feed scattered or distributed solely as a result of normal agricultural, gardening, or soil stabilization practices;
- g) standing, flooded, or manipulated natural vegetation or food/seed deposited by natural vegetation;
- h) grain or other feed distributed or scattered solely as the result of manipulation of an agricultural crop or other feed on the land where grown, for purposes of dove hunting;
- I) food material placed for capturing or killing wildlife pursuant to 520 ILCS 5/2.37, 2.30, and 1.3;
- j) scientific permits issued pursuant to 17 Ill. Adm. Code 520 that allow food to attract wildlife;
- k) any other permits issued by the Department of Natural Resources that require the attraction of wildlife for purposes of management, research or control.

Section 635.50 Penalties

Violation of the provisions of this Part is a Petty Offense with a maximum fine of \$1,000.