

# APPLICATION FOR FARMED CERVIDAE LICENSE

<b>FOR OFFICE USE ONLY</b>	
PERMIT NUMBER:	_____
DATE ISSUED:	_____
RCPT. #:	_____ AMT: _____
REV #375	

**RETURN TO:**

OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, & FORESTRY  
PO BOX 528804  
OKLAHOMA CITY, OK 73152-8804

ENCLOSE PAYMENT WITH APPLICATION BY CASHIERS CHECK, PERSONAL CHECK, OR MONEY ORDER  
**MADE PAYABLE TO OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, & FORESTRY.**

**\$125.00 FOR INITIAL LICENSE**

**\$75.00 FOR RENEWAL LICENSE**

IS THE LAND OR FACILITY **OWNED** OR **LEASED** BY THE APPLICANT(S)? **PLEASE CIRCLE ONE CHOICE.**

IF THE LAND OR FACILITY IS LEASED, CONTACT INFORMATION OF THE LANDOWNER(S) MUST BE INCLUDED.

PLEASE LIST THE NAME, ADDRESS, AND PHONE NUMBER(S) OF ALL LANDOWNER(S), LESSEE(S), AND ONE OPERATOR (IF APPLICABLE). ATTACH EXTRA SHEET IF NEEDED.

NAME: \_\_\_\_\_  **LANDOWNER**  **LESSEE**  **OPERATOR**

HOME PHONE: \_\_\_\_\_ WORK PHONE: \_\_\_\_\_ CELL PHONE: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ COUNTY: \_\_\_\_\_

EMAIL ADDRESS (optional): \_\_\_\_\_

NAME: \_\_\_\_\_  **LANDOWNER**  **LESSEE**  **OPERATOR**

HOME PHONE: \_\_\_\_\_ WORK PHONE: \_\_\_\_\_ CELL PHONE: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ COUNTY: \_\_\_\_\_

EMAIL ADDRESS (optional): \_\_\_\_\_

NAME: \_\_\_\_\_  **LANDOWNER**  **LESSEE**  **OPERATOR**

HOME PHONE: \_\_\_\_\_ WORK PHONE: \_\_\_\_\_ CELL PHONE: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ COUNTY: \_\_\_\_\_

EMAIL ADDRESS (optional): \_\_\_\_\_

NAME OF PRIMARY CONTACT (must be listed above): \_\_\_\_\_

HAVE ANY OF THE APPLICANTS ON THIS FORM BEEN CONVICTED OF A FELONY, MISDEMEANOR, ADMINISTRATIVE, OR CIVIL VIOLATION OF ANY NATURAL RESOURCES REQUIRMENTS, INCLUDING BUT NOT LIMITED TO FORESTRY, FISHERIE, ENVIRONMENTAL, DOMESTIC OR WILDLIFE ANIMAL HEALTH IN OKLAHOMA OR ANY OTHER JURISDICTION?  **YES**  **NO**

**IF YES,** PLEASE ATTACH A LIST AND DESCRIPTION OF ALL OFFENSES.  
**BACKGROUND CHECKS MAY BE PERFORMED.**

(Continue on reverse side)

FACILITY/FARM/BUSINESS NAME (please list all): \_\_\_\_\_

PHYSICAL ADDRESS OR LEGAL DESCRIPTION TO NEAREST QUARTER SECTION: \_\_\_\_\_

DRIVING DIRECTIONS FROM NEAREST TOWN OR MAJOR INTERSECTION: \_\_\_\_\_

**PLEASE ATTACH A MAP OR DRAWING OF THE FACILITY DIAGRAMING ALL STRUCTURES, FENCING, WATER GAPS, CARCASS DISPOSAL SITES, AND OTHER PARAMETERS.**

MARK ALL METHODS OF CARCASS DISPOSAL BELOW. CARCASS DISPOSAL AREAS SHALL BE LOCATED A MINIMUM OF 30 FEET FROM ANY LIVE FARMED CERVIDAE. **CARCASS DISPOSAL SITES WILL BE INSPECTED.** PLEASE CONTACT OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, & FORESTRY - AGRICULTURAL ENVIRONMENTAL MANAGEMENT SERVICES AT (405) 522-4659 FOR MORE INFORMATION REGARDING CARCASS DISPOSAL OPTIONS.

