

Department of Natural Resources**Proposed Expedited Permanent Rules Relating to Fur Farms****6242.1500 DEFINITIONS; SCOPE.****Subpart 1. Definitions.**

A. The definitions in this subpart and in Minnesota Statutes, section 97A.015, apply to parts 6242.1500 to 6242.2300.

B. "Farmed animal" means a fur-bearing animal of a species listed on a licensee's fur farm license.

C. "Reportable disease" means a disease included on the Board of Animal Health's reportable animal disease list under part 1721.0020, subpart 7.

Subp. 2. **Scope.** Parts 6242.1500 to 6242.2300 apply to a fur farm license issued by the commissioner.

6242.1550 FUR FARM LICENSE; APPLICATION.

Subpart 1. **Species specified on license.** A fur farm license must specify the species of fur-bearing animals that may be bred or propagated by the license holder.

Subp. 2. **Application requirements.** An application for a fur farm license must include:

A. the name and mailing address of the individual completing the application;
B. the name and mailing address of the business for which a license is requested, if different than item A;

C. one of the following identification numbers:

(1) federal employee identification number;

(2) Minnesota tax identification number; or

(3) Social Security number;

D. the species of fur-bearing animals to be listed on the license; and

E. for a new fur farm, a description of how the requirements in part 6242.1600, subpart 1, will be achieved.

6242.1600 FUR FARM REQUIREMENTS.

Subpart 1. Animal care. A fur farm licensee must:

A. provide clean, secure enclosures that allow animals to move normally, meet animal social needs, prevent escape, and prevent contact with wildlife. Enclosures must include shelter to protect animals from excessive heat in summer and cold in winter. Animals must be housed with compatible species and separated from those that may cause stress or harm;

B. provide enclosures of sufficient size and design to allow each animal to:

(1) stand upright in a normal posture without crouching;

(2) lie in a fully extended position with all limbs outstretched;

(3) turn around freely; and

(4) engage in normal species-typical behaviors, such as grooming and accessing feed and water;

C. maintain facilities to ensure animal health and welfare, including regular cleaning and sanitation, effective pest control, and wildlife exclusion measures to prevent contact between wild animals and farmed fur-bearing animals;

D. provide clean, species-appropriate food stored to prevent spoilage and contamination and provide access to feed at least daily except when animals have continuous access to food through an automatic or self-feeding system or when less frequent feeding

is appropriate for the species and environmental conditions. Food must be uncontaminated, wholesome, palatable, and of sufficient quantity and nutritive value to maintain animals in good health; and

E. ensure animals have access to potable water or are watered at least daily and more often as necessary to maintain normal hydration. Water receptacles must be kept clean.

Subp. 2. **Inspections.** A person who obtains a fur farm license must allow the commissioner to inspect the premises, facilities, animals, and records required under part 6242.2000 upon request.

Subp. 3. **Escaped animals.**

A. A person who obtains a fur farm license must notify the commissioner within 24 hours if an escaped farmed animal is not recaptured and must allow the commissioner to destroy or recapture the animal that escapes if the animal:

(1) is not recaptured within 72 hours of providing notice; or

(2) poses a risk to native wildlife, domestic animals, or public safety.

B. Except as provided under item C, the commissioner must consult with the licensee before intervening under item A.

C. Prior consultation is not required when immediate action is necessary to address a risk or prevent further harm to native wildlife, domestic animals, or public safety.

6242.1800 ACQUIRING FUR FARM ANIMALS.

A fur farm licensee may acquire fur-bearing animals only if the animals are captive reared and are acquired from a licensed fur farm operator or other person exempt from the licensing requirement.

6242.1900 SALE OR DISPOSAL OF FUR FARM ANIMALS.

Subpart 1. **Record requirement.** For each sale or disposal of a farmed animal, the fur farm licensee must complete an invoice or a sales receipt. The invoice or receipt must include the following:

- A. name, address, and fur farm license number of the licensee;
- B. name and address of the purchaser or person to whom sale or disposal is made;
- C. species and number of animals; and
- D. identification numbers if the animals are marked with tags, bands, or tattoos.

