

# WEST VIRGINIA CODE: §19-2H-12

## §19-2H-12. Rulemaking.

(a) The commissioner shall propose legislative rules in accordance with article three, chapter twenty-nine-a of this code to implement and enforce this article. The rules shall be consistent with the rules of the United States Department of Agriculture in so far as practicable. Any rules promulgated by the commissioner before September 1, 2015, may be emergency rules.

(b) The rules shall include, but not be limited to:

- (1) Preventing the spread of diseases between captive and wild cervids;
- (2) Implementing an identification system that allows individual captive cervids to be recognized and identified throughout the animal's life;
- (3) Establishing specifications for fencing necessary to prevent the escape of captive cervids and the infiltration of wild cervids into a captive cervid farming facility;
- (4) Specifying record-keeping standards required of captive cervid farming facilities, including standards for documenting purchases, propagation, sales, harvesting, sales of venison and other documentation required to maintain accurate and complete business records;
- (5) Establishing animal health testing criteria, inoculation requirements and statistical information to track, discover and prevent the spread of animal diseases, including chronic wasting disease;
- (6) Regulating the intrastate and interstate movement of captive cervids and maintaining documentation of the origin and destination of all cervid shipments, disease and identification records and any other requisite documentation;
- (7) Creating regulations for the sale and slaughtering of captive cervids for venison;
- (8) Establishing a schedule of fees and charges for services provided by the department to captive cervid farming facilities; and
- (9) Procedures for captive cervid farming facilities to close and wind down operations.