- BURIAL** (MARK ALL SITES ON MAP)
- CLOSED-AIR INCINERATION** (MARK SITE ON MAP) – **OPEN AIR INCINERATION SHALL NOT BE APPROVED.**
- COMPOSTING** (OUTLINE PLAN ON ATTACHED SHEET AND MARK SITE ON MAP)
- LANDFILL** (LIST COMPANY AND PHONE NUMBER) \_\_\_\_\_
- RENDERING** (LIST COMPANY AND PHONE NUMBER) \_\_\_\_\_

“I, THE LICENSURE APPLICANT, CERTIFY UNDER PENALTY OF LAW THIS DOCUMENT, ALL ATTACHMENTS, AND INFORMATION SUBMITTED ARE TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE, AND COMPLETE. I AM AWARE THERE ARE SIGNIFICANT PENALTIES FOR KNOWINGLY SUBMITTING FALSE, INACCURATE, OR INCOMPLETE INFORMATION, INCLUDING THE POSSIBILITY OF FINES FOR EACH VIOLATION AND LICENSURE DENIAL, RESTRICTION, SUSPENSION, OR REVOCATION. IN ADDITION, UNDER THIS LICENSE, I AGREE TO COMPLY WITH THE LAWS OF THE STATE OF OKLAHOMA, AND THE RULES AND REGULATION OF THE OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD AND FORESTRY.”

**SIGNATURE OF LANDOWNER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**SIGNATURE OF LANDOWNER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**SIGNATURE OF LESSEE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**SIGNATURE OF LESSEE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**AN OPERATOR SHALL NOT BE CONSIDERED A LICENSE HOLDER, NOR SHALL ANY PERSON NOT LISTED ON AN APPROVED APPLICATION.**

**FOR OFFICE USE ONLY**

I, \_\_\_\_\_, HAVE REVIEWED THIS APPLICATION AND INSPECTION FORM AND

**APPROVE OR**  **DISAPPROVE THE APPLICANT(S) FOR LICENSURE.**

**SIGNATURE OF ODAFF OFFICE OFFICIAL** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**CURRENT FARMED CERVIDAE INVENTORY AS OF \_\_\_\_\_**  
(Date)

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

	PRIMARY ID	SECONDARY ID	SPECIES OR BREED NAME	AGE	SEX
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
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**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY  
CHAPTER 15. ANIMAL INDUSTRY**

**SUBCHAPTER 44. FARMED CERVIDAE**

**35:15-44-1. Purpose**

The purpose of these rules is to establish procedures and requirements for the licensing of farmed cervidae facilities. These rules shall not apply to any cervidae facilities owned or operated for the purpose of commercial hunting of farmed or captive bred cervidae regulated by the Oklahoma Department of Wildlife Conservation.

**35:15-44-2. Definitions**

The following words or terms, when used in this subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

**"Proof of ownership"** means an inspection certificate, a purchase invoice from a licensed public livestock market showing individual identification, a duly executed bill of sale, court orders, certification that the cervidae was born from animals owned by the seller, or any other document the Department deems acceptable.

**35:15-44-3. Application for license**

(a) An owner or operator shall obtain a farmed cervidae license prior to breeding, possessing, or raising cervidae for commercial or noncommercial purposes.

(b) The Department may issue a license if the cervidae were lawfully obtained, the owner and operator act in good faith, and the owner and operator adhere to all applicable laws and rules.

(c) An application for a farmed cervidae facility shall contain the following complete, accurate, and legible information:

(1) Name, address, and telephone number of owner.

(2) Name, address, and telephone number of the operator, if different from the owner.

(3) Name, address, and telephone number of the primary contact.

(4) Farm name, facility address, and facility telephone number.

(5) Name, address and telephone number of the location where records are kept.

(6) Specific legal description of the facility to the nearest quarter section.

(7) A map showing topography of the area with a diagram of the facility structures, fencing plan, and perimeter clearly marked.

(8) A description of the experience and education of the owner and operator to successfully maintain and operate the facility.

(9) Whether the applicant has been convicted of a felony, misdemeanor, administrative, or civil violation of any natural resources requirements, including but not limited to wildlife, forestry, fisheries, environment, or animal health within the past three (3) years in Oklahoma or any other jurisdiction.