Subp. 2. **Routing.** The original sales receipt or invoice for a farmed animal must be submitted to the Division of Enforcement as soon as possible but no later than within seven days. A copy must be given to the person to whom sale or disposal is made at the time of the transaction. A second copy must be retained by the licensee and is subject to inspection by the commissioner.

Subp. 3. **Shipping animals by common carrier.** When fur-bearing animals, animal parts, or animal products are shipped by common carrier or are transported other than by the person to whom sale or disposal is made, a copy of the receipt or invoice or other documentation of the contents of the package must be attached to the outside of the container or to one of the containers if a single shipment is made in several containers.

Subp. 4. **Certificate of veterinary inspection for imported animals.** A licensee must obtain a certificate of veterinary inspection for any fur-bearing animals imported into Minnesota, and the certificate must meet the requirements of part 1721.0040. The certificate must be issued by a licensed veterinarian and must accompany the animals at the time of import.

Subp. 5. Disposal of carcasses.

A. Fur farm licensees must dispose of all animal carcasses in compliance with all applicable federal, state, and local requirements. Acceptable disposal methods include:

(1) rendering, when applicable, according to Minnesota Statutes, section 35.82;

(2) incineration using a device compliant with part 7011.1215 and any other applicable ordinances or regulations;

(3) composting according to part 1721.0740;

(4) disposal in a licensed, permitted landfill operating in compliance with applicable state and local requirements; and

(5) burial according to part 1721.0700 and any other state and local requirements.

B. All disposal methods must be conducted in a manner that prevents access to wildlife and protects groundwater, surface water, and adjacent properties from contamination.

6242.1950 DISEASE TESTING AND REPORTING.

Subpart 1. Disease preparedness plan. A person applying for a fur farm license must submit a disease monitoring and response plan to the commissioner at the time of application.

The plan must include:

A. protocols for routine visual inspections of farmed animals by personnel, including the licensee or the licensee's employees or agents, who have received training on the normal appearance, behavior, and health of the animals from the licensee or an animal health professional;

B. protocols for responding to illness or death of a farmed animal, including prompt veterinary consultation;

C. procedures for reporting suspected or confirmed reportable diseases to the commissioner; and

D. procedures for notifying the Board of Animal Health of reportable diseases, as appropriate, according to part 1721.0020.

Subp. 2. Mortality reporting requirements.

A. Fur farm licensees must notify the commissioner as soon as possible but not longer than 24 hours after a mortality event that exceeds any of the following thresholds:

(1) double the average weekly mortality, based on the prior 12 months of records and adjusted for the current population of farmed animals;

(2) 15 percent of the population of farmed animals in a seven-day period if no records are available under subitem (1); or

(3) more than 15 farmed animals within seven days if fewer than 100 animals are contained.

B. If any threshold in item A is exceeded, the commissioner must, in consultation with the Board of Animal Health and the Department of Health, require diagnostic testing unless the cause of mortality is unrelated to disease, such as flooding, fire, or predation.

C. A licensee must notify the commissioner immediately if the licensee knows or reasonably should know that a farmed animal on the licensee's premises is infected with, is exposed to, or shows clinical signs of a reportable disease. Notification under this item must be made even if the disease is also reported to the Board of Animal Health.

Subp. 3. Testing administration and reporting.

A. Samples for testing under subpart 2, item B, must be collected by a licensed veterinarian. Testing must be conducted by a laboratory approved by the National Animal Health Laboratory Network or another laboratory approved by the commissioner based on

demonstrated capability to perform the required tests in accordance with nationally recognized diagnostic standards. Unless state or federal funds are available for this purpose, testing must be conducted at the licensee's expense up to \$500. The Department of Natural Resources must pay any costs that exceed \$500.

