



Fiscal Note for Furbearer Propagation

Rule Amendments: 15A NCAC 10H .1101 FURBEARER PROPAGATION LICENSE
15A NCAC 10H .1104 MINIMUM STANDARDS FOR CAGING AND CARE
15A NCAC 10H .1107 RECORDS AND INSPECTIONS

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Fiscal Impact: State Government: Minimal
Local Government: No
Private Impact: Minimal
Substantial Economic Impact: No

Authority: G.S. 113-134, 113-273

Background

The proposed amendments to Rules within 15A NCAC 10H .1100 provide minor updates to the framework for Furbearer Propagation in North Carolina. Highlights include updates to language throughout for improved clarity, updates to caging standards for mink and fox based on Fur Commission USA and U.S. Fox Shipper's Council recommendations, updates to biosecurity and human safety standards, and additional requirements for licenses holders working with rabies species.

In June 1985, House Bill 1110 was ratified and amended G.S. 113-273 by creating the furbearer propagation license. The license allows the propagation of beaver, bobcat, mink, muskrat, nutria (a non-native species), opossum, otter, raccoon, red fox (all color phases), striped skunk, spotted skunk, long-tailed weasel, least weasel, and silver fox.

Furbearer propagation has declined in popularity over the years and is uncommon in North Carolina due to low pelt prices and our warm climate, the latter of which impacts fur quality. From the early 2000s until 2015, there were no licensed furbearer propagators in North Carolina. In 2015, an existing mink farm, licensed through USDA-APHIS, was issued a furbearer propagator license; however, this farm stopped renewing their license after 2022 and is no longer in operation. Currently there is one individual with a furbearer propagation license in North Carolina.

The furbearer propagation rules were last updated in November 2019 by WRC staff with input from Fur Commission USA. Further updating the furbearer propagation rules to address reporting requirements, disease management, animal welfare, and biosecurity will address some of the issues observed at the current facility and avoid issues at any future furbearer propagation facilities.

Lastly, the Commission is updating 15A NCAC Section .1400 Rehabilitation and Captivity Rule to minimize rabies exposure risk from captive wild animals. Since most of the species that can be propagated under the furbearer propagation license are rabies vector species, proposed amendments to 15 NCAC Section .1100 have regulatory language consistent with Section .1400 regarding holding rabies vector species in captivity. In addition, SARS-CoV-2 outbreaks have been reported in mink farms in Europe and Canada, resulting in high mortality of captive mink and disease exposure to people and wild mink. Amending section .1100 to strengthen biosecurity requirements and match industry standards could minimize disease outbreaks in humans, captive animals, and wild animals.

Proposed Rule Amendments and Impacts

15A NCAC 10H .1101 FURBEARER PROPAGATION LICENSE

- Clarifies that only species designated on the license can be propagated.
- Removes NCWRC website referenced in rule. The application is not available online.
- Licensees must report their date of birth and certification of up-to-date rabies prophylaxis at time of application. These changes are consistent with updates to 15A NCAC 10H .1400.

The proposed changes should lead to small administrative efficiencies for the agency and licensees. The proposed amendments are anticipated to have no impact on local government.

15A NCAC 10H .1104 MINIMUM STANDARDS FOR CAGING AND CARE

- Updates caging requirements for mink and fox based on Fur Commission USA standards and U.S. Fox Shipper's Council certification.
- Clarifies that clean drinking water shall be provided daily.
- Amends rule language to improve biosecurity and human safety based on recommendations from Fur Commission USA:
 - Specifies perimeter fencing requirements.
 - Requires that food for propagated species be stored in a sanitary manner.
 - Clarifies that fecal and food waste be removed daily.
 - Establishes quarantine requirements for newly acquired species.
 - Requires that acquired mink be tested and free from Aleutian disease.
 - Implements requirements for visitors, such as wearing boots, washing their hands, using a footbath, and signing an entrance log.
 - Requires proper disposal of dead animals.
- Adds rule language that would provide consistency with the captivity and rehabilitation rules in the handling and holding of rabies vectors species by requiring:
 - Rabies training and pre-exposure prophylaxis.
 - A NC licensed veterinarian that agrees to provide medical treatment.
 - That furbearer propagators establish contacts with animal control and local health department regarding their activities and rabies testing.
 - A written protocol for euthanasia and rabies testing.

The proposed changes should lead to small administrative efficiencies for the agency when inspecting furbearer propagation facilities and improve biosecurity, human safety, and overall compliance. The proposed amendments are anticipated to have no impact on local government. The proposed amendments may result in additional costs and administrative burdens for licensees. However, since there is currently only one active furbearer propagation license in NC, the overall potential costs to the existing regulated community will be minimal.