(10) Whether the property where the farmed cervidae facility is located is owned or leased.

(11) An initial inventory of the farmed cervidae, including their ages, breed and species, and a minimum of one form of official individual identification approved by the Department.

(12) Method of carcass disposal for the facility, including carcass storage sites, carcass burial areas, incineration approval, rendering company, composting plan, or landfill.

(13) Driving directions from the nearest town.

(14) The D/B/A, corporate name, or other name the farmed cervidae facility operates under. If a corporation, submit a certificate of good standing from the secretary of state.

(15) A list of each name the farmed cervidae facility operates under.

(16) Signature under oath "I certify under penalty of law this document, all attachments, and information submitted are to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for knowingly submitting false, inaccurate, or incomplete information, including the possibility of fines for each violation."

(d) The Department shall not issue a license in the following circumstances:

(1) The facility was not inspected by the Department.

(2) The owner or operator had any equivalent license denied, revoked, or suspended by any authority, except by accordance with the provisions of OAC 35:15-44-16.

(e) Using information from the application and from the State's files, the Department shall determine:

(1) The accuracy of all materials in the application;

(2) The applicant can reasonably be expected to comply with all legal requirements; and

(3) The proposed facility is adequate and complies with all legal requirements and would not result in harm to native wildlife.

#### **35:15-44-4. Renewals**

(a) The license shall expire on June 30 of each calendar year.

(b) The renewal application shall be submitted not later than January 15 of each calendar year.

(c) The annual report containing all inventory information shall be submitted with the renewal application.

(1) The Department may, on a case by case basis, approve a different date for submission of the annual report.

(2) An owner or operator shall request a different date in writing to the Department, and shall provide justification for using a date other than January 15.

(3) Submission of an annual report for other disease monitoring purposes may be considered justification for requesting a different date.

(d) Any renewal application received or postmarked after the renewal date shall be subject to a 10% penalty in addition to the renewal fee, and shall be deemed a violation of the Oklahoma Farmed Cervidae Act.

(e) Submit a signed, complete, accurate, and legible form containing the following information:

(1) The annual report.

(2) Any changes to the facility since the last renewal or original license application, including, but not limited to:

(A) Changes in contact information.

(B) Changes in perimeter fences. Attach an updated facility map indicating any expansion, change in facility perimeter, or any additional fencing.

(f) No renewals shall be issued for a license that is allowed to lapse due to the negligence of the owner or operator.

(g) Failure to renew shall result in the facility being quarantined until due process of law against the current owner occurs. The failure may result in revocation of the license, loss of the facility number, closure of the facility, and removal of the cervidae from the premises.

#### **35:15-44-5. Transfers**

For transfer of a license to a new owner or operator, the following conditions shall be met:

(1) The new owner or operator shall submit to the Department a transfer application, attaching any change of conditions resulting from the transfer of ownership or operation;

(2) After receipt of the information required, the Department shall review the information, and within thirty (30) days, issue approval or denial of the transfer. Transfer of a license shall be denied only if:

(A) the new owner or operator cannot comply with the requirements of transfer,

(B) failure of the new owner or operator to meet any other conditions or requirements for compliance established by the Department, or

(C) If a transfer is denied, written notification of the denial and an opportunity for an administrative hearing on the denial shall be given to the applicant for a transfer license by the Department. The notification shall set forth the reasons for the denial, steps necessary to meet the requirements for a transfer license and the opportunity for the applicant to request an administrative hearing.

### **35:15-44-6. Record keeping**

(a) All required records shall be kept by the owner or operator for a minimum of five (5) years.

(b) The following records shall be maintained at the facility:

(1) Records of all cervidae sold, killed, given away, transported, or shipped.

(2) The name and address of any recipient or consignee and the date of any transaction.

(3) Sales receipts.

(4) Proof that the cervidae are from a legal source and records kept and animals marked to identify individual animals.

(5) The CWD inventory or an inventory of cervidae containing the following information:

(A) Name and address of the farmed cervidae facility, the owner, and the operator.

(B) A listing of each individual animal.

(C) A statement of ownership.

