WEST VIRGINIA CODE CHAPTER 19 ARTICLE 29

WV Legislature

§19-29-1. Nontraditional agriculture; authority.

The Commissioner of Agriculture is empowered and shall devise means of advancing the nontraditional agricultural products in the state, and in the performance of such duty, he or she shall have the authority to call upon any department, division, or officer of the state or county to cooperate with him or her in promoting nontraditional agricultural products in the state.

These nontraditional products are to be considered as agricultural activities.

Only after consultation with the Division of Natural Resources and the Department of Health, the commissioner shall promulgate rules, in accordance with chapter twenty-nine-a of this code, for the promotion, marketing, and regulation of nontraditional agriculture.

The commissioner shall have the authority under this article to restrict the importation and commercial production of any species of nontraditional agriculture which in his or her opinion is not in the best interest of the industry or of the public.

Nothing in this article shall affect the Division of Natural Resources' authority as provided in articles one, two, three, and seven, chapter twenty of this code.

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§19-29-2. Definitions.

(a) "Aquaculture" means the commercial production of fish and/or other aquatic life.

(b) "Commissioner" means the Commissioner of Agriculture or his or her designee.

(c) "Domestic purposes" means for the purposes of food production, for resale as breeding stock or for the sale of immature stock for the purposes of further feeding.

(d) "Nontraditional agriculture" means the production of animals domesticated from wild stock, either native or nonnative, and are being confined, bred or fed for domestic purposes; captive cervids pursuant to article two-h of this chapter; aquaculture; or other agricultural products as defined in this article.

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§19-29-3. Health requirements.

Only after consultation with the Division of Natural Resources and the Department of Health, the commissioner shall promulgate rules, in accordance with chapter twenty-nine-a of this code, dealing with the health standards for nontraditional agriculture.

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§19-29-4. Inspection of animals, meat and meat products.

The commissioner shall propose rules for legislative approval in accordance with article three, chapter twenty-nine-a of this code, to include inspection of the meat from nontraditional agriculture intended for sale in commercial outlets. Except for rabbits and game birds, nontraditional agriculture shall be slaughtered in an inspected meat processing facility.

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§19-29-5. Owners' responsibilities.

It is the responsibility of the owner to take all reasonable action to maintain the nontraditional agriculture on property owned or leased by the owner, including the construction of fences or other barriers and housing of a suitable design. Owners of nontraditional agriculture shall be responsible for damages and subject to fines as set out in article eighteen of this chapter.

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§19-29-6. Waste disposal from an aquaculture facility.

After consultation with the Department of Environmental Protection, the commissioner shall propose rules for legislative approval in accordance with article three, chapter twenty-nine-a of this code, to include the disposal or application of waste produced from an aquaculture facility.

WV Legislature