



(11/2009)



**STATE OF NEW JERSEY**  
**Department of Environmental Protection**  
**Division of Fish and Wildlife**

**CAPTIVE GAME INFORMATION SHEET**

The following is a synopsis of wildlife captivity laws relating to game species. Please refer to N.J.A.C. 7:25-10 for specific information. Additional information on the laws authorizing the regulations concerning the possession of game animals, as well as semi-wild and commercial shooting preserves, may be found in N.J.S.A. Title 23:3-28 to 39.

**PERMIT CATEGORIES**

Please refer to N.J.A.C. 7:25-10.7 for descriptions of the various permit categories. Indicate the most appropriate permit category on your application based upon the primary purpose for possessing the game species. If you have different species for different purposes, you may require more than one permit. For example, if you wish to rehabilitate wildlife (cooperator/rehabilitation category) and maintain other individual wildlife education purposes, more than one permit is necessary. Applicants must be able to meet the necessary criteria for each category in which they apply for. If you have questions, please call us at 609-292-2966.

**LEGALLY ACQUIRED GAME BIRDS OR ANIMALS**

In all states, a legally acquired wild animal is, for the most part, a wild animal which is not from wild origin. These animals are the offspring of animals that were legally held in captivity.

It is important to remember the intent of regulations dealing with wildlife captivity are:

1. To protect wildlife from exploitation. For example, taking animals from the wild for pets, or to sell.
2. To protect native wildlife populations from disease or competition. For example to prevent diseased captive animals from escaping and introducing diseases to wild populations; or to prevent exotic captive wildlife from escaping, introducing diseases into the wild populations and/or preying upon or out competing native wildlife.
3. To protect people from being injured by captive wildlife. For example, preventing wolves and other carnivores from mauling children.
4. To protect agricultural crops from damage from escaped exotic wildlife. For example, escaped wild boars destroy agricultural crops and also prey on ground nesting bird eggs.

Therefore, with the above in mind, native or exotic wildlife of wild origin are considered to be "legally acquired" only within strictly controlled guidelines. States generally restrict the possession of wild origin animals to the zoological and scientific holding categories. The educational and scientific knowledge gained justifies allowing an occasional taking of a wild

origin animal. Wildlife rehabilitators (cooperators) are allowed to temporarily possess native animals of wild origin.

### **MAMMALS**

Captive game mammals obtained for the purpose of wholesale, transport, research and exhibition require a NJ captive game permit and a permit from USDA-APHIS-Animal Care. The only exceptions are those animals held for the purpose of food and/or fiber. All NJ permit applicants are required to contact the USDA office and review their file with USDA-APHIS Animal Care. Applications and information can be obtained by contacting the USDA-APHIS, Animal Care office in Raleigh, North Carolina at (919) 855-7100. A copy of your USDA-APHIS permit must be submitted with your NJ Captive Game annual report and renewal form.

### **POTENTIALLY DANGEROUS SPECIES**

The Division does not allow for the possession of potentially dangerous species within the hobby permit category. Authority for this decision is found in N.J.A.C. 7:25-10.10(b) & 7:25-10.11. Potentially dangerous wildlife are unsuitable and, therefore, inappropriate species for hobbyists.

The possession of potentially dangerous species (non-domestic dogs, bears, non-domestic cats and deer) will be allowed only within the scientific holding, propagation and sales, zoological, animal exhibitor, animal theatrical and fur farming categories. Wildlife rehabilitators must have special permission from the Division to rehabilitate potentially dangerous species.

The applicant must demonstrate knowledge and expertise in handling and caring for the potentially dangerous species; be able to provide adequate caging for the species which will also protect the public; and must clearly state in writing the purpose and intent for possessing the species. Based upon the above criteria, the Division may approve the applicant's request.

Persons in the hobby category, who were issued permits several years ago and still currently hold potentially dangerous game animals, will be allowed to keep these animals. However, no additional acquisitions will be allowed. Hobbyists holding species in this category may wish to change their permit to another category or divest themselves of the "potentially dangerous" species. Applicants requesting category changes will have to meet the criteria established for the applicable permit category.

### **TRANSFERS, ACQUISITIONS AND SALES** (also see import/export)

No sales (or permanent transfers of ownership) of potentially dangerous species are allowed within this state unless the buyer presents written approval from this Division to the seller. Division approval will be granted only after successful review of the potential buyer's application and successful inspection of facilities.

Holders of all categories of permits are reminded that they must notify the Division within 48 hours when the temporary transfer (e.g., temporary placement in another location NJAC 7:25-10.13) of any game bird or animal takes place. For example, if someone will be caring for your pet skunk in their home while you are on vacation, you must notify the Division of this temporary transfer. In the case of potentially dangerous species, prior written approval from the Division for the transfer is required.

All permit categories, except hobby, may acquire additional numbers of the potentially dangerous species listed on their permit provided expansion of facilities is not required. Prior approval for additional acquisitions is necessary if your facilities must be expanded or upgraded (see also section on importation). For example, if you have a propagation and sales permit for deer and wish to acquire more deer, you do not need Division permission *unless* you need to increase your pen size. However, if you intend to buy wildlife from other states, you must have a DFW importation permit and corresponding health documents for this purchase.

All category permit holders acquiring species not classified as potentially dangerous, but are not listed on their current permit, must report the acquisition within twenty days. For example, if you have a permit for a skunk and then purchase a squirrel during the year, you must report the purchase of the squirrel to the Division within twenty days.

The acquisition report form provided by the Division should be used. With the form, the buyer must provide a receipt or letter of transfer and provide documentation to demonstrate that he/she meets the requirements to adequately care for the species in question before a permanent permit will be granted. Details such as species specific diet and photographs and diagrams of the caging must also be included.