Industry-wide, most operations are likely already in compliance with the proposed rules, as these amendments closely mirror the industry standards defined by Fur Commission USA and U.S. Fox Shipper's Council. Nonetheless, the current North Carolina licensee may incur costs in complying with the proposed amendments. These costs may include the purchase of additional/modified fencing and sanitation equipment such as footbaths, coveralls, boots, and disinfectants.

Quantifying these costs is challenging because the extent of necessary modifications will depend on the current condition and configuration of the facility. For instance, fencing may only require minor upgrades rather than complete replacement, and the costs of sanitation equipment can vary widely depending on the specific brands and quantities purchased. Additionally, if a facility acquires mink, each animal must be tested for Aleutian disease. While rapid test kits can be purchased for as little as \$2, laboratory-based tests are more expensive, and the total cost will depend on both the number of animals and the chosen testing method. These variables, along with the fact that there is currently only one small-scale licensee in the state, make it difficult to provide a precise estimate of overall costs.

The proposed amendments may also increase the (1) labor required to comply with the food and water, carcass disposal, and waste disposal requirements, and the (2) administrative burden required to comply with the rabies species rule proposals. While these costs could not be quantified, they are expected to be minimal.

15A NCAC 10H .1107 RECORDS AND INSPECTIONS

- Updates annual reporting requirements such that they are consistent with those required of licenses issues under section 10H .1400.
- Clarifies that pelts sold and animals that died or were euthanized must be reported on annual records.

The proposed changes should lead to small administrative efficiencies for the agency. The proposed amendments are anticipated to have no impact on local government. The proposed amendments will require licensees to make minor administrative adjustments to recordkeeping and forms, requiring additional detail on annual reports and clarifying record submission timeline.

1 **15A NCAC 10H .1101 FURBEARER PROPAGATION LICENSE**

2 (a) The furbearer propagation license shall authorize the propagation of furbearing animals and red foxes, including
3 all color phases, for use as fur.

4 ~~(b)~~ Furbearer propagation license holders ~~shall be authorized to do the following:~~ may conduct the following activities
5 with species designated on their license:

6 (1) ~~Breed~~ breed the ~~species of animal designated on the license;~~ species for the production of marketable
7 fur;

8 (2) ~~Raise~~ raise live specimens for the production of marketable fur;

9 (3) ~~Sell~~ sell domestically produced fur to a licensed fur dealer; and

10 (4) ~~Buy~~ acquire, buy, and sell live specimens from or to ~~a~~ another furbearer propagation license holder,
11 a captivity license holder, or a licensed non-resident producer of ranch-raised breeding stock. Live
12 specimens shall not be sourced from the wild.

13 ~~(b)(c)~~ Application for a furbearer propagation license shall be made on a form available ~~from the Commission at~~
14 ~~www.ncwildlife.org or~~ at the Commission headquarters located at 1751 Varsity Drive, Raleigh, NC 27606-2576.

15 Information required from the applicant shall include:

16 (1) ~~The applicant's~~ name;

17 (2) ~~The applicant's~~ residence or mailing address;

18 (3) ~~The~~ physical address of the propagation facility;

19 (4) ~~The applicant's~~ telephone number; ~~and~~

20 (5) date of birth;

21 ~~(5)(6)~~ ~~The species of furbearing animal or fox to be propagated;~~ propagated; and

22 (7) certification of up-to-date rabies pre-exposure prophylaxis, if applicable.

23 ~~(e)(d)~~ The furbearer propagation license shall be posted ~~and displayed~~ at the propagation facility and be provided,
24 upon request, to a representative of the Commission. ~~so that it is visible to visitors or patrons at all times.~~

26 *History Note: Authority G.S. 113-134; 113-273;*

27 *Eff. April 1, 1986;*

28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
29 *6, 2016;*

30 *Amended Eff. November 1, 2019.*

1 **15A NCAC 10H .1104 MINIMUM STANDARDS FOR CAGING AND CARE**

2 (a) General Cage Requirements.