(D) A listing of any and all identification numbers assigned to the cervidae by the owner or operator and any other official entity.

(i) Tattoo number.

(ii) Any official identification approved by the Department.

(iii) USDA alphanumeric test tag number or official Canadian alphanumeric test tag number, if applicable.

(E) Age.

(F) Sex.

(G) Date of purchase or date of birth.

(H) Date of death or date of change of ownership.

(I) Any cervidae born at the facility shall be shown on the inventory record on or before December 31 of the year of birth, or upon sale or transfer of ownership or upon leaving the facility, whichever comes first.

(J) Any cervidae purchases shall be on the inventory record immediately after acquisition.

(K) Date the inventory was completed.

(6) Herd and individual animal health documents, including, but not limited to, the Certificate of Veterinary Inspection and test results.

### **35:15-44-7. Limit on facility size**

(a) Facility size shall be limited to the largest practicable area to ensure no native or wild cervidae are within the confines of the facility. Limitations on facility size may include but not be limited to geography and topography of the property.

(b) No farmed cervidae facility shall share a common fence with any Wildlife Management Area operated by the Oklahoma Department of Wildlife Conservation.

(c) Each separate location of a farmed cervidae facility shall be licensed separately.

**35:15-44-8. Fencing and facility requirements**

(a) The owner or operator shall ensure that farmed cervidae are confined to the lands described in the application.

(b) The perimeter of each new farmed cervidae facility shall be an eight (8) foot game or high tensile fence designed in a manner to prevent ingress and egress of cervidae.

(1) Facilities in operation prior to the effective date of the Oklahoma Farmed Cervidae Act shall maintain fencing sufficient to prevent ingress and egress of cervidae.

(2) The owner or operator shall install eight (8) foot game or high tensile fence for any new fencing at a new or existing facility.

(c) Damage caused to a farmed cervidae facility perimeter fence by a natural disaster shall not constitute a violation so long as the owner or operator begins any necessary repairs immediately upon discovery, acts expeditiously in the opinion of the Department to complete any necessary repairs, and reports the extent and cause of any damage to the Department within two working days of discovery.

(d) The owner or operator shall notify the Department within two working days of discovery of any wild cervidae within the farmed cervidae facility.

(e) The owner or operator shall provide each farmed cervidae with adequate water, adequate feed, appropriate natural or manmade shelter, and reasonable protection from predators.

**35:15-44-9. Flushing procedures**

(a) Prior to the final enclosure of the farmed cervidae facility, the owner or operator shall undertake a flushing procedure to ensure that any native or wild cervidae are not present in the area.

(b) The flushing procedure shall be performed in the presence of authorized agents of the Oklahoma Department of Wildlife Conservation.

(c) The owner or operator shall obtain documentation from the Oklahoma Department of Wildlife Conservation that the flushing procedure was adequately completed.

**35:15-44-10. Slaughter requirements**

(a) Owners and operators of licensed farmed cervidae facilities may slaughter farmed cervidae at any time throughout the year pursuant to the Exotic Livestock and Exotic Livestock Products Inspection Act or other applicable law.

(b) An owner or operator may slaughter their own farmed cervidae for personal or noncommercial consumption, but in no case shall someone other than the owner or operator be allowed to hunt or shoot the farmed cervidae.

(c) Any person holding meat or antlers with attached skull plates from a farmed cervidae facility that obtained it through non commercial methods shall hold a receipt from the owner or operator of the farmed cervidae facility for so long as they have the meat or antlers with attached skull plates.

**35:15-44-11. Transportation permit**

A permit developed by the Department or a sales receipt shall be provided to any purchaser or transporter of live cervidae, meat, or antlers with attached skull plates and it shall be kept with the live cervidae, meat, or antlers with attached skull plates at all times.

**35:15-44-12. Sale or disposal of hides and antlers**

(a) Any owner and operator of a farmed cervidae facility may sell or dispose of hides and antler sheds at any time.

(b) An owner or operator shall only sell or dispose of antlers with attached skull plates in the following circumstances:

(1) Each set of antlers shall be individually identified with sufficient documentation linking it to the farmed cervidae, including, but not limited to, photographs, lock on identification tags, DNA testing, or other proof of ownership;

(2) In no case shall an owner or operator sell or dispose of antlers without appropriate documentation.