The receipts provided by holders of propagation and sales permits act as a temporary permit for game species not listed in the potentially dangerous category.

Homemade receipts (or letters of transfers) can be used by other permit category holders. This documentation must indicate the name, address, telephone number and permit number of the seller, the quantity and species of animals involved and the name, address, telephone number of the purchaser. This includes any change in ownership that does not involve a monetary transaction. These transfers of ownership must be reported on the annual report. The bottom line is that the seller should not sell animals to persons who are not likely to meet the criteria necessary to obtain a permit - unless they have a return policy.

The sale of meat, hide, feathers and/or body parts of game animals raised under the propagation and sales permit category is allowed provided that the meat and/or part is tagged and copies of a receipt or record of transfer is possessed by both the buyer and seller. Tags are available from the Division at a cost of \$0.15 per tag.

### **IMPORTATION OF WILDLIFE**

Anyone seeking to import wildlife into New Jersey must first obtain an importation permit, which is available from the Division at no cost. Applicants must be able to prove that the animal(s) do not originate from the wild (by providing valid receipt with supplier information); the animal(s) are in good health (by providing a Certificate of Veterinary Inspection not more than 30 days old) and have not been exposed to any infectious diseases which may effect wildlife, domestic animals or people (include a copy of all required animal health test results). Call the office at 609-292-2966 for current animal health testing requirements.

Importation of wildlife without this permit and supporting documents is a violation of state, and in some cases, federal law.

### **CURRENT IMPORTATION RESTRICTIONS**

Attempts to address concerns regarding public health, wildlife disease outbreaks and disease transmittal often require intrastate or interstate transportation restrictions. Depending on the concern, these restrictions may last for just a few months as the concern subsides or the restriction may last indefinitely. Always contact the Division for up to date information and restrictions.

Persons violating the importation laws are subject to stiff fines, suspension or loss of the captivity permit and may also incur costs associated with any necessary quarantine, civil liability for damage to others, and loss of the animal(s) imported illegally.

**Rabies Vector Species (RVS) including raccoons, skunks, woodchucks, fox and bats.** The 2007 CDC surveillance report identifies 5 variants of the rabies virus including raccoon, skunk, fox, bat, and mongoose. All the eastern coastal states as well as several neighboring states are endemic to the raccoon variant. NJ has placed a ban on the importation of any RVS from any state reported as having a variant of rabies other than the raccoon variant. For example, the skunk variant is found in Texas. Therefore, no one can import a RVS from Texas, even if the RVS originates from a captive breeder. The only exception will be for those animals held under the supervision of a licensed veterinarian for zoological purposes. For more information, refer to the DFW's Policy on the Importation of Captive Rabies Vector Species located at [http://www.state.nj.us/dep/fgw/pdf/capttv\\_rvs\\_policy.pdf](http://www.state.nj.us/dep/fgw/pdf/capttv_rvs_policy.pdf). The CDC 2007 Rabies Surveillance in the United States was published in the September 15, 2008 edition of the JAVMA and is available at [http://www.cdc.gov/rabies/docs/rabies\\_surveillance\\_us\\_2007.pdf](http://www.cdc.gov/rabies/docs/rabies_surveillance_us_2007.pdf)

**Deer/Elk and other members of the Cervidae family:** A ban on importing deer has been put into effect due to the growing concern over the spread of chronic wasting disease in wild and farmed herds of animals in the deer family throughout the United States. This will reduce the risk of chronic wasting disease entering our State and help to prevent our wild deer from being exposed to this deadly disease. The ban will remain in effect until further notice.

### **EXPORTATION**

Anyone exporting wildlife to another state or country is advised to check with the wildlife agency in the receiving state or country. Generally, the laws are similar to NJ in that the spread of disease and the transfer of dangerous wildlife are of concern. Specific information regarding what species and diseases are of concern may vary between states and/or countries and each state/country may require different documentation reflecting animal health and/or test results prior to transport.

Each year the DFW receives calls from other states seeking to verify transfers of wildlife alleged to be from New Jersey. When you export wildlife, make sure your receipts and bills of lading contain your contact information, New Jersey permit number, the species and the number of individuals being transported. All in-state and all out-of-state sales or transfers must be reported on your annual report forms.

## **WILDLIFE REHABILITATION**

As noted earlier, in general, legally acquired wildlife are not from wild origin. The exception that allows the holding of wild origin wildlife involves wildlife rehabilitation.

States recognize that their citizens wish to help sick, injured and orphaned native wildlife. In order to safeguard people and the animals, only persons who can demonstrate their ability to care for these animals to a point where they can be re-released back into the "wild" are given rehabilitator permits. In New Jersey, a one (1) year apprenticeship under a licensed rehabilitator and a facility inspection are just two of the prerequisites for obtaining a license to rehabilitate wildlife.

Animals not able to be released back into the wild must be euthanized. Occasionally, animals that cannot be returned to the wild because of physical or behavioral problems are placed in the permanent care of a permit holder in the scientific or zoological category, if there is an educational need for such animals. Confiscated animals are likewise placed in scientific or educational facilities when at all possible.

## **EMERGENCY POSSESSION OF WILDLIFE**

Because your neighbors may know you have a permit for wildlife, you may be contacted when an injured or orphaned wild animal is found. We understand that you may opt to take this animal from the person and offer it emergency care. Permit holders, except wildlife rehabilitators, must notify the Division within 12 hours (N.J.A.C. 7:25-10.9) when they are offered or receive an animal from wild origin under emergency circumstances. Note that the DFW must approve the transition prior to accepting a potentially dangerous species. Species of wild origin will be directed to licensed rehabilitators. An attempt will be made to place non-releasable wildlife in scientific or educational facilities. The Division is the final arbiter in deciding the placement of wildlife that cannot be returned to the wild.