- 3 (1) Cages shall be constructed of non-toxic, corrosion-resistant materials sufficient to retain animals
4 without tethers or chains;
5 (2) Cages shall contain a den area large enough for all the animals in that cage to turn around and lie
6 down;
7 (3) Cages shall be housed in an area that provides protection from direct sunlight, precipitation, wind,
8 and other weather conditions;
9 (4) Cages shall minimize heat build-up and provide sufficient light to maintain the animal's circadian
10 rhythms;
11 (5) Cages shall be ventilated to sufficiently provide fresh air circulation;
12 (6) Cages shall be securely anchored and elevated two feet above ground or floor level to facilitate
13 cleaning;
14 (7) Cages shall be arranged in rows to allow for visual and physical inspection and to allow space for
15 cleaning; and
16 (8) Cages shall be surrounded by a four foot perimeter fence with a one foot below ground dig barrier
17 designed to prevent ingress and egress by domestic and wild animals. The fence shall have a top
18 electrified wire three feet above the ground and a bottom electrified wire one foot above the ground.
19 The fence shall be free from structures or vegetation.

20 ~~(b)(a) Breeder cages shall be used to hold a~~ A pair of animals held for breeding and to hold the or a female and her
21 litter from the time the litter is born until weaning. weaning shall be held in a breeder cage.

22 ~~(c)(b) Pelter cages shall only be used to hold A single animals.~~ animal or two mink may be held in a pelter cage.

23 (d) Mink.

- 24 (1) cages shall have a height of 12 inches.
25 (2) breeder cages shall be 4,300 cubic inches.
26 (3) pelter cages shall be 2,500 cubic inches for one mink, and 3,800 cubic inches for two mink.
27 (4) shall be acquired from a furbearer propagation license holder, a captivity license holder, or a licensed
28 non-resident producer of ranch-raised breeding stock that is free from Aleutian Disease, and shall
29 be tested and vaccinated for Aleutian Disease.

30 (e) Fox.

- 31 (1) cages shall have a height of 24 inches.
32 (2) breeder cages shall be 13 cubic feet.
33 (3) pelter cages shall be 16 cubic feet.

34 ~~(f)(e) The minimum dimensions of cages in~~ The following cage dimension requirements in depth (d), width (w), and
35 height (h) (h), measured in feet feet, shall be as follows depending on the species of animals being held: apply:
36

37 SPECIES BREEDER CAGE PELTER CAGE

	(d x w x h)	(d x w x h)
Beaver	3 x 6 x 2.5	3 x 4 x 2.5
Bobcat	3 x 6 x 2.5	3 x 4 x 2.5
Fox	5.0 x 3.0 x 3.0	2.5 x 3.0 x 3.0
Mink	2.0 x 0.8 x 1.0	2.0 x 0.5 x 1.0
Nutria	3 x 3 x 2.0	3 x 2 x 2.0
Opossum	3 x 3 x 2.0	3 x 2 x 2.0
Otter	3 x 5 x 1.5	3 x 3 x 1.5
Raccoon	3 x 4 x 2.0	3 x 2 x 2.0
Skunk	3 x 3 x 1.5	3 x 2 x 1.5
Weasel	2 x 2 x 1.5	1 x 2 x 1.5

~~(d) Each license holder shall comply with the following general cage requirements:~~

- ~~(1) cages shall be constructed of non-toxic, corrosion-resistant materials sufficient to retain animals without tethers or chains;~~
- ~~(2) cages shall have a den area large enough for all the animals in that cage to turn around and lie down;~~
- ~~(3) cages shall be housed in an area that provides protection from direct sunlight, precipitation, wind, and other weather conditions;~~
- ~~(4) cages shall be designed to minimize heat build-up and provide sufficient light to maintain the animal's circadian rhythms;~~
- ~~(5) caging shall be ventilated;~~
- ~~(6) cages shall be solidly based at least two feet above ground or floor level to facilitate cleaning;~~
- ~~(7) cages shall be arranged in rows to allow visual and physical inspection of all areas and all species and to allow space for operations and cleaning; and~~
- ~~(8) a perimeter fence shall be maintained around the housing area and shall include a dig barrier designed to prevent escape and access by domestic and wild animals.~~

~~(g)~~(e) Each license holder shall comply with the following general care requirements: General Sanitation and Food Requirements.