(3) The owner or operator shall notify the Department within two working days of any sale or disposal of antlers pursuant to this section and provide a copy of all appropriate documentation to the Department.

(4) The owner or operator shall provide a copy of all appropriate documentation to the purchaser or recipient at the time of sale or disposal.

(c) The sale or disposal of antler sheds or antlers that are not attached to the skull plate shall not be restricted.

### **35:15-44-13. Carcass disposal**

(a) Facilities shall comply with all carcass disposal requirements.

(b) The following methods may be used for disposal of carcasses from a farmed cervidae facility:

(1) Rendering,

(2) Landfill,

(3) Burial,

(4) Incineration, or

(5) Composting.

(c) Carcass disposal areas shall be located a minimum of thirty feet from any live farmed cervidae.

(d) The owner or operator shall comply with Title 2, Section 2-18.1 and Title 21, Sections 1222, 1223, and 1224 at all times.

### **35:15-44-14. Inspections**

(a) Each premises shall be inspected at least annually.

(b) Prelicensing inspections:

(1) Upon submission of a complete application, the Department shall schedule an onsite meeting and inspection to review the facility.

(2) The Department shall review the location of the facility, including perimeter fencing, gates, feed bunkers, shelter, carcass disposal areas, and any other facilities for the location.

(3) The Department may request appropriate changes to the facility design.

(4) In no case shall a license for a farmed cervidae facility be granted unless the Department has conducted a prelicensing inspection and the Department has approved the facility based on that inspection.

(5) The license shall be revoked for any facility that does not construct or operate the facility in accordance with the approved prelicensing inspection.

(c) All new facilities shall be inspected within ninety (90) calendar days prior to issuance of a new license.

(d) All facilities and cervidae for inventory purposes shall be inspected within six (6) months prior to the renewal of an existing license.

(e) It is the responsibility of the owner or operator to arrange the appropriate inspection and the Department shall be given an adequate time to respond to the request for the inspection.

(f) Authorized agents of the Oklahoma Department of Wildlife Conservation shall have the authority to enter and inspect any premises pursuant to Title 29, Section 3-201 of the Oklahoma Statutes for the purpose of implementing and enforcing the Oklahoma Wildlife Conservation Code.

**35:15-44-15. Complaint and compliance investigations**

(a) Upon receipt of a written complaint, the Department notifies the person filing the complaint in writing of its receipt and status within five (5) working days. The party whom the complaint is filed against, if known, is notified within five (5) working days. The resolution of a complaint is the completion of the appropriate administrative, jurisdictional, and legal remedies to the extent possible by the Department. The complainant and owner shall be notified in writing within seven (7) working days after resolution of the complaint.

(b) Department initiated investigations may occur at any time.

**35:15-44-16. Modify, suspend, cancel, or revoke licenses**

(a) The license of any owner or operator may be revoked if the owner or operator is convicted of violating any provisions of the Oklahoma Agricultural Code.

(b) In the event a license is denied, revoked, cancelled, or suspended, the owner or operator is not eligible to reapply until after the date the license would have expired.

**35:15-44-17. Closure of the facility**

(a) The owner or operator may take up to one hundred twenty (120) days to dispose of all cervidae at the facility pursuant to the Oklahoma Farmed Cervidae Act and rules upon expiration of a license.

(b) In no case shall the farmed cervidae be released into the wild.

(c) Cleaning and disinfection of the premises shall be completed immediately upon closure of the facility if required by the Department.

**35:15-44-18. Fees**

(a) The application fee for a new farmed cervidae facility shall be \$125.

(b) The annual license renewal fee shall be \$75 per facility.

**35:15-44-19. Entry and export requirements**

(a) Import of cervidae originating in any state or Canadian province where CWD exists in free ranging native herds shall be prohibited, unless it originates from a CWD monitored herd with a five-year status within a county where no CWD exists in free ranging native herds.

(b) All other cervidae imports shall only be from a source herd that is in a CWD surveillance and certification program that meets the standards of cervidae importation into Oklahoma.

(c) Import of cervidae shall be accompanied by a Certificate of Veterinary Inspection and an approved Cervidae Import Permit.

**35:15-44-20. Animal identification requirements [RESERVED]**