B. The licensee must report test results to the commissioner within three business days after receiving the results.

Subp. 4. **Quarantine and investigation.**

A. If a farmed animal poses a threat to wild animals because it is infected with, is exposed to, or shows clinical signs of a reportable disease or other contagious or infectious dangerous disease that poses a risk to wild animals, the commissioner must:

(1) assess the risk of disease transmission; and

(2) coordinate with the Board of Animal Health to require the licensee to implement site-specific quarantine procedures until the threat is abated, unless the evaluation under subitem (1) determines that immediate quarantine is not necessary to prevent disease transmission, such as when an animal has been euthanized, securely contained, or otherwise eliminated as a disease risk.

B. The commissioner must assess the threat and coordinate the disease response with the Board of Animal Health, the Department of Health, and other affected public health or animal health authorities.

Subp. 5. **Testing to protect wild animals.** If a farmed animal poses a threat to wild animals because it is infected with, is exposed to, or shows clinical signs of a reportable disease or other contagious or infectious dangerous disease, the commissioner must assess the risk of disease transmission and must coordinate with the Board of Animal Health to determine whether testing is required.

6242.2000 REQUIRED FUR FARM RECORDS.

Subpart 1. **Record keeping.** Fur farm licensees must keep records for all species in a form that is legible and readily available for inspection. Records must include:

A. for each animal acquired other than by birth on the licensee's fur farm, the sex, if known, and species of the animal; the name and address of the source from which acquired; the date of acquisition; and the number of any band, tag, or tattoo attached to the animal before or after acquisition;

B. for each animal born on the licensee's fur farm, the sex, species, and date of birth of the animal and the number of any band, tag, or tattoo subsequently attached to the animal;

C. the records required under part 6242.1900, subpart 1; and

D. for each farmed animal that dies or is destroyed on the licensee's fur farm, the sex, species, and date of death of the animal and the number of any band, tag, or tattoo attached to the animal.

Subp. 2. **Entering, retaining, and inspecting records.** Records required under this part must be entered into the record book within 48 hours of the birth, transaction, acquisition, death, or disposal of a farmed animal, animal part, or animal product. Records must be maintained for three years after the year of creation. All required records and receipts must be available for inspection by the commissioner upon request.

6242.2100 LICENSE RENEWAL AND ANNUAL REPORTS.

Subpart 1. **License renewal deadline.** A person licensed to operate a fur farm must submit their renewal application and the renewal fee on or before January 1 each year to maintain continuous licensure.

Subp. 2. **Expiration and lapse in licensure.** A person who fails to submit the required application and fee by January 1 is not considered licensed for the subsequent license year until the required application and fee are received by the commissioner.

Subp. 3. **Reports.** License holders must submit an annual report to the Division of Enforcement by January 15. The report must include copies of all records maintained under parts 6242.1900, subpart 1, and 6242.2000, subpart 1, that were created since the previous annual report.

6242.2200 THREATENED OR ENDANGERED SPECIES.

A fur farm license is not a license to possess, breed, propagate, sell, or dispose of any state-listed or federally listed threatened or endangered species, unless the state-listed or federally listed threatened or endangered species is specifically listed on the fur farm license and has been lawfully obtained.

6242.2300 VIOLATIONS, ENFORCEMENT, AND SUSPENSION.

Subpart 1. **Violations and enforcement.** A violation of parts 6242.1500 to 6242.2300 is subject to enforcement action, including suspension or revocation of the fur farm license, issuance of a citation, or other actions consistent with the department's enforcement authority under Minnesota Statutes, sections 97A.201 to 97A.255.

Subp. 2. **Operating under a suspended license.** Fur farm operators may not obtain or sell fur-bearing animals, animal parts, or animal products under a suspended license unless authorized by the commissioner. Licenses that are under suspension cannot be reinstated until an application is resubmitted and the applicant's facility has been reinspected. A license that remains under suspension until the following year is revoked.