- (1) ~~water: clean drinking water shall be provided.~~ Clean drinking water shall be provided daily. All pools, tanks, water areas, and water containers provided for swimming, wading, or drinking shall be clean. Enclosures shall provide drainage for surface water and runoff;
- (2) ~~sanitation: water disposal and waste disposal~~ Water and waste shall be disposed of in accordance with all applicable local, State, and federal laws;
- (3) ~~food: food~~ Food shall be of a type and quantity that is appropriate for the particular species and ~~shall be provided~~ in an unspoiled and uncontaminated condition. ~~condition;~~ Food shall be stored to prevent vermin infestation and spoilage;

- (4) ~~waste: fecal~~ Fecal and food waste shall be removed daily from inside, under, and around enclosures and disposed of in a manner that prevents seepage into groundwater, noxious ~~odors~~, ~~odors~~ or pests;
- (5) ~~ectoparasites: a program for the control of ectoparasites and vermin shall be established and maintained.~~ Effective measures shall be implemented to control ectoparasites, insects, and vermin. These measures shall be documented and provided, upon request, by a representative of the Commission. Methods to control insects shall be employed and only EPA-approved insecticides shall may be used. Biological pest control methods may be used; used where appropriate.
- (6) Acquired or purchased animals shall be quarantined for 30 days. The quarantine area shall have dedicated coveralls, boots, gloves, and footbath; and
- (7) Carcasses shall be disposed of in an incinerator, landfill, or buried 3 feet below ground and 300 feet from a waterbody. Carcasses shall be temporarily stored in a sealed container prior to final disposal.
- (h) License holders who are authorized to propagate furbearing animals that are rabies species, as defined in 10H .1401(d)(19) and red foxes, shall:
- (1) certify 12 hours of rabies or rabies species-specific training, or a combination thereof, for their initial application;
- (2) certify up-to-date rabies pre-exposure prophylaxis in accordance with current Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention at www.CDC.gov for themselves and staff members who may contact rabies species;
- (3) provide the name and contact information of a North Carolina licensed veterinarian with whom the licensee has consulted and who agrees to provide necessary medical treatment to the rabies species;
- (4) certify notification to the appropriate animal control authority and local health department prior to making application to the Commission, to inform them of their anticipated activities and location, and to coordinate future rabies testing activities;
- (5) post the following information at the license holder's facility and be provided, upon request, by an authorized representative of the Commission:
- (A) proof of immunization or titer checks for individuals who have contact with rabies species;
- (B) contact information for the veterinarian who agrees to provide medical treatment to the rabies species;
- (C) contact information for the local animal control authority and local health department; and
- (D) a written protocol for euthanasia and rabies testing.
- (6) consider rabies species to be potentially infected with the rabies virus. If a human or domestic animal has been scratched, bitten, or exposed to saliva, the fluid that surrounds the brain and spinal cord, or brain or spinal cord material from a rabies species, the license holder shall contact the local health department immediately to report the incident. License holders shall abide by requests from public health department personnel, animal control, and Commission personnel regarding disposition of the animal. Rabies species that have scratched or bitten a human or domestic animal or die in captivity shall not be released or disposed of until the local health department investigates the

1 situation to determine if testing is necessary. Positive rabies test results shall be reported to the
2 Commission within five business days of receipt from the health department.

3 (i) Biosecurity Standards. Prior to entering the perimeter fence, all individuals shall:

4 (1) wear coveralls and boots;

5 (2) wash their hands with a disinfecting soap or use a waterless hand disinfectant; and

6 (3) use a footbath of phenolic, chlorhexidine, or quaternary ammonium disinfectants.

7 Except for license holders, all individuals shall sign an entrance log prior to entering the perimeter fence.

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9 *History Note: Authority G.S. 113-134; 113-273;*

10 *Eff. April 1, 1986;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
12 *6, 2016;*

13 *Amended Eff. November 1, 2019.*

1 **15A NCAC 10H .1107 RECORDS AND INSPECTIONS**

2 (a) Furbearer propagation license holders shall ~~maintain records containing~~ record the following information:

3 (1) the numbers and species of furbearing animals or foxes acquired;

4 (2) the dates and sources of acquisition;

5 (3) the numbers of animals produced by breeding

6 ~~(4)~~ and the numbers of animals raised for market; and

7 ~~(5)(4)~~ the numbers of animals ~~or pelts sold or otherwise disposed of, sold, transferred, died, or euthanized,~~

8 the dates of disposition, and the ~~identities~~ license numbers of the recipients, if ~~the animals were sold~~

9 ~~alive.~~ applicable.

10 (b) The records required by this Rule shall be submitted to the Commission within 15 days of license expiration and
11 shall be retained for 12 months following license expiration. ~~one year following the end of the calendar year to which~~
12 ~~they pertain. The records required pursuant to this Rule~~ Records shall be available for inspection upon ~~at the~~ request
13 by a representative of the Commission.

14 (c) Representatives of the Commission shall be permitted to enter the premises of a license holder's ~~furbearer~~
15 ~~propagation~~ facility upon request or during the facility's business hours for inspection, enforcement, or scientific
16 purposes.

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18 *History Note: Authority G.S. 113-134; 113-273;*

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