

15A NCAC 03I .0104 INTRODUCE, TRANSFER, OR HOLD IMPORTED MARINE AND ESTUARINE ORGANISMS

(a) To protect the marine and estuarine resources of North Carolina from unacceptable risks from predators, pests, parasites, and disease, it shall be unlawful, except for American eels imported from Maryland, Virginia, or South Carolina for use in an aquaculture operation, without first obtaining a Permit to Introduce, Transfer, or Hold Imported Marine and Estuarine Organisms from the Fisheries Director or without obtaining live marine or estuarine organisms from a permittee to:

- (1) place into the Coastal Fishing Waters of the State live marine or estuarine organisms non-native to the State. For the purpose of this Rule, this action is an introduction.
- (2) place into the coastal fishing waters of the State live marine or estuarine organisms that are native but that originated outside the State's boundaries. For the purpose of this Rule, this action is a transfer.
- (3) hold or maintain any live marine or estuarine organisms, including non-native species that may thrive if introduced into Coastal Fishing Waters, imported into the State in a quarantine or isolation system for live bait or use in an aquaculture operation as defined in Rule .0101 of this Section.
- (4) sell for bait any live marine or estuarine organisms, including non-native species that may thrive if introduced into Coastal Fishing Waters, imported into the State.

(b) Any person desiring to obtain a Permit to Introduce, Transfer, or Hold Imported Marine and Estuarine Organisms shall submit a complete application to the Division of Marine Fisheries, 3441 Arendell Street, P.O. Box 769, Morehead City, NC 28557. The procedures and requirements for obtaining permits are found in 15A NCAC 03O .0500. For the Fisheries Director to determine the level of risk to any native marine or estuarine resource or the environment, the applicant shall also provide a certification from a:

- (1) pathologist that a sample of 60 organisms from proposed shipments are disease free or a certification from a governmental veterinary service that the organisms to be shipped were produced in an area or facility free of diseases posing a risk to North Carolina's marine or estuarine resources, or their environment, as determined by the Fisheries Director; and
- (2) biologist or veterinarian that macroscopic and microscopic examination indicates the shipment contains only those species, sizes, and quantities identified on the permit application.

(c) The Fisheries Director shall require disinfection, quarantine, or destruction of organisms and transfer materials as a condition of the permit, upon finding the importation poses a risk to North Carolina's marine or estuarine resources, or their environment.

(d) The Fisheries Director may hold public meetings prior to granting permits for activities specified in Paragraph (a) of this Rule to gather information concerning risks to native marine or estuarine resources or the environment.

*History Note: Authority G.S. 113-134; 113-170; 113-182; 143B-289.52; S.L. 2017-190; S.L. 2018-114;
Eff. January 1, 1991;
Amended Eff. November 1, 1991;
Recodified from 15A NCAC 3I .0004 Eff. December 17, 1996;
Amended Eff. April 1, 2009;
Readopted Eff. March 15, 2023.*